Underfilling of bridge and infilling of former railway cutting

Barnburgh / Goldthorpe

Planning Statement

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Client: MHH Contracting
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UNDERFILLING OF BRIDGE AND INFILLING OF FORMER RAILWAY CUTTING

Land to the south of Barnburgh Lane, Barnburgh/Goldthorpe

1.0 Introduction

1.1 The following planning statement has been prepared by CODA Planning Ltd, on behalf of MHH Contracting in support of a full planning application for the proposals outlined above.

1.2 This report describes the application site and the proposed development, assessing the proposals against relevant planning policy within the National Planning Policy Framework and relevant local planning policy including Barnsley's adopted Core Strategy (2011).

2.0 Site and Location

2.1 The site is located within the planning jurisdictions of both Barnsley and Doncaster Metropolitan Boroughs. The boundary dividing these LPA areas runs along the eastern side of Green Lane from Barnburgh Lane to the north, until it crosses the road bridge at which point it runs roughly in line with the southern boundary of the site to Barnburgh. The railway cutting itself runs north to south under Green Lane, which contains 20 residential dwellings. To the north, Green Lane connects to Barnburgh Lane which links the two adjacent settlements of Goldthorpe and Barnburgh.



2.2 As it comprises a former railway cutting (historically serving the former Barnburgh colliery site, facilitating level access for coal freight trains travelling

to and from the colliery) much of the site is set below the land level in the surrounding area. However, as this slopes down to the west/north-west, the site itself ends up above road level forming a former railway bridge over Barnburgh Lane at its most north-westerly extent. This is more evident in the sections contained within the accompanying Design and Access Statement, which also provides further description and analysis of the site and its context.

3.0 Planning History

3.1 The site itself does not have any accessible planning history, however there is a certain amount of planning history relating to the dwellings closest to the site which may be considered of some relevance in establishing the planning policy context of the area. This has been listed below:

3.2 **2009/0850 -** Erection of 1.8m high boundary wall **– Application Status: Refused**

3.3 For this application, the Local Planning Authority stated that due to its height and design, the proposed boundary wall would represent a dominant and discordant structure that would be out of character with the surroundings, deeming it detrimental to the openness and visual amenities of the Green Belt.

3.4 **2013/1152 -** Erection of single storey side and rear extensions to dwelling, detached garage and new access – **Application status: Approved with Conditions**

3.5 The above applications show that with care, applications will be viewed favourably for development in the Green Belt if the development is not out of character or detrimental to the visual amenities of the Green Belt.

4.0 Pre Application

4.1 As a part of the pre-application process, Doncaster Council was consulted (reference 17/00356/PREAPP) and responded with their opinions on the proposal. Representatives from Barnsley Council were also a part of the consultation meetings and thus the response from Doncaster Council should be considered to be relevant to this application. Additionally as the site is located within Doncaster's Area of Significant Landscape Value, most policy considerations relating to the site that are deemed acceptable to Doncaster Council are believed likely to also be viewed favourably by Barnsley Council, as the proposals are not located in an Area of Significant Landscape Value within Barnsley.

4.2 The pre application consultation found that the proposal is considered as an outdoor recreational use and therefore in principle this accords with the provisions of local and national policy for development on Green Belt land. It

was made clear, however, that several other material considerations including highways issues, air quality and particularly ecology, must also be addressed.

4.3 Additionally, requests for screening opinions for an Environmental Impact Assessment were made by Urban Wilderness to both Councils. It was found that the proposals were not likely to have significant environmental impacts, therefore they have not been subject to an Environmental Impact Assessment. As a part of the screening request, the council had consultation with their ecologist colleagues, and it was reiterated that whilst a formal Environmental Impact Assessment is not required, a number of environmental, ecological and amenity-related impacts of the development must be fully addressed. IN formulating this application these have been dealt with, and that this is the case is demonstrated throughout the remainder of this report as well as within the accompanying supporting documentation.

5.0 Proposals

5.1 As previously introduced, the proposed development involves the infilling of the railway cutting and underfilling of the bridge at Green Lane. The applicant is obliged to undertake this underfilling by Highways England to ensure the future integrity of the bridge and it is this requirement that has prompted the intent to undertake the wider scheme to restore the cutting to its original pre-industrial levels.

5.2 Alongside the filling work, in order to also secure permanent public amenity benefit from the proposals, a comprehensive landscaping and ecological enhancement scheme is proposed, comprising:

- The provision of formal surfaced footpaths to improve the public footpath network between Goldthorpe and Barnburgh.
- Specimen tree and hedgerow planting, new native woodland planting and enhanced wildlife habitats.
- Wildflower meadows, public art and wayfinding features.

6.0 Accompanying Reports

6.1 As alluded to, in order to demonstrate the acceptability of the proposed scheme from a number of more detailed non-planning perspectives, the following detailing supporting reports are provided:

- Ecology/biodiversity work undertaken by Estrada Ecology.
- Landscaping design, proposed site drawings and Design and Access Statement undertaken by Urban Wilderness.

