

Application Reference Number:		2025/0426	
Application Type:		Full planning permission	
Proposal Description:		Installation of an underground high voltage cable (application for part of scheme within Barnsley Borough).	
Location:		Land at Church Lane, Havecroft, Wakefield, S72 9DH	
Applicant:		Kirkgate Solar Fars Ltd	
Third-party representations:	None.	Parish:	
		Ward:	Royston.

Summary:

This application is a cross boundary application with the majority of the scheme being located within the borough of Wakefield. As it crosses a boundary the applicant has submitted an application to Wakefield Council and a separate identical application to Barnsley MBC

The application proposes the installation of an underground high voltage cable along Kirkgate Lane, Church Hill Lane, and Lund Hill lane to link to a proposed solar far within the Wakefield borough. The length of the underground cable in total is approximately 1.9km long but only 50m of the cable is within the Barnsley borough as it links to the Monckton substation. As such only approximately 3% of the scheme is within the Barnsley Borough with the remainder within Wakefield.

The part of the development within the Barnsley borough would be underground and would not affect any listed buildings or conservation areas. The site is in the Green Belt but as the works are underground it can be classed as an engineering development that would preserve the openness of the Green Belt and as such would not be classed as inappropriate development. Once completed the works would not affect the visual amenity of the area nor would they have any significant impact on neighbouring amenities or highway safety. The works would involve existing hard surfaced areas so biodiversity would also not be affected.

The scheme has minimal impacts on the Barnsley borough and is considered to be in line with local and national planning policies. Given this is a cross boundary application, with the overriding majority of the scheme within Wakefield, there is the option for the Council to devolve its decision making powers on the application to Wakefield to prevent separate decisions being made on the applications. Given the minimal impact of the proposal on the borough of Barnsley this is considered the most reasonable course of action to take,

RECOMMENDATION: Barnsley Council to devolve its development control functions associated with this application to Wakefield Metropolitan District Council.

Planning History

There are no planning applications on the site within the Barnsley borough of relevance to the application. Wakefield Council are dealing with an identical application within their borough and an application for a solar farm within their borough that the proposed cable will link into.

Proposed Development

In total the applicant is proposing 1.9km of underground high voltage cable to run mainly under the roads of Kirkgate Lane, Church Hill Lane, and Lund Hill lane. Of this 1.9km only approximately 50m of the cable will be within the borough of Barnsley. The applicant has provided the following justification for the proposal:

“The cable route is essential for connecting the proposed solar farm to the electric network. The proposed solar farm presently being considered would significantly contribute to local and nationally significant objectives regarding renewable energy development, energy security and affordability of supply.”

Relevant Policies

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires development 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 a full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering on 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, which is due to take place in 2027, or earlier, if circumstances require it.

The development site is allocated as urban fabric within the adopted Local Plan which has no specific allocation. The following Local Plan policies are relevant in this case:

- *Policy SD1: Presumption in favour of Sustainable Development.*
- *Policy D1: High quality design and place making.*
- *Policy GD1: General Development.*
- *Policy GB1: Protection of the Green Belt*
- *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 NPPF which is the most recent revision of the original Framework, first published in 2012 and updated several times, providing the overarching planning framework for England. The NPPF 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. The 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 (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11).

There are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The following NPPF sections are relevant in this case:

- *Section 2: Achieving sustainable development.*
- *Section 4: Decision-making.*
- *Section 12: Achieving well designed places.*
- *Section 13: protecting Green Belt land*

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 this guidance into account when taking decisions.

Consultations

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

A site notice was posted at the site and the application has been advertised on the Council website.

No representations have been received

Wakefield Council	<i>No comments received</i>
Highways Development Control	<i>No comments received</i>
Local Ward Councillors	<i>No comments received.</i>

Planning 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

Only the part of the development within the borough of Barnsley is considered as part of this assessment. The development site falls within the Green Belt. Paragraph 154 lists those works that would not be inappropriate development in the Green Belt. In this case the proposal would be classed as engineering operations that would not affect the openness of the Green Belt as the works would be underground. On this basis the principle of the development in the Green Belt would be acceptable and is in compliance with Policy GB1 of the Local Plan

Impact on Visual Amenity

As the works will be under the road and hard surfaced area leading into the substation, once they are completed there will be minimal impact on the visual amenity of the site. This is considered to weigh significantly in favour of the development and complies with Policies D1 and GD1 of the Local Plan.

Impact on Residential Amenity

The nearest property is approximately 40m from the proposal and once the proposed works are completed there will be no impact on neighbouring residential amenity. This is considered to weigh significantly in favour of the proposal and complies with Policy GD1 of the Local Plan.

Impact on Highways

The proposed works will be under the road. Whilst there may be temporary road closures or diversions to facilitate the works, once completed the road will be as accessible as it was previously. The developer will need to work with the Council's Highways Section on any temporary road closures or diversions that may be needed but this would be separate to the application. This is considered to weigh modestly in favour of the proposal and is considered to comply with Local plan Polic T4.

Planning Balance and Conclusion

This is a cross boundary application and so identical applications have been submitted to Barnsley and Wakefield Councils. However, only approximately 3% of the works are within Barnsley and, as shown above, the works would have very minimal impact on the borough.

In the absence of alternative administrative or statutory arrangements, a planning application should be determined by the Local Planning Authority whose administrative area the development is proposed to be carried out. In the case of cross boundary applications, this can lead to two Local Planning Authorities making individual determination, imposing different conditions on the permissions and entering into separate Section 106 Agreements. In some cases they may come to different outcomes. This is considered to be undesirable in terms of achieving a coordinated approach to delivering development.

Section 101(5) of the Local Government Act 1972 authorises two or more Local Planning Authorities to discharge any of the functions jointly. However, this is only practical for large applications. An alternative solution is that Barnsley Council could devolve its decision making powers to Wakefield Council in respect of its determination of any cross boundary planning application submitted to it. Wakefield Council would then determine both the application submitted directly to it and the application initially submitted to Barnsley but delegated to Wakefield. This is considered to be the preferred option available to Barnsley Council given the limited impact on Barnsley and the overwhelming majority of the works being within Wakefield.

RECOMMENDATION: Barnsley Council to devolve its development control functions associated with this application to Wakefield Metropolitan District Council, for the determination of the application

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:

- *Agreement on working with Wakefield Council on the process of determining the application*

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 representations, 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.