

**2023/0413**

Mr John Ball

Creation of wildlife pond

Land alongside Bridge Lane Brook, Langsett, Barnsley

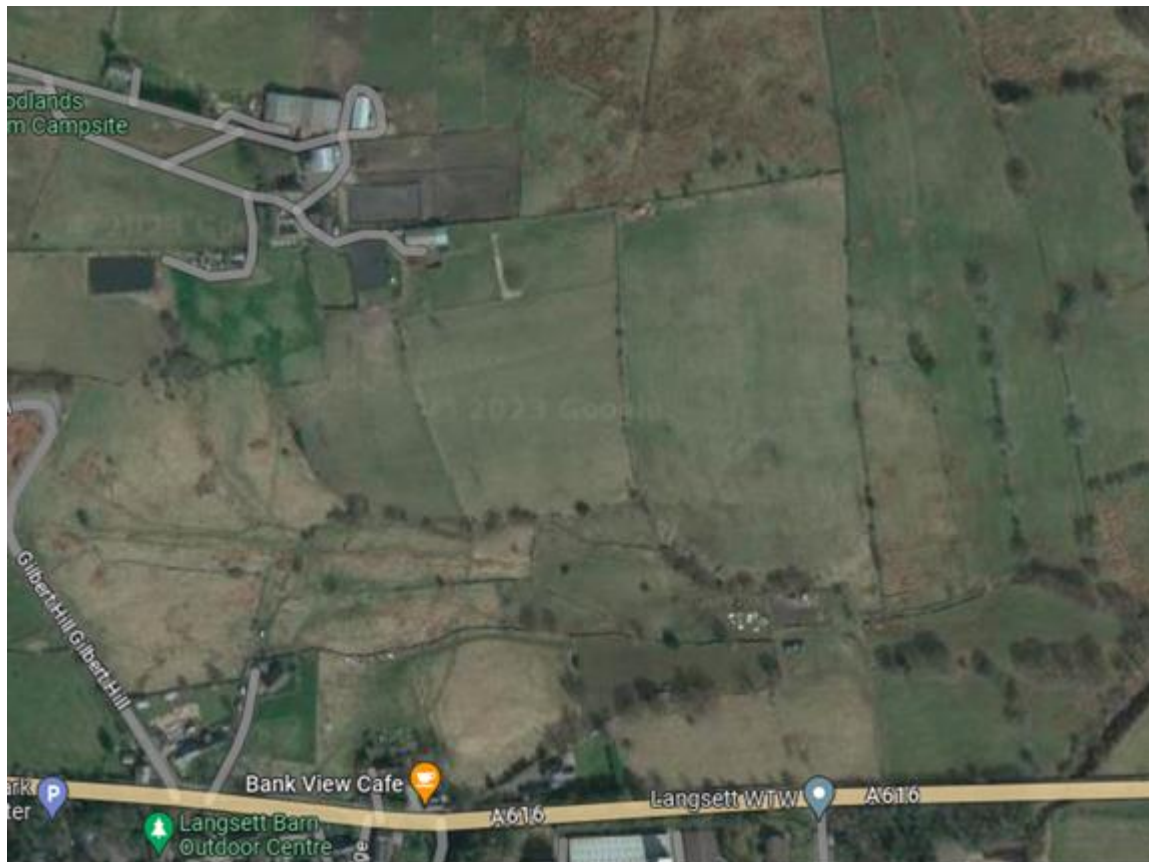
## **Background**

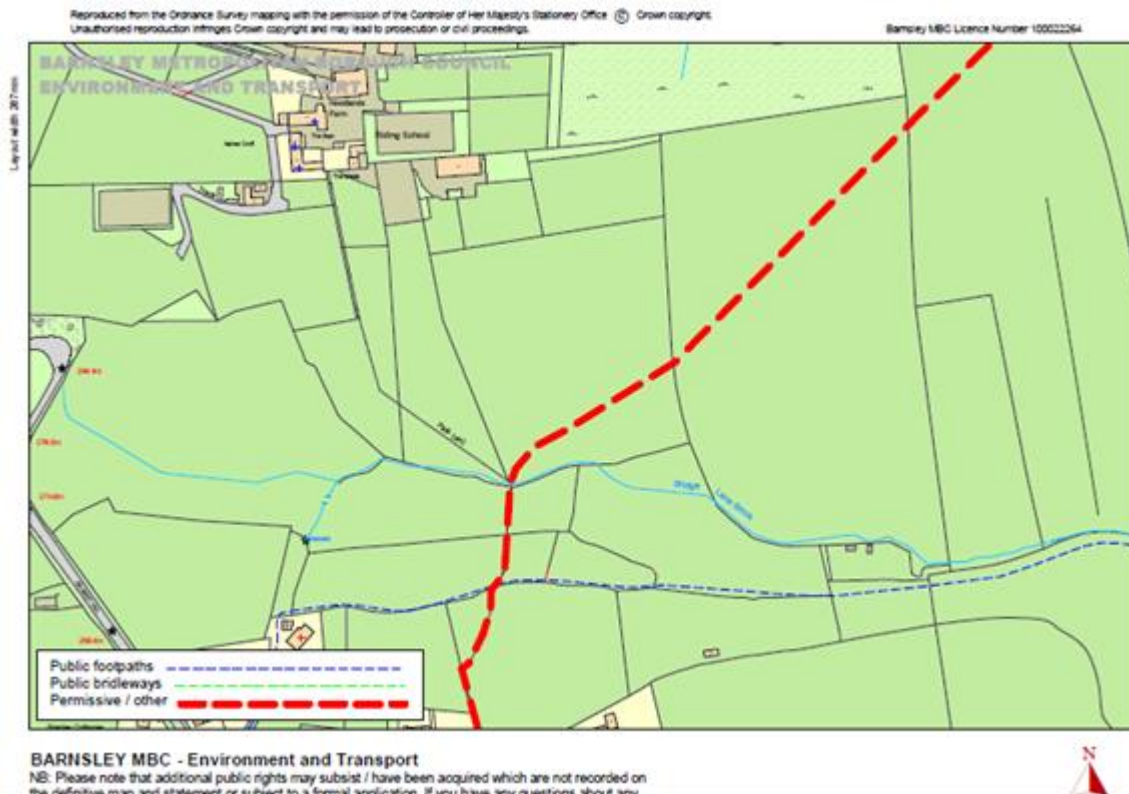
No Planning History

## **Description**

The site is a permanent grassland field grazed with commercial sheep and ponies, part of the agricultural holding of Langside, Langsett. The site is accessed from the A616 Langsett Road. The site is allocated as Green Belt within the Barnsley Local Plan.

The site is intensively grazed and has been subject to previous drainage improvements. Bridge Lane Brook flows through the proposal field where it has undergone significant agricultural improvements to aid drainage. A PROW runs through Hoodlands Farm close to the application site as can be seen on the OS Map below.





## Proposed Development

The proposal involves the development of a wildlife pond at Land alongside Bridge Lane Brook, Langsett, Barnsley.