- Site Investigation/Contamination Study undertaken by Tier Environmental.
- Air Quality Assessment undertaken by Isopleth.
- Transport Statement undertaken by Optima.
- Bridge underfill proposals undertaken by Eastwood and Partners.
    - Associated Structural Assessment undertaken by Jacobs.

7.0 Planning Policy Context

7.1 In determining the following application the most relevant planning policy documents include the following:

National Planning Policy Framework (NPPF)

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

Barnsley Adopted Core Strategy

Adopted in 2011, the Core Strategy sets out up-to-date principles to guide development on a local level. Where relevant and compliant with the NPPF it is acknowledged that full weight will typically be given to the policies taken within this document.

7.2.0 Principle of Development

7.2.1 Due to the nature of the proposals following the infilling, the principle of the proposed development is considered to be outdoor recreational use. With this in mind, and as discussed as part of the pre-application process, the proposed use is considered to be acceptable in this Green Belt location. There must be considerable weight placed on this fundamental factor, particularly given the site's location (partly) within Barnsley's Area of Special Landscape Character designation.

7.2.2 While the above establishes that in principle in accordance with the NPPF the proposals are acceptable, it is also necessary to carefully consider other relevant local planning policy in this regard. It is the case that the proposal follows CSP29 Design Principles and CSP37 Landscape Character as it takes advantage of the site's distinctive features, its topography and landscape, and also as it provides the opportunity to ameliorate the physical impact that the

land currently has within its setting. In line with this and the wider landscaping scheme, the proposals will actively enhance opportunities for public access to an integrated network of connected and multi-functional elements of green infrastructure, as defined by and supported in policy such as CSP33 and in Paragraph 81 of the NPPF. Promoting investment in green infrastructure in the proposed manner will contribute to substantial improvement to public amenity in the area.

7.2.3 Additionally, as established previously in section 3.0, it is the case that policy establishes that certain forms of development in the Green Belt can be acceptable where it is not out of character or detrimental to the appearance of the landscape setting. This is reaffirmed by policy CSP35 as there will be no loss of Green Belt land and the proposed development will improve the visual and physical experience of this particular area of the Green Belt.

7.2.4 Whilst the site is of course a former railway cutting, it is not a part of the historical railway lines alignment as set out by the Barnsley UDP Proposals Map. Therefore the land does not need to be safeguarded as a former railway line as a part of Policy CSP24, which as such does not present a policy barrier to the proposed development. In light of this and the above discussion it is asserted that in principle the proposals must be considered acceptable.

7.3.0 Ecology

7.3.1 As established, one of the most significant elements of this application is the (temporarily) changing physical nature of the Green Belt land in question. It is considered to be of the upmost importance that a net benefit to the ecological features and trees on the site will occur as a result of the proposals. With this in mind it is recognised that such considerations are reflected across a broad range of policy including CSP1 Climate Change, CSP29 Design Principles, CSP33 Green Infrastructure, CSP36 Biodiversity and Geodiversity and CSP37 Landscape Character.

7.3.2 In light of this, to affirm the proposal's position on ecology and biodiversity, a number of surveys have been undertaken which should be read in conjunction with this planning statement, as part of the wider package of information submitted. The main finding of the initial Phase One Habitat Survey conducted by Skyline Ecology in November 2016 was that there was moderate potential to support bats for roosting, or as a place of shelter. Bat activity levels could not be obtained during the daytime survey. To ascertain the nature of bat use and/or roost potential, it was recommended that three activity surveys be conducted within the bat activity season 2017. Estrada Ecology Ltd undertook this work along with flora, bird and badger surveys.

7.3.3 Their surveys found that the proposed development will not be detrimental to the maintenance of the population of the species concerned. No notable plant species or positive field signs for badger were recorded during the Preliminary Ecological Assessment. The survey suggested that where possible,

any boundary trees/scrub should be retained to provide suitable nesting habitat for breeding birds and commuting lines for bats.

7.3.4 Notwithstanding the above it is of course the case that as a result of the proposed development there will be a temporary loss of all habitat on the site. This has been factored into the submitted ecological assessments and it has been concluded that, though undesirable in the short term, this is not a significant concern as these will all be replaced (and more) by the proposals. Beyond the ecological survey, alongside the landscape masterplan the submitted biodiversity management plan ('Biodiversity Restoration & Enhancement Scheme to include Mitigation, Compensation and Management Plan') sets out comprehensive measures to ensure that over the long term a substantial net benefit to biodiversity will result from the proposals. As a result of this it is asserted that the development should be viewed positively as far as it relates to ecology and biodiversity matters, and in line with relevant policy it is therefore acceptable.

7.4.0 Trees and Landscaping

7.4.1 In terms of trees (removal and restoration) and more general landscaping, Urban Wilderness have provided a masterplan to outline the landscape proposals and longer term management plan for the site. The proposals fit the design requirements to enhance site-wide ecology for the longer term. Some of the design aspects are relevant to the entirety of the site, including the footpaths complying with accessibility for all, with a maximum of 1:12 gradients with suitable platforms every 0.95m height increase. In addition, wildlife (small mammal) tunnels and other enhancement features are to be built into the whole of the site. These features are set out in greater detail in the accompanying Design and Access Statement.

