

Inner Team (DC)
Barnsley Metropolitan Borough Council
Development Control
PO Box 604
Barnsley
South Yorkshire
S70 9FE

Our ref: RA/2023/146517/01-L01
Your ref: 2021/1089
Date: 07 December 2023

Dear Sir/Madam

HYBRID APPLICATION COMPRISING OF A) FULL PLANNING PERMISSION FOR: EARTHWORKS TO CREATE DEVELOPMENT PLATFORMS; DRAINAGE FEATURES, INCLUDING DRY DETENTION BASIN, EMBANKMENTS, BUNDS, LOCATION OF STRATEGIC LANDSCAPING, ECOLOGICAL AREAS AND ACCESS. B) OUTLINE PLANNING PERMISSION SEEKING APPROVAL FOR EMPLOYMENT USE DEVELOPMENT (USE CLASSES E/B2/B8) AND ASSOCIATED SERVICING AND INFRASTRUCTURE WORKS, INCLUDING CAR PARKING, VEHICLE, PEDESTRIAN AND CYCLE CIRCULATIONS, ON-PLOT LANDSCAPING, NOISE MITIGATION, DRAINAGE FEATURES AND ALL ASSOCIATED INFRASTRUCTURE.

LAND TO THE SOUTH EAST OF HIGHAM COMMON ROAD, BARNSELY

Thank you for your consultation regarding the above proposal. We have reviewed the information submitted with the application and we have no objection to the proposal. Our detailed comments are as follows.

Pollution Prevention

Any development using waste or other material for engineering works may require an Environmental Permit, unless it is exempt from the need for a permit.

Waste transported to and from the development must only be carried by a registered waste carrier.

If planning permission is granted, the applicant should arrange a meeting with the Environment Agency to discuss the permitting implications. Such a meeting is unnecessary where the proposal is exempt from the need for a permit.

For information, the applicant will have to agree a waste recovery plan with the Environment Agency for any activity involving the recovery of waste on land as part of

the Environmental Permit (unless the activity is exempt from the need for a permit).

Please contact our National Customer Call Centre (Tel: 03708 506 506) for advice prior to commencing work or to check whether someone is a registered waste carrier on the public register.

Historic Landfill - Advice to applicant/ LPA

The proposed development is located on or within 250m of a historic landfill site. We deem these as historic landfills because these sites stopped operating prior to the Environment Agency (EA) coming into operation in 1995. All land that may be classed as contaminated under section 2A of the Environmental Protection Act (EPA) 1990 is looked after by the Local Authority. There is no EA environmental permit in place, but this does not mean that the land is not contaminated. The local authority might have more information regarding these sites.

The developer may wish to carry out, or the planning authority may wish to require, further risk assessment. This may want to include a stability risk assessment to consider any potential sediment issues or slope instability. There may also be the potential for landfill leachate to exist, which would need to be assessed and managed. Further guidance is available on .GOV webpages.

Landfill Gas

You should check with your Environmental Health team to understand if further information is available and if landfill gas is a concern in this area. They should also be able to advise what assessments are required.

Landfill gas primarily consists of methane and carbon dioxide, along with trace amounts of other organic compounds. It is produced as the waste in the landfill site degrades. Methane can present a risk of fire and explosion. Carbon dioxide can present a risk of asphyxiation or suffocation. The trace constituents of landfill gas can be toxic and can give rise to long and short term health risks as well as odour nuisance.

The risks associated with landfill gas will depend on the controls in place to prevent uncontrolled release of landfill gas from the landfill site. Older landfill sites may have poorer controls in place and the level of risk may be higher or uncertain due to a lack of historical records of waste inputs or control measures.

Development on top of or within 50m of any site that accepted hazardous or non-hazardous waste should be considered very carefully, as even with appropriate building control measures in place, landfill gas can accumulate in confined spaces in gardens (e.g., sheds, small extensions) and can gain access to service pipes and drains where it can accumulate or migrate away from the site.

The following publications provide further advice on the risks from landfill gas and ways of managing these:

- Waste Management Paper No 27
- Environment Agency LFTGN03 'Guidance on the Management of Landfill Gas'
- Building Research Establishment guidance – BR 414 'Protective Measures for Housing on Gas-contaminated Land' 2001
- Building Research Establishment guidance – BR 212 'Construction of new buildings on gas-contaminated land' 1991

- CIRIA Guidance – C665 ‘Assessing risks posed by hazardous ground gases to buildings’ 2007

Biodiversity

Biodiversity Net Gain

New developments should not only protect watercourses and their riparian corridors but also provide overall net gain for biodiversity. Net gain for biodiversity is defined as delivering more or better habitats for biodiversity and demonstrating this through use of the Defra Biodiversity Metric. It encourages development that delivers biodiversity improvements through habitat creation or enhancement after avoiding or mitigating harm.

Paragraphs 174 and 179 of the National Planning Policy Framework (NPPF) recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused.

We recommend that development proposals protect and enhance the local environment and seek opportunities to enhance ecology and provide Biodiversity Net Gains (BNG). The enhancement of biodiversity in and around development should be led by a local understanding of ecological networks, and should seek to include:

- habitat restoration, re-creation and expansion;
- improved links between existing sites;
- buffering of existing important sites;
- new biodiversity features within development; and
- securing management for long term enhancement

The Environment Act 2021 looks to ensure that the overall impact from development on the environment is positive. The Act includes measures to strengthen local government powers in relation to net gain and a minimum requirement of 10% biodiversity net gain. Chapter 15 and Paragraphs 174, 175, 179 & 180 of [Nationally Planning Policy Framework \(NPPF\)](#) contain strengthened net gain policies. We encourage you to consider an approach to development that results in measurable net gains in biodiversity, having taken positive and negative impacts into account. [Planning Practice Guidance \(PPG\)](#) provides guidance on the application of net gain.

IEEM, together with CIRIA and IEMA have published guidance on how to deliver net gain in practice. These can be downloaded [here](#).

We trust this advice is useful.

Yours faithfully


Planning Advisor

Direct e-mail 

