

2023/0211

Wildscapes CIC

Creation of wildlife pond

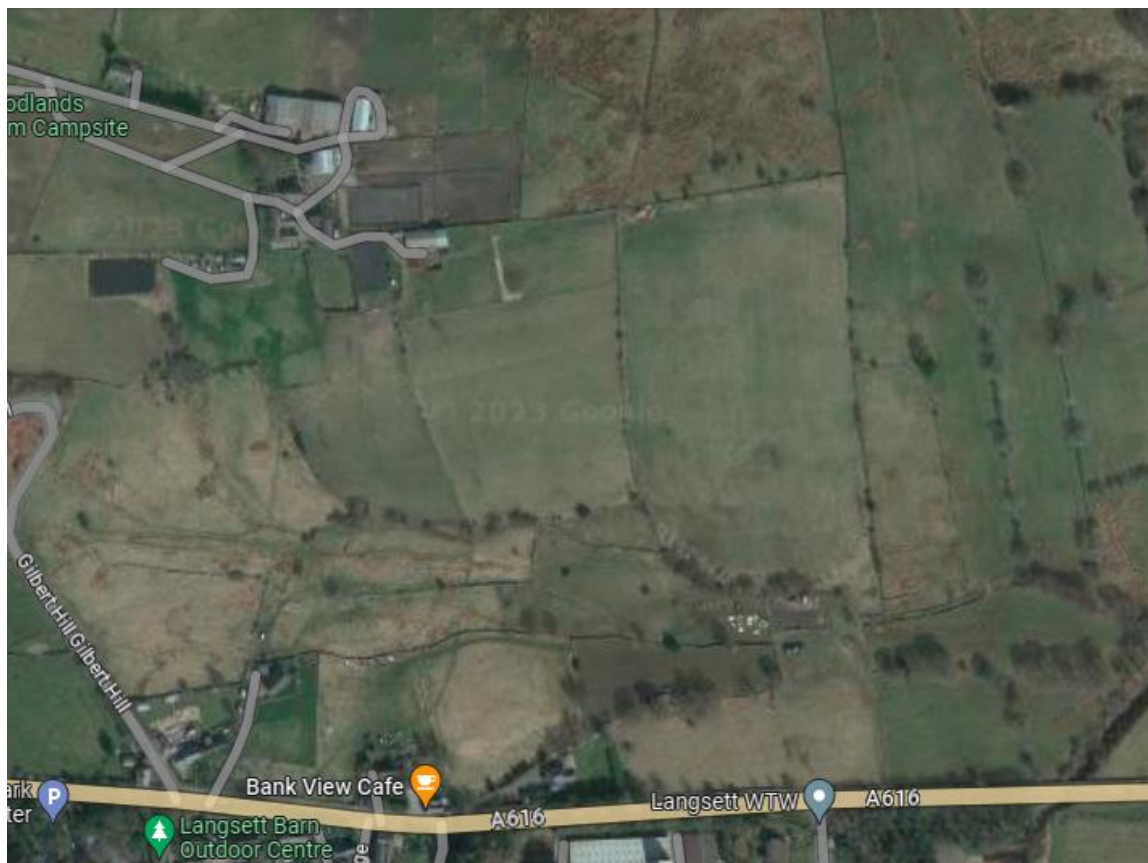
Land at Hoodlands Farm, Fullshaw Lane, Penistone, Sheffield, S36 9FD

