

<b>Application reference number</b>	2025/0362
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<b>Application Type</b>	Full
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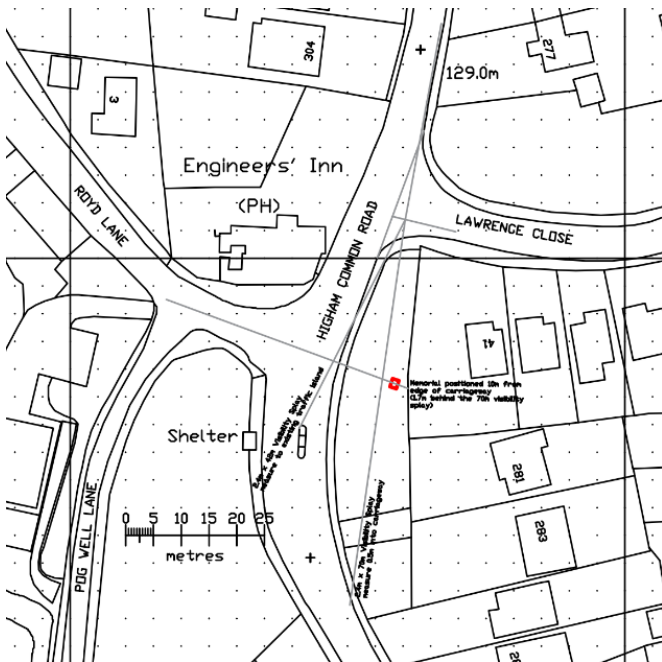
<b>Proposal Description:</b>	Installation of coal tub as mining memorial
<b>Location:</b>	Land to the west of 41 Lawrence Close, Higham, Barnsley

<b>Applicant</b>	Mr C Skidmore
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<b>Number of Third Party Reps</b>	None	<b>Parish:</b>	None
		<b>Ward:</b>	Dodworth

