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Our ref: 2024/0824 & 2025/ENQ/00758  
Date: 09/01/2026  
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Dear Sir/Madam

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

**APPLICATION FOR NON-MATERIAL AMENDMENT to planning application 2024/0824 Variation of conditions 3 (Engineering operations to motorway cutting), 10 (site investigation and monitoring) and 22 (foul and surface water drainage) of application 2019/0286 - Hybrid planning application for an extension to Capitol Park comprising a) development of 2no warehouses (floorspace of 9,755m<sup>2</sup> and 7,804m<sup>2</sup>) for general industrial and storage and distribution purposes (use classes B2 and B8) with provision of ancillary office accommodation - Outline with all matters reserved apart from means of access; and b) full application for provision of associated earthworks, demolition of existing bungalow and formation of access (Amended Plans)**

**LOCATION Higham Lane, Dodworth, Barnsley. S75 3UB**

I refer to the above referenced application for a Non-Material Amendment to planning permission 2024/0824 on 30th January 2025.

The changes proposed by the Non-Material Amendment are to amend condition 2 to amend plans to realign the Capitol Close private access road, with the use intended for construction traffic during construction and to provide access to the plot during occupation until such a time that the roundabout is constructed and operational.

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 Group Leader and other members of the Highways teams. This application seeks to amend condition 2 to reflect revisions arising from the realignment of the private access road. This amendment follows a review of the spatial relationship and interface between the private access and the proposed roundabout secured under 2020/0040. This revised alignment is considered beneficial in terms of

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construction, buildability and the efficient delivery of the roundabout and associated highway works.

During the consultation period additional information was submitted confirming the private access will serve a temporary dual function. It will provide access from Capitol Close for construction vehicles and will also provide temporary operational access into the development for a limited period. This arrangement will remain in place until the roundabout has been constructed, and permanent connection made to the northern arm.

It has been confirmed by the designer that the swept path demonstrated that simultaneous access and egress could be achieved by maximum length HGV's without conflict. It was also confirmed that the arrangement had been developed in accordance with CDM Regulations and that all necessary steps had been taken to ensure the arrangement is safe and compliant.

Having regard to the information provided, it is considered that the proposed amendment to Condition 2 will not result in any material harm to the safety, capacity or operation of the public highway network. The temporary nature of the access together with confirmation that the realignment will accommodate relevant vehicle types together with confirmation that any requisite temporary signage or site-specific management plan would be supplementary, ensures that potential impacts will be adequately mitigated.

Accordingly, there are no objections to the proposal from a highways perspective.

Overall then the changes proposed by this non-material amendment 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. It would not result in any development which lies outside of the description of development, nor does it exceed the redline boundary of planning permission 2024/0824.

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.**

As a result, in condition 2 of the decision notice the following approved plans under 2022/0916 relevant to this NMA application:

11138A-110 REV D Proposed Masterplan amended plan rec'd 23/7/19  
11138A-111 REV E Proposed Site Plan  
11138A-113 REV B Proposed Site Sections amended plan rec'd 23/7/19  
4173-JPG-SW-00-DR-C-1200 S2 REV P01 amended plan rec'd 23/7/19 Cut/Fill Analysis

Shall be replaced by the following plans:

11138A-110 Proposed Masterplan REV G  
11138A-111 Proposed Site Plan REV G  
11138A-113 Proposed Sections REV A  
4173-JPG-SW-00-DR-C-1200 S2 Cut/Fill Analysis REV P06

The revised plans for the non material amendment show a straightened access road following the right-hand turn into the site from Capitol Close. All other aspects of the development remain unchanged.

This decision letter only relates to the non-material amendment. It is not a reissue of the original decision notice for application 2024/0824 which still stands. The two of documents should be read in conjunction.

Yours sincerely

A handwritten signature in black ink, consisting of a stylized 'G' and 'H' followed by a horizontal line extending to the right.

For and on behalf of:  
Garry Hildersley  
Head of Planning and Building Control  
[www.barnsley.gov.uk/developmentmanagement](http://www.barnsley.gov.uk/developmentmanagement)