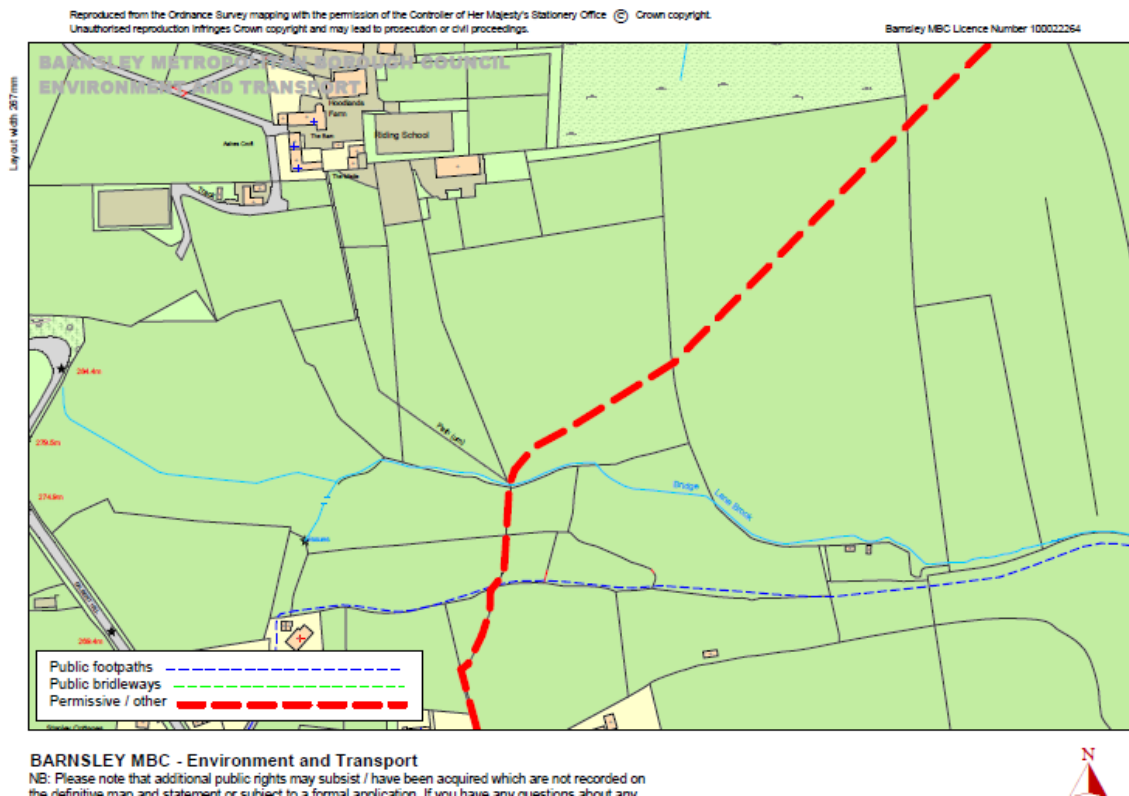
Background

No Planning History

Description

Hoodlands Farm is situated off Fullshaw Lane and to the north of Langsett village to the south. The site for the proposed pond sits on the border area of agricultural land which provides a range of habitat options for wildlife. The broader area around the site is predominantly agricultural. The area in which the site sits is typified as a lowland wetland region with a high alluvial content. Evidence of current and previously existing pond structures can be seen in the surrounding area, including those which have been lost to agricultural development. The site is accessed via Fullshaw Lane and a PROW runs through Hoodlands Farm close to the application site as can be seen on the OS Map below.





