

Application Reference Number:	2025/0907
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Application Type:	Full application
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Proposal Description:	Erection of boundary fence and new vehicle restraint system.
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Location:	Digital Media Centre, County Way, Barnsley, S70 2JW
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Applicant:	Willmott Dixon
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Third-party representations:	None.	Parish:	None.
		Ward:	Central Ward

<p>Summary:</p> <p>This application relates to the erection of a new boundary treatment and vehicle restraint barrier at an existing car park.</p> <p>Additional information has been provided to address queries raised by the Highways DC Officer. There are no outstanding consultee concerns.</p> <p>The application proposal is in connection to wider works relating to the creation of a public park at the lower-level car park.</p> <p>Recommendation: Planning Permission GRANTED subject to conditions.</p>
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Site Location & Description

The application site consists of the eastern edge of the upper-level car park at County Way, known as The Seam (Upper). This boundary is currently defined by a palisade fence above a retaining wall. The retaining wall is formed by historic railway arches, which are undesignated but of local interest. Trees are located to the north of the application site, between the two car parks.

28 standard car parking bays are located along the application site boundary. The wider area consists of car parking, with works to convert part of the lower-level car park to a public park currently underway.

Relevant Planning History

Application Reference	Application description	Status
2024/1062	Installation of three sculptures with lighting and acoustic features within proposed public open space.	GRANTED – 9/4/2025
2024/1060	Alterations to existing car park and provision of new public open space and landscaping with associated works.	GRANTED – 9/4/2025
2022/0736	Hybrid planning application for a) full planning permission for a Multi-Storey Car Park (6 storeys above ground and 2 below ground) with 386no spaces, an Active Travel Hub (cafe, cycle hire / repair facility, retail, and cycle workshop space), a public realm scheme covering the entirety of the site and access, and b) outline planning permission with all matters reserved for 136 dwellings and 1887 sqm ground floor commercial space	WITHDRAWN
2022/0737	Re-grading of the existing pedestrian ramp to achieve a 1:21 fall (inclusive), excavation around the retaining wall and steps to the west of the ramp and replacement with Yorkstone flag surfacing, removal and replacement of existing low retaining wall with railings and finger post sign to enable the extension of the pedestrian ramp, removal and replacement of stepped access from Eldon Street North and along the eastern edge of the pedestrian ramp with new 500mm max height concrete and Yorkstone cladding retaining walls and ornamental tree planting (Listed Building Consent).	WITHDRAWN
2008/0313	Demolition of existing offices and formation of car park.	GRANTED, 2/4/2008
2005/1754	Erection of five storey Digital Media Centre.	GRANTED, 8/12/2005
B/04/2010/BA	Renewal of planning consent B/01/0827/BA Erection of multiplex cinema and A3 (food and drink) unit (Reserved Matters).	GRANTED, 1/9/2003
B/03/1344/BA	Erection of single-storey Pizza Hut restaurant and two-storey office building.	GRANTED, 21/10/2003

B/02/0814/BA	Leisure development - health club and nursery (revised design).	GRANTED, 15/7/2002
B/01/0827/BA	Changes to external elevations of approved design of multiplex cinema and A3 (food and drink) unit. (approval of reserved matters).	GRANTED, 30/7/2001
B/00/1034/BA	Demolish existing council offices and construct new leisure development comprising cinema, health club and restaurants.	GRANTED, 12/10/2000
B/98/0284/BA	Outline planning permission for leisure development comprising multiplex cinema, two leisure units and three restaurants	GRANTED, 23/6/1998
B/97/0462/BA	Erection of 2.4m high boundary fencing and access gates.	GRANTED, 15/8/1997
B/95/0878/BA	Use of car parks for Sunday car boot sales	GRANTED, 14/9/1995
B/88/1522/BA	Alterations to offices and provision of pedestrian access way.	GRANTED, 25/11/1988
B/78/2226/BA	Erection of Phase II prefabricated single storey office accommodation with associated lavatories, store room and rest room.	HISTORIC, 16/1/1991
B/77/3149/BA	Erection of prefabricated single storey office accommodation with associated lavatories, store rooms and heating chamber, (approval of matters reserved by outline permission B/77/1541/BA)	HISTORIC, 9/1/1978

Proposed Development

This application seeks full planning permission to erect a new boundary treatment and vehicle restraint barrier along the eastern edge of The Seam (Upper) car park to improve security and safety. The proposed boundary treatment is a twin wire mesh style fence up to 1.8m and 1.2m as annotated on the site plan. The fence will be finished in black and positioned in a similar position to the current boundary treatment.

