

## **Report Precis**

Report of the Interim Head of Planning to the Planning Regulatory Board

Date: 02/06/2015

### **Subject**

Applications under Town and Country Planning Legislation.

### **Purpose of Report**

This report presents for decision planning, listed building, advertisement, Council development applications and also proposals for works to or felling of trees covered by a Preservation Order and miscellaneous items.

### **Access for the Disabled Implications**

Where there are any such implications they will be referred to within the individual report.

### **Financial Implications**

None

### **Crime and Disorder Implications**

Where there are any such implications they will be referred to within the individual reports.

### **Human Rights Act**

The Council has considered the general implications of the Human Rights Act in this agenda report.

### **Representations**

Where representations are received in respect of an application, a summary of those representations is provided in the application report which reflects the key points that have been expressed regarding the proposal.

Members are reminded that they have access to all documentation relating to the application, including the full text of any representations and any correspondence which has occurred between the Council and the applicant or any agent of the applicant.

### **Recommendation(s)**

That the applications be determined in accordance with the recommendations set out in the main report which is attached. Full report attached for public and press copy (unless Confidential item).

### **Background Papers**

These are contained within the application files listed in the following schedule of planning applications. They are available for inspection at Barnsley Library and Information Services, The Civic Centre, Eldon Street, Barnsley, S70 2JL.

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### **2015/0137 Approval**

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Erection of a Renewable Energy Park comprising of a Timber Resource Recovery Centre and associated infrastructure.  
Land off Houghton Main Colliery Roundabout, Park Spring Road, Little Houghton, Barnsley

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### **2015/0300 Approval**

**Page 27**

Erection of industrial unit B1(C), B2 and B8 use, with partial use of the unit for Sui Generis use (dismantle and disposal of end of life vehicles). Erection of detached dyno cell and office building and associated parking area (part retrospective) (resubmission of app 2013/1097)  
Carbon Court, Springvale Road, Park Springs, Grimethorpe, Barnsley, S72 7FF

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### **2014/1210 Approval**

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Erection of 10 bed Residential Care Unit (C2) and Occupational Therapy shed with access and car parking.  
Land between 73 and 77 Park Street, Wombwell, Barnsley, S73 0HL

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### **2015/0418 Approval**

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Change of use from residential (C3) to private care home (C2)  
153 Barnsley Road, Cudworth, Barnsley, S72 8UT

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### **2015/0421 Approval**

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Erection of temporary mobile classroom to primary school for early learning and associated services connections.  
Hunningley Primary School, Hunningley Lane, Barnsley, S70 3DT

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### **2015/0365 Approval**

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Alterations to building including new entrance, pitched roof, alterations to entrance and new fencing.  
Woodhall Flats, Barnsley Road, Darfield, Barnsley, S73 9EN

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**Ref 2015/0137**

Applicant: Peel Environmental Management (UK)

Description: Erection of a Renewable Energy Park comprising of a Timber Resource Recovery Centre and associated infrastructure

Site Address: Land off Houghton Main Colliery Roundabout Park Spring Road Barnsley

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424 objections from members of the public. In addition objections have been received from the Parish Councils of Great Houghton, Little Houghton and Billingley as well as from Brierley Town Council and Sandhill Golf Club.

ASOS and their distributor Norbert Dentressangle have confirmed that they do not object to the planning application now that the Anaerobic Digestion Plant no longer forms part of the proposal. In addition a letter in support of the scheme has been received from Barnsley College.

### **Background**

This is a resubmission of planning application 2014/0559 which was refused by the Planning Regulatory Board in November last year for the following reasons:-

1. The proposed non-employment use would have a substantially harmful impact on visual amenity and the openness of the adjacent Green Belt by virtue of the scale, height, massing and design of the proposed development. In this regard the proposal is contrary to the objectives of Core Strategy policy CSP 29, Joint Waste Plan policy WCS4 and paragraph 79 of the NPPF. In addition, the proposal would also fail to retain or enhance the character and distinctiveness of the Lower Dearne Lowland River Floor Landscape Character Area by virtue of the scale and height of the proposal and the cumulative visual impact given its proximity to the ASOS building. As such, the proposal also substantially conflicts with Core Strategy policy CSP 37 and the objectives of Barnsley Borough Landscape Character Assessment.

2. Furthermore, insufficient evidence has been presented regarding routing and frequency HGV movements in order to demonstrate that the proposal would not have a detrimental impact on the safe and free flow of traffic. In the absence of such evidence, the proposal conflicts with Core Strategy policy CSP 26.

On this occasion the application is solely for the Timber Waste Recovery Centre. The Anaerobic Digestion Plant no longer forms part of the application.

