

Application Reference Number:	2025/0650
Proposal Description:	Installation of access control gate
Location:	Station Road Industrial Estate, Valley Road, Wombwell, Barnsley, S73 0BS

Recommendation:

Approve subject to conditions.

Site Description

The application is located within Station Road Industrial Estate, Valley Road, Wombwell, Barnsley, S73 0BS. The site is situated away from residential homes and is in its own industrial setting. The nearest residential properties are situated approximately 125m away to the east of the site. The immediate surrounding area is commercial, the nearest residential properties are on Station Road

Planning History

Application Reference	Description	Status
2017/0576	Discharge of conditions 4 and 6 (Travel Plan and Highway Survey) of 2016/0246 - (Variation of condition 2 of planning application 2015/0224: (Erection of a new manufacturing unit adjacent to the existing PVC unit, and additional staff parking provision)	Approved
2016/1373	Erection of 2 aluminium, non-illuminated fascia signs to front elevation of warehouse.	Approved
2016/0246	Variation of condition 2 of planning application 2015/0224: (Erection of a new manufacturing unit adjacent to the existing PVC unit, and additional staff parking provision) to raise height of part of building by an additional 3m	Approved

2015/0224	Erection of a new manufacturing unit adjacent to the existing PVC unit, and additional staff parking provision.	Approved
2007/0580	Erection of industrial units	Approved

Proposed Development

The applicant is proposing the installation of an access control gate, located at Station Road Industrial Estate, Valley Road, Wombwell, Barnsley, S73 0BS. The gate comprises a single cantilever sliding vehicle gate of c.2m height and wire mesh construction. The gate will be finished in green to match the existing palisade fence.

The existing vehicular gate, barrier and pedestrian gate (on the southeastern side) will be replaced as part of the proposals and the existing pedestrian gate to the northwestern side will be retained but permanently fixed shut.

The replacement gates will be kept open during normal operational hours and outside of these will be closed but accessible for occupiers and authorised users by use of a telephone based remote access control system.

Relevant Policies

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

The Local Plan review was approved at the full Council meeting on 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

- Local Plan Allocation – Urban Fabric
- Policy SD1: Presumption in favour of Sustainable Development
- Policy GD1: General Development
- Policy D1: High quality design and place making
- Policy Poll1: Pollution Control and Protection
- Policy T3: New development and Sustainable Travel
- Policy T4: New Development and Transport Safety
- Policy E3: Uses of employment land

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance

In December 2024, The Government published a revised National Planning Policy Framework ("NPPF") which is the most recent revision of the original Framework, published first in 2012 and updated a number of times, providing the overarching planning framework for England.

It sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. This revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

Central to the NPPF is a presumption in favour of sustainable development which is at the heart of the framework (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). The NPPF confirms that there are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent.

The most relevant sections are:

- Section 2 - Achieving sustainable development
- Section 4 - Decision making
- Section 9 - Promoting sustainable transport
- Section 12 - Achieving well-designed places

The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A written ministerial statement states that local planning authorities should take it into account when taking decisions.

Supplementary Planning Documents:

In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, Barnsley has adopted twenty-eight Supplementary Planning Documents (SPDs) following the adoption of the Local Plan in January 2019. The most pertinent SPDs in this case are:

- Sustainable travel SPD
- Residential amenity and sitings of buildings SPD

Consultations

Highways – Approve subject to conditions

Representations

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015. No representations have been received.

Assessment

Principle of Development

The application site is within an established industrial setting, and it would be replacing an existing gate at the site. The gate is intended to regulate vehicular access, improve security and manage circulation. Such works are ancillary to the authorised use of the site. This is a typical development in a commercial setting, and it would not impact on the use of the employment land as laid out in Policy E3 and would promote transport safety at the site.

Residential Amenity

The application site is a set approximately 125m from residential properties and is in a commercial setting. The existing control gate is being replaced and thus there will be the same impact to residential amenity which there currently is. Therefore, there is to be little to no changes and thus little detrimental impact on the amenity.

Visual Amenity

The gate would be replacing an existing control gate and would be situated within the industrial estate. There will be little to no detrimental impact on visual amenity as it would be replacing an existing one.

Highways Safety

The Councils' Highways Officer has made the following comments:

The application seeks permission to install an access control gate arrangement at the access to an area of the Station Road Industrial Estate serving three terraces of Industrial Units previously owned and operated by Safestyle UK.

These units are served by public highway forming a "spur" running in a northeast direction off the main Valley Road spine road.

Notwithstanding the fact that the "spur road" is public highway, it is currently gated in order to restrict access. This arrangement appears to have been in situ for a period of at least 17 years and is likely to have been introduced to prevent parked vehicles from obstructing business activities. However, the gates were always opened to allow inspection and maintenance activities of the existing street lighting apparatus.

The existing vehicular gate, barrier and pedestrian gate (on the southeastern side) will be replaced as part of the proposals and the existing pedestrian gate to the northwestern side will be retained but permanently fixed shut.

The replacement gates will be kept open during normal operational hours and outside of these will be closed but accessible for occupiers and authorised users by use of a telephone based remote access control system.

Under provisions of the Highways Act 1980, the Highway Authority has a duty to assert and protect the rights of the public to enjoy the use of any highway and prevent obstruction on any highway for which they are responsible.

As such this application seeks to formalise the gated provision at this locale with a corresponding proposal to stop up the highway forming the spur road. The stopping up will be progressed under Section 247 of the Town and Country Planning Act to enable development to proceed in accordance with planning approval. This would remove public highway status such that the “spur” becomes a private access road.

