



**Planning & Building Control Service
Development Management**

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Head of Service: Joe Jenkinson**

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Our ref 2019/1573 & 2022/ENQ/00165
 & 2020/ENQ/00924
Date: 26/05/2022
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Dear Madam

APPLICATION SUBMITTED UNDER SECTION 96A OF THE TOWN AND
COUNTRY PLANNING ACT (1990) AS AMENDED

APPLICATION FOR NON-MATERIAL AMENDMENT to hybrid planning permission
2019/1573 to make minor changes to the landform relating to plot 3 - Hybrid planning
application for a development up to 102,193sqm of employment uses (use classes
B1/B2 and B8) and associated works including provision of internal access roads,
drainage and landscaping, a) Outline with all matters reserved apart from means of
access; and b) full application for associated earthworks and creation of access
points including new roundabout to access Local Plan allocation site ES15.

Gateway 36, Phase 3 North of Dearne Valley Parkway, Rockingham, Barnsley

I refer to the above referenced application for a Non-Material amendment to planning
permission reference 2019/1573 granted on 10th August 2020.

The changes proposed by the Non- Material Amendment are:

1. Change to extent of main plateau area; change to ground level of +0.9m to part of plateau; alteration to gradient of northwest fringe of site;
2. Change to extent of drainage basin area; increase in ground level by 0.5m to part of area; change to surrounding gradients;
3. Change to ground level of minor plateau of -2.3m to northwest and +1.8m to southeast (i.e. plateau now slopes to improve relationship with adjacent level; alteration to gradient of northeast fringe.

There is no change to the overall landform arrangement and no structures are included within these revised levels. All level differences within the site are formed by earth banks.

The reason for the proposed changes is that the developer (Firethorn Developments Ltd) seek to undertake limited earthworks to make minor changes to the landform in preparation to ensure timely delivery of future development.

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Section 96A (1) gives the power to a Local Planning Authority to make a change(s) to a planning permission if the change(s) is/are not material.

The proposals have been reviewed by the Highways Development Control Manager and Senior Highways Engineer and is considered that these amendments will not impact significantly on highway safety, will not alter the nature or scale of the original permission, nor is it likely to result in loss of amenity to close by residential properties or loss of visual amenity.

The changes would not result in any development which lies outside of the description of development, nor does it exceed the redline boundary of planning permission 2019/1573.

Overall, the proposed changes are inconsequential in terms of its scale in relation to the original permission. The proposed changes are therefore considered to be non-material.

Taking into account all of the above the **non-material amendment is acceptable.**

A previous non-material amendment 2020/ENQ/00924 agreed on 1st April 2021 resulted in minor changes to ground levels which resulted in the following approved plans under 2019/1573 relevant to this NMA application:

4652-2-JPG-SW-00-DR-C-1202-S2-P07_Phase_3_Proposed_Earthwork_Levels

4652-2-JPG-SW-00-DR-C-1203-S2-P07_Phase_3_Cut_Fill_Analysis

being replaced by the following plans:

4652-2-JPG-SW-00-DR-C-1202-S2-P12_Phase_3_Proposed_Earthwork_Levels

4652-2-JPG-SW-00-DR-C-1203-S2-P12_Phase_3_Cut_Fill_Analysis

As a result of this non material amendment, the above two plans agreed under the previous NMA 2020/ENQ/00924 are now replaced by the following plan:

079577-CUR-XX-XX-DR-C-91003-P03_ProposedLevelsNMA

This decision letter only relates to the non-material amendment. It is not a reissue of the original decision notice for application 2021/1573 or the previous NMA 2020/ENQ/00924 which still stands. The three documents should be read in conjunction.

Yours sincerely

Elaine Ward

For and on behalf of:

Joe Jenkinson BA (Hons) MSc

Head of Planning and Building Control

www.barnsley.gov.uk/developmentmanagement