The vehicle restraint barrier will be positioned in front of the proposed fence and will wrap around the existing standard car parking bays. The car parking arrangements will not be impacted by the development.



Policy Context

Allocation/Designations

The site lies within the Town Centre (District 3 - Courthouse Campus) boundary as defined in the adopted Local Plan. The site (and the wider car park and DMC/College area) is allocated as a Town Centre Development Site and a Priority Public Space Improvement site.

The site lies within a High-Risk Development Area as defined by the Mining Remediation Authority mapping. The site lies within Flood Zone 1 as per the Environment Agency maps thus at low risk of flooding.

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 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.

The following Local Plan policies are relevant in this case:

- Policy GD1: General Development
- Policy D1: High Quality Design and Place Making
- Policy SD1: Presumption in favour of Sustainable Development
- Policy T4: New Development and Transport Safety

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 9 – Promoting Sustainable Transport
Section 11- Making Effective Use of Land
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 Guidance

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 SPD's in this case are:

- Parking, November 2019
- Sustainable Travel, July 2022

The adopted SPDs should be treated as material considerations in decision making and are afforded full weight.

Consultations

Biodiversity Officer – The development meets the de minimis exemption and therefore BNG does not apply. No objection subject to attached informative.

Mining Remediation Authority - No response.

South Yorkshire Mining Advisory Service – The development is limited in scale and will not require significant ground works. A Coal Mining Risk Assessment is therefore not required, and there is no objection.

Highways DC – Additional information has been provided to address queries regarding the position of the existing fence and the structural stability of the retaining wall. These concerns have been addressed and there is no objection. No conditions required.

Local Ward Cllrs – No response.

Representations

This application has been advertised in accordance with the Development Management Procedure Order 2015, as follows:

- Site notice (public interest) displayed adjacent to the application site, consultation period expired: 14/11/2025
- Neighbour notification letters sent to adjoining properties/sites, consultation period expired: 13/11/2025

No neighbour representations have been received in response to the above publicity.

Assessment

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

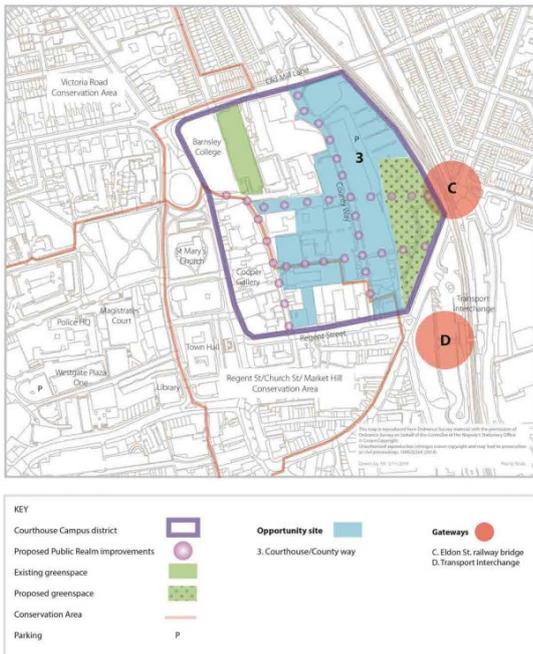
- Substantial
- Considerable
- Significant
- Moderate
- Modest

- Limited
- Little or no

Principle of Development

The site falls within the Courthouse Campus area of the town centre, with Local Plan Policy BTC21 and BTC22 setting out the supporting uses in this area.