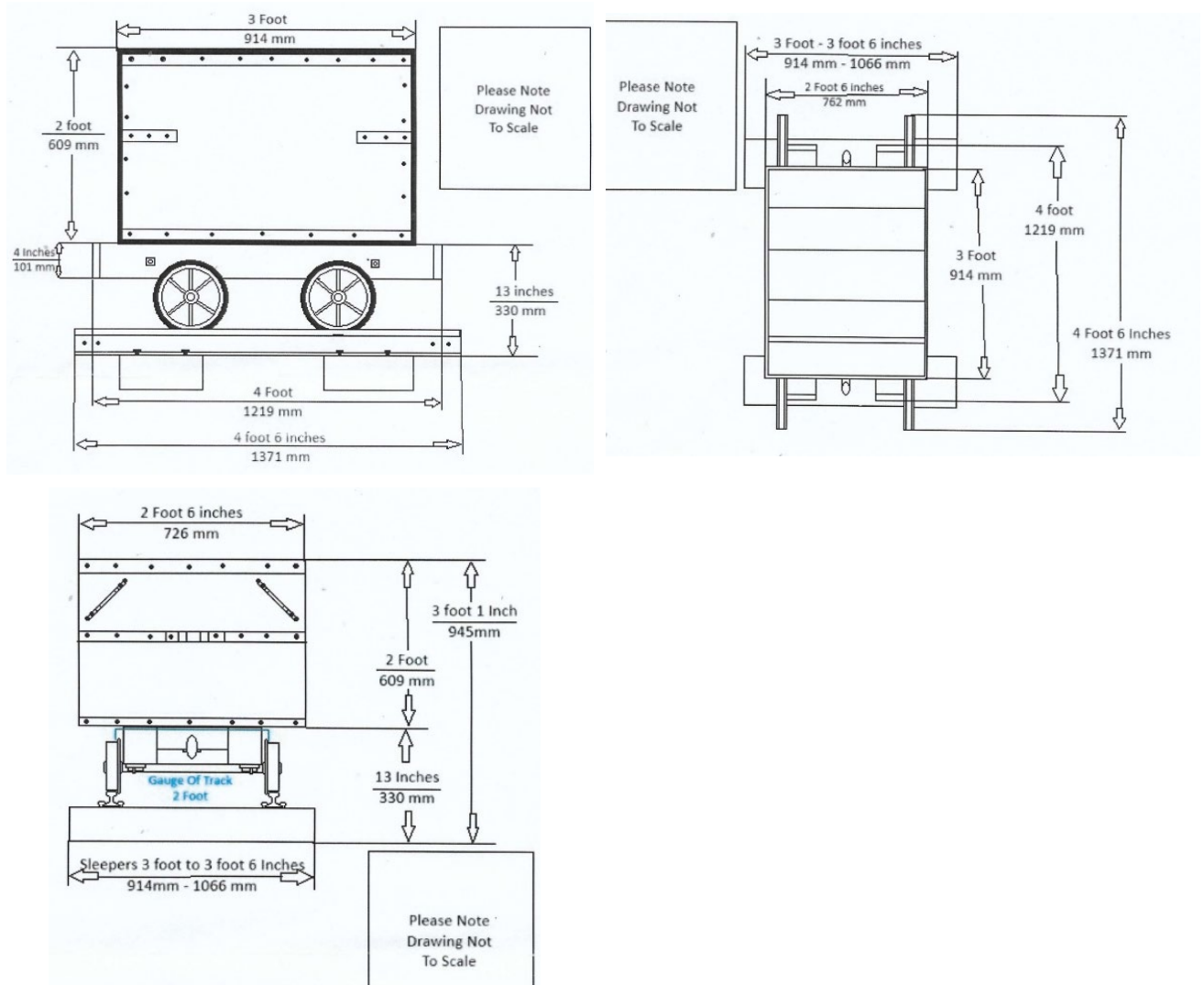
### Site Description

The application relates to a grass verge to the east of Higham Common Road, adjacent to th 41 Lawrence Close, opposite the junction of Pog Well Lane, Royd Lane and Higham Common Road. The grass verge is varies in width from between approximately 5m and 15m.



## Proposal

The applicant seeks permission to install a 1m by 1.3m, approximately 1m tall coal tub in the intervening grass verge located between the side elevation of 41 Lawrence Close and Higham Common Road, approximately opposite the junction of Pog Well Lane, Royd Lane and Higham Common Road. The coal tub is to act as a mining memorial and be maintained by local residents.



## Policy Context

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 held 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

The site is identified as Urban Fabric within the Local Plan and as such the following policies are considered to be relevant to this application:

Policy GD1 General Development  
Policy T4 New Development and Transport Safety  
Policy D1 High Quality Design and Place Making

## National Planning Policy Framework (NPPF) (2024) 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:

## **Relevant Consultations**

Highways DC – No objections subject to the inclusion of informatives.  
Ward Councillors – No objections raised and all Councillors fully support the application.

## **Representations**

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015.

The application was advertised by way of a site notice posted adjacent to the site; no representations have been received.

## **Assessment**

The main issues for consideration are as follows:

- The principle of development
- The impact on the character of the area
- The impact on neighbouring residential properties
- The impact on the highway network and highways standards

For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

- Substantial

- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

#### Principle of development

The installation of public art/memorials are considered acceptable where there would be no significant impact on residential amenity, where they would not impede the free and safe flow of traffic, nor have a detrimental impact on the street scene.

#### Highway Safety

The proposed mining memorial coal tub is to be located within the grass verge to the east of Higham Common Road, and has been sited such not to impede the visibility splays of the user of the highway when exiting Lawrence Close on the Higham Common Road.

Highways Development Control have been consulted on the application and raise no objection to the proposal. However, they have raised concerns in relation to the sleeper base of the installation. The Council's Structures department would need to be comfortable with a wooden base for a metal structure when the former is likely to deteriorate more quickly than the latter. There is also the possibility of statutory undertakers' apparatus, such as gas mains, high voltage electricity cables and fibre broadband cables being located in the verge. Whilst the concerns raised are not material planning considerations and would have no impact of the planning permission at this time, information has been provided which suggests that the siting would not impede the location of statutory undertakers' apparatus. However, informatives will be included on the application to notify the applicant of their requirements, and should re-siting be required, a new application may be required.

Nevertheless, as such it is considered that the proposed development is acceptable and in compliance with Local Plan Policy T4; this carries significant weight in favour of the application.

#### Visual amenity

The size and design of the memorial are consistent with other similar memorials located within the borough and the character of the area.

It is not considered that the siting of the memorial coal tub would have a detrimental impact on the character of the area for the reasons outlined above and as such is considered acceptable and in compliance with Local Plan Policy D1. This carries significant weight in favour of the application.

#### Residential Amenity

The proposed development is located within an area of highway verge and whilst it is to act as a memorial, it is not considered that the introduction of the it would have an adverse impact on residential amenity and is considered acceptable and in compliance with Local Plan Policy GD1 General Development, this carries significant weight in favour of the application.

#### Biodiversity

Biodiversity Net Gain (BNG) became mandatory for all applications in April 2024, whereby developers must deliver a biodiversity net gain of 10%, resulting in more or better-quality habitat than before a development except where one of the exemptions (as set out in the Planning Practice Guidance) are met.

In this instance the development is exempt, as the proposal does not affect more than 25sqm of habitat.

### **PLANNING BALANCE & CONCLUSION**

In accordance with Paragraph 11 of the NPPF (2024) the proposal is considered in the context of the presumption in favour of sustainable development. The proposal is considered to be appropriate development in, and is located within a sustainable location and would not impact on the character of the area, highway safety, or upon residential amenity, and this weighs considerably in favour of the application.

All other material planning considerations have been fully explored by the appropriate consultees who have raised no objections to the proposal and holistically this weighs moderately in favour of the application.

The proposal is therefore, on balance, recommended for approval.

**RECOMMENDATION: Approve subject to conditions**