### **Site Description**

The site is located to the west of a roundabout forming part of the A6195 Park Spring Road immediately opposite the distribution centre occupied by ASOS. The nearest residential areas are Edderthorpe, Little Houghton, Great Houghton and Middlecliff.

Approximately triangular in shape the site comprises 3ha of land which is a reduction of 1.14ha compared with the previous application. The majority of the site was previously used for mining between the 1890s and 1991 and was then the subject of open cast colliery workings between 1997 and 2001 by UK Coal. In addition a disused railway line passed along the south west boundary of the site. However, the land has since been restored and is now covered by grass and a number of scattered shrubs and trees are present on the site.

The River Dearne runs in a north-south direction to the west of the site. A banking/bund is located on the north western boundaries that form curved flood defence bunds which follow the alignment of another disused rail line.

Apart from ASOS and the A6195 to the east of the site, the land to the north, west and south is relatively open and remote from any residential properties. There are a few scattered farms and properties nearby, the closest being Crook Farm located approximately 0.8km to the west, Store Mill Farm located 1.5km to the north west, Tyers Hall Farm located 1.8km to the south west and a housing development located on Doncaster Road 1.8km south west of the proposed development. Levels across the site are relatively flat except for the bunding at the north-west boundary.

In addition to the above a segment of the site contains a rectangular shaped building which houses a mine gas electrical power station building. This is located in a position to the south of the roundabout and is accessed off the same spur off the roundabout that would provide access to the proposed development.

A change in circumstances at the site from when the previous application was considered is that the landowner has laid out part of the road to be constructed in association with planning permission 2011/1443 for the 19 industrial units, which constitutes a material commencement of development. This has the effect of keeping this planning permission alive.

## **Proposed Development**

The proposed Renewable Energy Park (REP) would comprise a Timber Resource Recovery Centre (TRRC) and associated infrastructure.

The development of the site would create energy generation facilities with the potential to generate 20 megawatts (MW) of electricity and heat per annum for the grid or other appropriate off takers in the area.

The TRRC would receive approximately 150,000 tonnes per annum of biomass which would include civic amenity waste and waste timber from construction and demolition, which would be subjected to a process that recovers clean ferrous and non-ferrous material for recycling. The biomass that would be used would also include wood products recovered from commercial and industrial sources after the removal of other valuable recyclable materials. Other wood-derived fuels such as paper products may also be used in the process.

The proposed TRRC would comprise the following parts:

- Reception Hall (65m X 45m at ground level X 9m to the eaves, 11.4m to top of the roof);
- Process Building (102m in length X 30m in width X 30m in height);
- Stack (2.5m in diameter x 45m in height)
- Admin/Welfare (12.3m in length X 18m in width X 17.87m in height);
- Turbine Hall (25.7m in length X 18m in width X 17.9m in height);
- Workshop (12.3m in length X 18m in width X 17.9m in height);
- Condensers (53.7m in length X 13.4m in width X 23m in height);
- Ash storage silos (6.6m in diameter x 7m in height)
- Fuel oil storage tank (13.2m diameter X 2.4m in width X 2.5m in height);
- Standby generator (13.2m X 3.2m in diameter X 2m in height);
- Fire Water pumps enclosure (4m X 3m in diameter X 2.5m in height)
- Fire water tank (13m in diameter X 7m in height)
- Weighbridge;
- Site fencing;
- External Lighting

- Parking spaces
- Cycle shelter

The planning application is accompanied by the following reports:-

- Planning Statement
- Design and Access Statement
- Statement of Community Involvement
- Alternative Site Assessment
- Sustainability Statement
- Energy Statement
- Surface Water Drainage Scheme
- Arboricultural Impact Assessment
- Figures and Drawings

In addition the application is classed to be Environmental Impact Assessment development under schedule 1 of the regulations. Accordingly the application is accompanied by an Environmental Statement covering the following topics:-

- Background, Introduction and Context;
- Site Description;
- Proposed Development;
- Planning History and Policy Context;
- Need and Alternatives;
- Transport Assessment;
- Hydrology, Flood Risk and SUDS;
- Air Quality Assessment;
- Landscape and Visual Amenity Assessment;
- Noise and Vibration Assessment;
- Ecology and Nature Conservation Assessment;
- Hydrogeology and Ground Conditions Assessment;
- Archaeology and Cultural Heritage Assessments;
- Socio-Economic Impact Assessment;
- Other Amenity Issues;
- Cumulative Impacts and
- Summary

The application states that feedstock (pre-prepared biomass) would arrive at the facility in a form ready for use in the gasification process. This material may, due to its source, still have some valuable ferrous and non-ferrous metals included in the deliveries. The first stage of the process is to recover these materials from the feedstock using a combination of magnets and eddy current separation. These recovered materials are then removed from the facility and are also recycled.