In support of the application, the agent has provided the following justification for the proposed pond:- 'The site use will remain unchanged as agricultural land with sheep and pony grazing. The new pond will be created adding significant additional ecological enhancement. Very occasionally low volume flood storage will increase the pond size and its water level. This excess will drain down slowly after the event over a period of about one day.

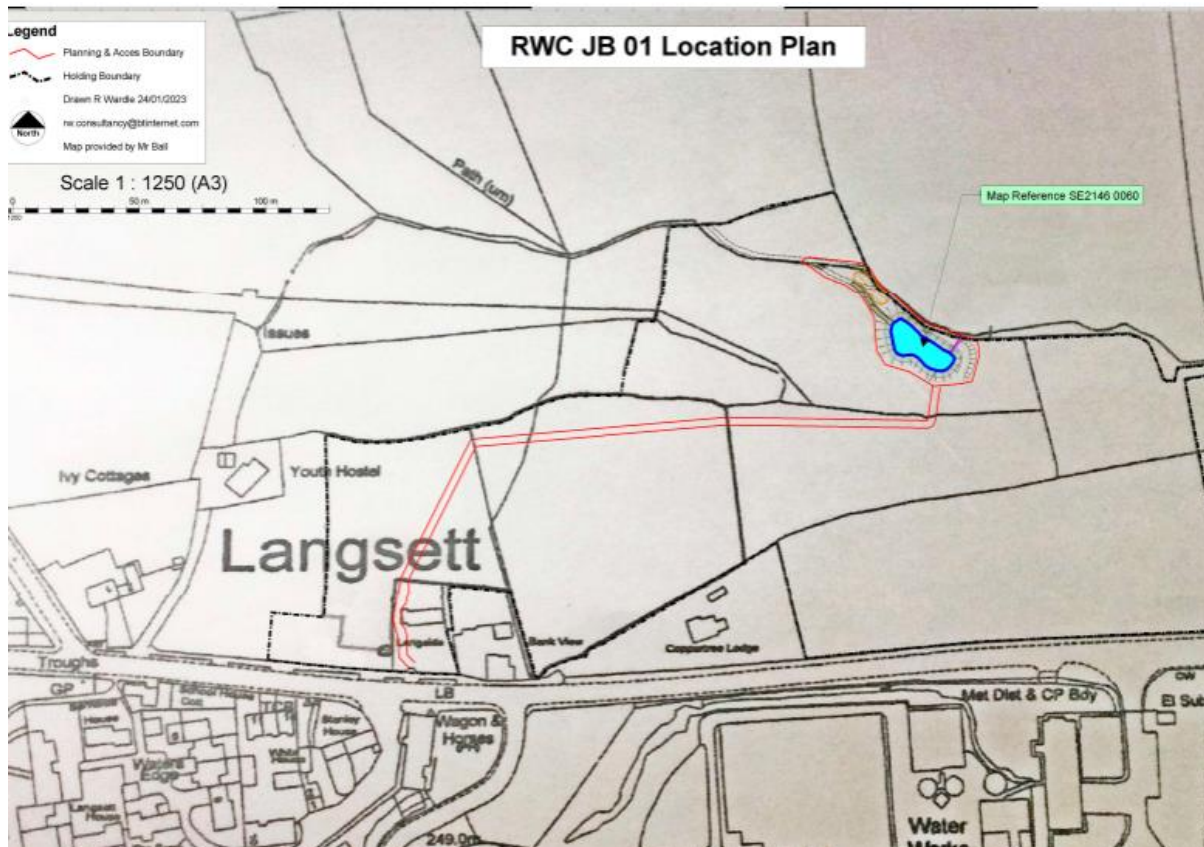
These features will be formed with excavations. The ponds shape has been designed as irregular as possible to provide a more natural shape. The low bunds will be formed with shallow slopes and blended into the higher ground. Any spare spoil will be landscaped into the contours of the field's slopes where its presence will be indistinguishable once everything is grassed down.