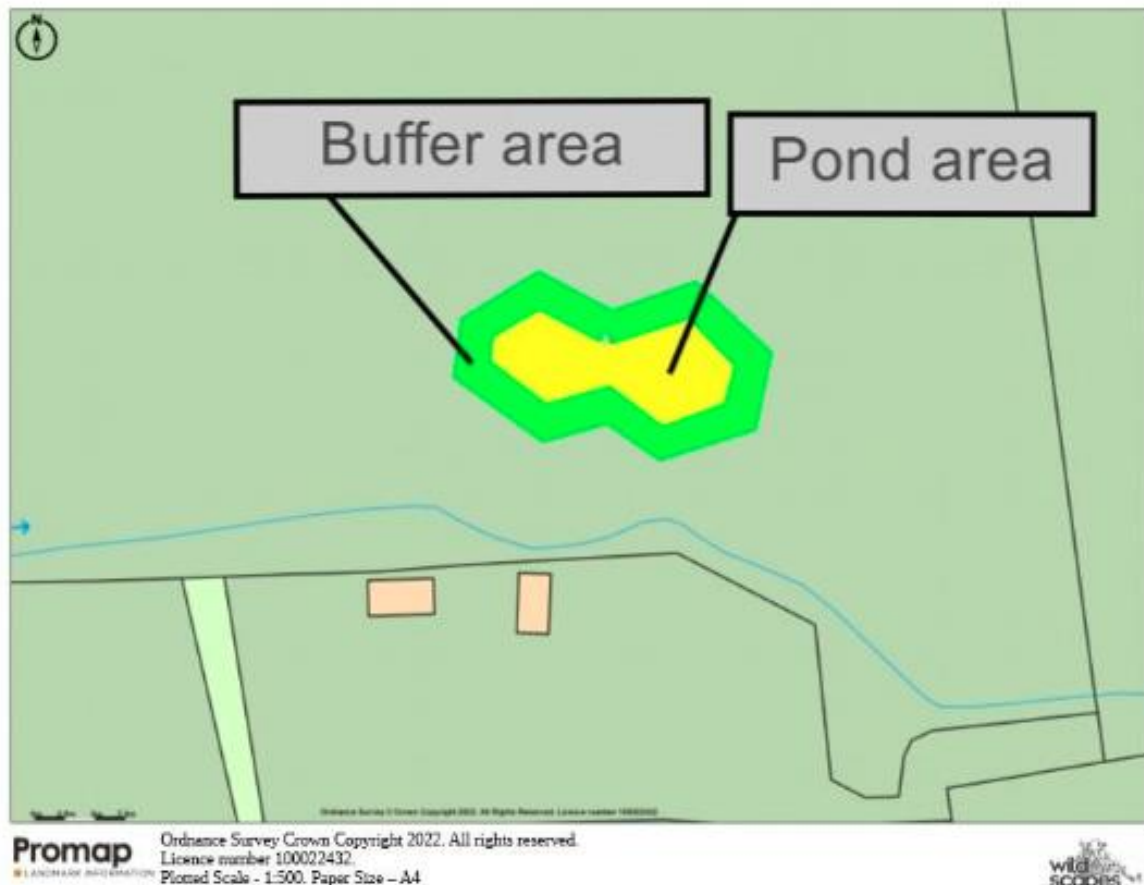
Proposed Development

The proposal involves the development of a wildlife pond at Hoodlands Farm, Fullshaw Lane, Penistone.

In support of the application, the agent has provided the following justification for the proposed pond:- 'Wildscapes CIC have been commissioned by Natural England, under the District Level Licensing scheme, to deliver a set of ponds in Barnsley designed to mitigate the loss of habitat.

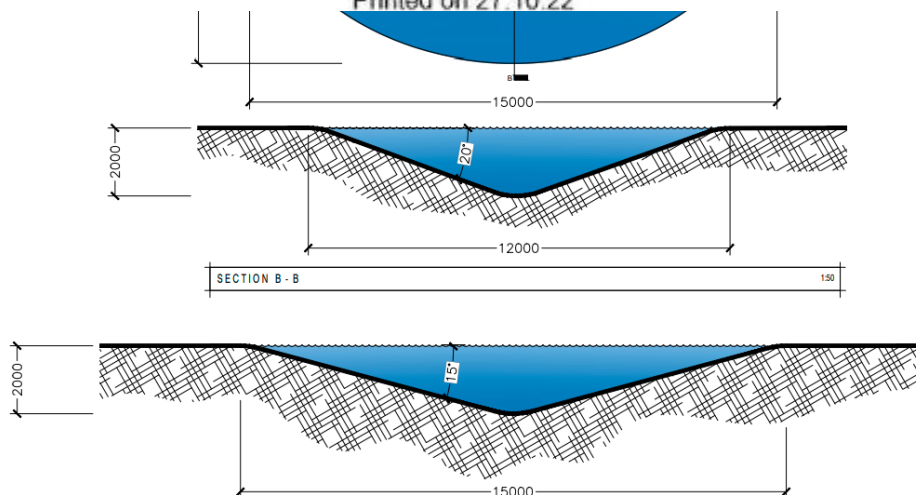
Following discussions with the landowners at Hoodlands Farm, Wildscapes CIC have identified as suitable and agreed a site to hold one of the ponds that we have been commissioned to build under the District Level Licensing scheme. The site has been identified as being within a Strategic Opportunity Area for this scheme and close enough to existing populations of great crested newts that the creation of appropriate ponds will offer them a significant opportunity for colonisation and a high probability for population increase.'