Local Plan Policy BTC21 states that a new public park and improved public spaces will be supported along with a multi-storey car park. Local Plan Policy BTC22 also states that the Courthouse Campus area will be expected to deliver a new public open space in addition to pedestrian links and public spaces. This policy is supported by the following inset map which indicates the suggested location for new greenspace.



Whilst this proposed is not directly related to the uses described in the above policies, the principle of the development is considered to be acceptable. The proposed boundary treatment will provide additional safety and security measures at the existing car park, and adjacent to the proposed public park.

The principle of erecting a new boundary treatment at this site is acceptable in principle subject to the considerations below.

Design, Appearance and Impact upon Highways

NPPF Paragraph 135 relates to high quality design and states that developments should function well and add to the overall quality of the area; are visually attractive; sympathetic to local character; maintain a strong sense of place whilst optimising the potential of the site and create places which are safe and inclusive and promote well-being.

Local Plan Policy D1 states that development is expected to be of high-quality design and should respect and reinforce the distinctive, local character and features. Development should contribute to place making and make the best use of materials.

NPPF Paragraph 116 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

Local Plan Policy T4 states that new development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement. It follows on state if a development is not suitably served by the existing highway or would add to problems of safety or the efficiency of the highway, developers will be expected to take mitigating action to make sure the necessary improvements go ahead.

The development includes erecting a new boundary treatment along the eastern edge of the existing car park. A replacement fence will be erected atop of the existing retaining wall, similar to the current arrangement. The fence will extend up to 1.2m around the southern end of the site, with a 1.8m fence along the northern part. The fence will be a twin wire mesh style finished in black.

A new vehicle restraint barrier will be installed in front of the proposed fence and wrap around the existing car parking bays. The barrier will have a typical galvanised steel appearance.

The development will not impact the existing number of car parking bays at the car park or alter existing circulation or manoeuvring space. The Highways DC did raise some queries regarding the structural stability of the existing retaining wall. A schedule of works has been provided in response to these concerns as well as additional plans. The amended layout plan clearly shows the position of the proposed fence and vehicle barrier, including the position of concrete foundations in relation to the edge of the wall. The Highways DC Officer has confirmed that there is no objection on this basis.

In terms of design, the fence is not expected to harmfully impact the character of the area, with the proposed style of boundary treatments commonly used with car parks. Replacing the current boundary treatment will improve the appearance of the area, particularly when viewed against the ongoing public park and car park developments within the area.

In summary, the proposal is acceptable in terms of design and highways, which weighs substantially in favour of the application.

Biodiversity Considerations

Local Plan Policy BIO1: Biodiversity & Geodiversity states that development will be expected to conserve and enhance the biodiversity and ecological features of the borough by protecting and improving habitats, species and sites of ecological value. Developments should maximise biodiversity opportunities and converse/enhance the form, local character and distinctiveness of natural assets. Proposals should protect ancient and veteran trees and encourage the provision of biodiversity enhancements.

During the previous applications for the wider public park, various ecological surveys were undertaken in relation to the retaining wall. The Biodiversity Officer has therefore been consulted on this application.

The Biodiversity Officer has confirmed that the proposals are exempt from Biodiversity Net Gain, meeting the de minimis exemption. In terms of the impact upon ecological species, the Officer advised that any pruning works to nearby trees should be undertaken outside of the nesting bird season (March – August inclusive) or immediately preceded by a check by an appropriately qualified ecologist where active nests are confirmed to be absent. An informative has been added in this regard.

In summary, the proposal is acceptable in terms of biodiversity which weighs substantially in favour of the application.

Conclusion

The principle of the new boundary treatments is acceptable in this location. The proposed design and height are suitable and will introduce limited harm upon the appearance of the street scene or the wider public park development.

There are no concerns regarding the impact upon the highway safety or biodiversity. The development is therefore recommended for approval subject to strict accordance with the approved plans.

RECOMMENDATION: Approve with conditions

Justification

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

In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- *Additional information provided to address queries raised by the Highways DC Officer.*

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.