As the approval of the proposal is contingent upon the stopping up order being granted, I request that pre-commencement conditions are imposed to ensure proper regulation of the scheme’s implementation and safeguard the public highway infrastructure.

Therefore, having liaised internally with Highways Assets, drainage and street lighting colleagues I can confirm there are no objections to the proposal from a highway’s development control perspective subject to the following:

- No development (including site clearance, demolition, or enabling works) shall commence until a Stopping Up Order under Section 247 of the Town and Country Planning Act 1990 has been confirmed by the Secretary of State and a copy of the confirmed Order has been submitted to and acknowledged in writing by the Local Planning Authority.
- No development shall commence until proposals for the future operation and maintenance of any highway drainage affected by the proposed stopping up of public highway under Section 247 of the Town and country Planning Act 1990 has been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. The scheme shall be agreed upon, implemented, and come into effect once the stopping up order is enacted
- No development shall commence until a scheme including timetable for the removal and disconnection of street lighting within the area to be stopped up under Section 247 of the Town and Country Planning Act 1990 has been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. The removal and disconnection works shall thereafter be carried out in full accordance with the approved scheme at the expense of the developer.

The Highways Officers' comments and recommendations are sound and justified and thus will be attached to the decision notice if approval is granted.

Planning Balance and Conclusion

Recommendation

Approve subject to conditions

Justification

STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission. Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
2. The development hereby approved shall be carried out strictly in accordance with the plans (Nos. 25006-MOS-SI-XX-DR-A-0100 - Location Plan (1:1250), 25006-MOS-SI-XX-DR-A-0103 - Proposed Plan (1:200), 25006-MOS-SI-XX-DR-A-0104 - Proposed Elevations (1:500, 1:100, 1:200)) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.
3. No development (including site clearance, demolition, or enabling works) shall commence until a Stopping Up Order under Section 247 of the Town and Country Planning Act 1990 has been confirmed by the Secretary of State and a copy of the confirmed Order has been submitted to and acknowledged in writing by the Local Planning Authority.
Reason: To ensure that public highway rights are lawfully extinguished prior to development, in the interests of legal compliance, public safety, and the proper implementation of the approved scheme.

4. No development shall commence until proposals for the future operation and maintenance of any highway drainage affected by the proposed stopping up of public highway under Section 247 of the Town and country Planning Act 1990 has been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. The scheme shall be agreed upon, implemented, and come into effect once the stopping up order is enacted.
Reason: In the interests of continued highway function and flood risk management.

5. No development shall commence until a scheme including timetable for the removal and disconnection of street lighting within the area to be stopped up under Section 247 of the Town and Country Planning Act 1990 has been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. The removal and disconnection works shall thereafter be carried out in full accordance with the approved scheme at the expense of the developer.

Reason: To ensure the safe and orderly removal of street lighting infrastructure within the area to be stopped up, in the interest of public safety and to prevent damage to highway assets.

Informatives

1. The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore, the consent of all relevant landowners is required before proceeding with any development, including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent, then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

2. The applicant is advised that the removal and disconnection of street lighting apparatus within land subject to the stopping up order under Section 247 of the Town and country Planning Act 1990 must be agreed with and undertaken by the Local Highway Authority. All costs associated with the disconnection, removal

and any necessary reinstatement shall be borne by the developer. The applicant should make contact with the authorities Street Lighting Team, Tel 01226 770770. Email. Streetlightingdesign@barnsley.gov.uk at the earliest opportunity.

3. Road Licences - You are advised that the development hereby permitted may require you to dig up a road, pavement, or grass verge to install or replace service apparatus (gas pipes, electricity cables, sewers), or to place any equipment, materials in, on, above or abutting a highway. This activity requires you to have a licence. Further details are available on the BMBC website at: <https://www.barnsley.gov.uk/services/roads-travel-and-parking/road-licences/> or by contacting Streetworks@barnsley.gov.uk

4. The applicant is advised that the implementation of a Stopping Up Order under Section 247 of the Town and Country Planning Act 1990 does not extinguish or override the rights or interests of statutory undertakers in respect of any apparatus located within the affected highway. Prior to the commencement of development, the applicant should undertake comprehensive engagement with all relevant statutory undertakers (including utilities, telecoms, and infrastructure providers) to:
 - Identify any existing apparatus (e.g. cables, pipes, ducts, chambers) that may be affected by the proposed development or highway stopping up.
 - Determine whether any protective provisions, diversions, or relocations are required.
 - Secure any necessary wayleave agreements, easements, or consents to ensure continued access, maintenance, and operation of apparatus.The applicant should allow sufficient time for statutory undertakers to assess proposals, undertake necessary works, and issue formal approvals. Failure to address these requirements may result in delays to the development, enforcement action, or legal liability for damage or disruption to essential services.

The Local Planning Authority may request evidence of such engagement and resolution prior to discharge of relevant conditions or commencement of works.

5. The applicant is further advised that where existing statutory undertaker apparatus is affected by the associated stopping up of highway land, temporary service diversions may be required to maintain continuity of supply and access during construction.

Any such diversions should be planned and agreed in advance with the relevant undertakers and implemented in accordance with their technical requirements and statutory obligations. Upon completion of the development, the applicant may be required to reinstate or permanently relocate apparatus to a suitable

position, subject to the undertaker's approval and any necessary wayleave or easement agreements. The applicant is responsible for all costs associated with diversion, protection, and reinstatement works, and should ensure that sufficient time and budget are allocated to meet these obligations.