The applicant has submitted the following documents in support of the application:- Species and Habitat Protection Plan, Design and Access Statement, Location Plan, Layout Plan, Method Statement, Planning Statement, Typical Pond Plan.



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Policy Context

NPPF

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood

Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

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 policies are of relevance to this proposal:-

GB1 Protection of the Green Belt
GD1 General Development
BIO1 Biodiversity and Geodiversity
POLL1 Pollution Control and Protection
D1 Design Principles
T4 New Development and Transport Safety
SPD Biodiversity and Geodiversity

Supplementary Planning Document

Biodiversity and Geodiversity

NPPE

13 – Protecting Green Belt Land

Para 150 - Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

15 - Conserving and enhancing the natural environment

Para 174, section d - minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures

Para 179, section b - promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity. In both of these elements, this application meets those requirements by creating carefully constructed and appropriate habitat for an “at risk” species as well as potential habitat for other species.

Consultations

Drainage – No objections

Highways – No objections
Langsett Parish Council – No objections
PROW Officer – No objection subject to informative

Representations

None received

Assessment

Principle of development

The proposal relates to the construction of a wildlife pond. The proposed construction of the pond would be considered as an engineering operation, therefore planning permission would be required.

The site is set within the Green Belt as allocated within the Barnsley Local Plan. Policy GB1 of the Local Plan is therefore of relevance and the Green Belt principles within the NPPF. The National Planning Policy Framework states that 'certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are: b) engineering operations.'

The proposed creation of a wildlife pond on this site will enhance the local wildlife and biodiversity. As a local feature this is in keeping with the existing landscape as well as offering a significant opportunity for enhancement. The proposal would therefore be acceptable in principle, subject to the development and the impact upon openness/visual amenity and other considerations such as biodiversity and highway safety.

Visual Amenity

Ponds are a feature which can be seen within the countryside/agricultural land. The creation of a pond would not harm the openness of the Green Belt and would enhance visual amenity, with the addition of landscaping once constructed. The proposal is therefore acceptable in terms of visual amenity in accordance with policy GB1 and the NPPF.

Highway Safety

The applicant has provided a method statement to explain how the pond will be created. Construction will only require one journey in and one journey out with an excavator. This is to be from an agreed drop off point. Once the pond is created, there will be no additional traffic generated and the scheme will therefore have no impact on the public highway.

There is a PROW set close to the site, therefore the PROW Officer has been consulted. They have provided the following comments:- 'We do not have any objections to the proposed development, as no Definitive (legal) Public Rights of Way appear to be affected. There does however appear to be a Permissive Path that may have acquired public rights through significant use by members of the public at large. This path should be treated as a route with public access and should remain open and unaffected throughout the works and the safety of the public managed. Should this not be possible, a temporary closure order should be applied for.'

The proposals therefore do not adversely impact upon the highway or the Public Right of Way and are therefore acceptable from a highways perspective in accordance with policy T4 of the Local Plan.

Ecology

The proposed pond is located within an area of relatively low value grazed pasture, as such, the additional of a pond will increase the biodiversity value of the site and provide habitat for a variety of species. The Ecology Officer therefore supports the proposal to create a wildlife pond.

The development shall be completed in line with the method statement, species protection plan and the conditions of the planning permission. All the recommendations shall be implemented in full according to the timescales laid out and thereafter permanently maintained for the stated purposes of biodiversity conservation, which should be secured by way of a condition. The proposal is acceptable when measured against policy BIO1 of the Local Plan.

Recommendation

Grant subject to conditions