The attenuation and flood water storage will all occur automatically without any need for power or human input.

Small safety overflows built with locally sourced stoned will form small spillways to protect from erosion. The aim of the proposals are to reduce downstream flooding and erosion that may have some benefits to the Little Don Stream Section SSSI at SE221 033 about 640m downstream.

The overall landscape of the site will be enhanced by the ponds presence and likely occurrence of additional wildlife. Surrounds of the pond and remainder of the field will appear very similar to their present state.'

The applicant has submitted the following documents in support of the application:- Layout Plans, Cross Sections, Ecology Report, Attenuation Structure, GCN Report.





## Policy Context

### NPPF

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering 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. The next review is due to take place in 2027 or earlier if circumstances, require it.

The following policies are of relevance to this proposal:-

- GB1 Protection of the Green Belt
- GD1 General Development
- BIO1 Biodiversity and Geodiversity
- POLL1 Pollution Control and Protection
- D1 Design Principles
- T4 New Development and Transport Safety
- SPD Biodiversity and Geodiversity

### Supplementary Planning Document

Biodiversity and Geodiversity

### NPPF

13 – Protecting Green Belt Land

Para 154 - Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

## 15 - Conserving and enhancing the natural environment

Para 185 d - development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

### Consultations

Highways – No objections subject to management plan  
Langsett Parish Council – No objections  
Drainage – No objection subject to informatives  
PROW Officer – No comments received  
Biodiversity Officer - No objections subject to condition

### Representations

None received

### Assessment

#### Principle of development

The proposal relates to the construction of a wildlife pond. The proposed construction of the pond would be considered as an engineering operation, therefore planning permission would be required.

The site is set within the Green Belt as allocated within the Barnsley Local Plan. Policy GB1 of the Local Plan is therefore of relevance and the Green Belt principles within the NPPF. The National Planning Policy Framework states that 'certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:.... b) engineering operations.'

The proposed creation of a wildlife pond on this site will enhance the local wildlife and biodiversity. As a local feature this is in keeping with the existing landscape as well as offering a significant opportunity for enhancement. The proposal would therefore be acceptable in principle, subject to the development and the impact upon openness/visual amenity and other considerations such as biodiversity and highway safety.

#### Visual Amenity



Ponds are a feature which can be seen within the countryside/agricultural land. The creation of a pond would not harm the openness of the Green Belt and would enhance visual amenity, with the addition of landscaping once constructed. The proposal is therefore acceptable in terms of visual amenity in accordance with policy GB1 and the NPPF.

### Highway Safety

The applicant has confirmed that the pond will be created using on-site machinery. The proposal would appear to have no long-term impact on highways with no change to the access requirements compared to the current position and the Highways Officer has no objection to the proposal. The proposals would not adversely impact upon the highway or the Public Right of Way and are therefore acceptable from a highways perspective in accordance with policy T4 of the Local Plan.

### Ecology

The proposed pond will increase the biodiversity value of the site and provide habitat for a variety of species. The Ecology Officer therefore supports the proposal to create a wildlife pond.

The report details that no evidence of badger was recorded within proximity of the site but that the species may occasionally enter the proposals site due to the suitability of surrounding habitats. Precautionary working methods should be undertaken therefore the Ecology Officer has recommended that the following pre-commencement condition is included as part of the permission, which has been agreed with the agent.

‘Notwithstanding the submitted details, no development shall take place (including demolition, ground works and vegetation clearance) until a Construction Environmental Management Plan - Biodiversity (CEMP-B) has been submitted to and approved in writing by the local planning authority. The CEMP-B shall include, but not necessarily be limited to, the following:

- Risk assessment of potentially damaging construction activities;
- Identification of ‘biodiversity protection zones’;
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
- Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
- The times during construction when specialists ecologists need to be present on site to oversee works;
- Responsible persons and lines of communication;
- The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person(s).’

The proposal is acceptable when measured against policy BIO1 of the Local Plan.

### **Recommendation**

**Grant** subject to conditions