7.4.2 The proposed masterplan would see alterations to the Barnsley 'side' of the site which include a footpath with a connection to the existing footpath along Barnburgh Lane, and a pedestrian access point at the Green Lane crossing. Alongside the existing informal access points, the proposal will include benches and seating areas, Art installations and wayfinding features, and it will remove a small dilapidated structure that currently exists on site. The masterplan also proposes a variety of improvements to the ecological prospects of the site, as previously described. These include reptile/amphibian hibernaculum, wildflower planting, native hedgerow planting, specimen and native tree planting, and barn owl nesting boxes as per the aforementioned Management Plan document. Vegetation outside of the infill area is to be retained where possible and pruned where necessary with proposed planting to gap-up. In this way and in conjunction with the previous section of this report it can be reaffirmed that the proposals will have a positive long term impact on the site.

7.5.0 Land Contamination

7.5.1 When considering other environmental aspects of the site, the state of the land itself must be considered in such a way to enable evaluation of the level of risk of contamination. As a result of this a Phase I Preliminary Risk Assessment has been undertaken by Tier Environmental Ltd. The initial findings of this report is that whilst the site is located within a former Coal Mining area it is not anticipated that historic coal mining will present any risk to the proposed changes to the site.

7.5.2 Other than this, potential moderate risks were identified associated with human health risks from existing and proposed imported Made Ground materials. The moderate/low risks identified were associated with hazardous ground gas generation for off-site receptors from future imported materials and for the controlled waters environment from proposed imported materials. Because of the risk of ground gas generation for off-site receptors, the Phase 1 report proposes that Total Organic Carbon (TOC) analysis and assessment of ground gas generation potential is undertaken. However, it was also found that whilst potentially infilled ponds, reservoirs and landfill have been reported within the vicinity of the site, it is deemed that the risk posed by ground gas is low due to the proposed end land use and the absence of indoor space for any ground gases to build up.

7.5.3 It is recommended that an intrusive site investigation is undertaken in order to confirm the chemical and geotechnical nature and extent of the pre-existing Made Ground and natural deposits beneath the site, the nature and extent of any landfill material on site, the chemical analysis, including combustibility of materials being brought onto site, and Plate Bearing Tests being undertaken to ensure that the materials are being emplaced in accordance with any future earthworks specification. Please see the associated assessment for further details, but in light of this (and subject to further reporting) it is asserted that the proposals will not cause or be subject to undue contamination.

7.6.0 Air Quality

7.6.1 An Air Quality Assessment was undertaken by Isopleth to identify potential sources of air pollution resulting from the proposals and to then estimate any impacts and assess their significance. In doing do due regard was given to the NPPF and its requirement for consideration to be given to the possible impact of pollution on public health and the natural environment. The AQA finds that construction dust impact will be acceptable once mitigation measures are applied in line with best practice. These mitigation measures must be agreed with the relevant Council(s) and it is anticipated that they will be secured by conditioning attached to any planning permission (such as for a Construction Environmental Management Plan, or similar). It is demonstrated that risks will negligible for all activities once appropriate mitigation is in place.

7.6.2 In light of this, in conjunction with the submitted Transport Assessment the Air Quality Assessment finds that the proposed development will not result in any significant increase in traffic movements when screened using IAQM tools. On this basis, it is considered that the predicted air quality / dust impacts are within acceptable limits for the purposes of determining this planning application.

7.7.0 Transport Statement

7.7.1 As indicated above, a Transport Statement has been undertaken by Optima with the intent to assess any impact that the proposals will have on the local highway network. Given the nature of the proposals the scope of the TS is to assess this impact as it relates to the construction process and the vehicles that will need to regularly access the site during this period of time. It is determined that access to the site will be gained via Green Lane, immediately north of the railway bridge with access points to the cutting provided to the east and west. The adequacy of these junctions has been tracked for HGV movements, whilst 2m X 40m visibility splays in accordance with MfS for a 30mph speed will be provided. The location of this access is such that minimal impact will be caused to the residents of existing dwellings along Green Lane.

7.7.2 Crucially, it has been determined that on average over the course of the development there will be only 4 light vehicle movements and 14 HGV movements per day, with occasional deviations from this. This number is such that there will be no significant detrimental impact on the local highway network. It is therefore the case that there are no highway or transport related issues that prevent the proposed development from being granted planning consent.

8.0 Conclusions

8.1 Pursuant to the above discussion it is asserted that a clear principle in favour of development has been established in relation to the proposed scheme on the application site. This clear principle has been established in large part as a result of the nature of the proposals, which will over the long term offer significant public amenity benefit in the return of the site to its pre-industrial topographical state.

8.2 The proposals will provide a net enhancement to the site's ecological and biodiversity attributes and will therefore contribute to the improvement of this element of the Green Belt setting and also, over the long term, its appearance and visual amenity within the wider landscape. Furthermore, it is asserted that the sensitive design of the proposed publically accessible space is in line with all relevant policy, both national and local. The supporting documents provide further evidence for the acceptability of the proposed development on more technical grounds, and in light of this it is asserted that the application should be considered very favourably by the Council.