The remaining prepared/cleaned feedstock is then transferred into a gasification chamber where it is heated in a low oxygen environment (gasification) to a point where the material is forced to drive off its valuable gases. These gases are where the process derives most of its energy. As the gasses leave the gasification process they enter a combustion chamber where they are ignited to produce a sustainable and consistent energy level. This energy (heat) is then passed through a boiler to produce steam. The steam generated is produced at a temperature and pressure sufficient to power a turbine connected to an alternator for the production of renewable electricity which either goes directly to local businesses that can use it or it is sent directly to the National Grid. Remaining gases from the process pass through an advanced cleaning process to remove any harmful emissions and particulates to regulated levels before exiting the plant via a stack. All emissions are monitored and controlled by the Environment Agency under an Environmental Permit to ensure they do not permit any form of harmful emissions through the facilities operation.

Where possible all residuals (e.g. recycled metals/ash from the gasification process) from the plant with a value to other market sectors are also recovered and reprocessed.

The operation of the facility described would require an Environmental Permit issued by the Environment Agency. That permit would contain conditions that require site operations to be compliant with the emissions limits set in the Industrial Emissions Directive. The permit would also require the operator to apply Best Available Techniques in carrying out activities at the site. Those techniques include noise management, odour management, energy efficiency and resource efficiency.

It is stated that the development would provide 25 equivalent full time jobs once operational and 200 jobs during the construction phase.

The applicant has also confirmed that a non-waste related use is being sought on the land where it was previously proposed to construct the Anaerobic Digestion Plant.

### **BMBC Planning History**

B/79/3937/HR – Storage on land to the north of colliery and to deposit colliery waste in disused railway cutting. Decision: Grant planning permission with conditions 15/02/1980.

B/96/0208/HR – Extraction of coal by open cast. Redevelopment of site and restore to agricultural, woodland etc. Decision: Grant planning permission with conditions 29/11/1996.

B/96/0728/HR - Application for outline planning permission for use of land for industrial/employment uses B1, B2 and B8. Decision: Grant planning permission with conditions 18/12/1996.

B/99/1064/HR – Application for renewal of outline planning permission B/96/0728/HR for use of land for industrial/employment uses B1, B2 and B8. Decision: Outline planning permission granted with conditions 07/02/1999.

B/03/0726/HR – Application for the modification of condition 1 of outline planning permission B/99/1064/HR. Decision: Approved 09/09/2003.

B/05/1114/HR – Mine gas extraction borehole, ancillary apparatus, mine gas extraction and electrical power station. Granted planning permission with conditions 19/08/2005.

2008/1426 – Erection of 19 industrial units with associated external works and landscaping. Decision: Planning permission granted with conditions 08/12/2008.

2011/1443 - Erection of 19 industrial units with associated external works and landscaping (extension of time limit of planning permission 2008/1426. Decision: Planning permission granted with conditions 22/02/2012.

2014/0559 - Erection of a Renewable Energy Park comprising of a Timber Resource Recovery Centre and Anaerobic Digestion facility. Decision: Refused permission 26/11/2014.

### **Policy Context**

Planning decision 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 development plan consists of the Core Strategy, the saved Unitary Development Plan policies and the Barnsley, Doncaster and

Rotherham Joint Waste Strategy. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

The Council has produced a draft Local Plan, which shows possible allocations up to 2033 and associated policies. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation.

## Local

### Saved UDP Policies

UDP notation: DA4 - Area of Investigation for Potential Employment Development

### Barnsley, Doncaster and Rotherham Joint Waste Plan,

Adopted March 2012 the Joint Waste Plan (JWP) forms part of each borough's development plan, known as the Local Development Framework. The JWP is the detailed planning strategy for providing waste management facilities across Barnsley, Doncaster and Rotherham over the period to 2026.

The relevant policies are:-

Policy WCS1: Barnsley, Doncaster and Rotherham's Overall Strategy for achieving sustainable Waste Management

Policy WCS4: Waste Management proposals on non-allocated sites

Policy WCS6: General Considerations for all Waste Management Proposals

Policy WCS7: Managing Waste in all development

### Barnsley Core Strategy (Adopted September 2011)

CSP3 'Sustainable Drainage Systems'

CSP4 'Flood Risk'

CSP5 'Including Renewable Energy in Developments'

CSP19, 'Protecting Employment Land'

CSP24, 'Safeguarding of Former Railway Lines'

CSP26 'New Development and Highway Improvement'

CSP28, 'Reducing the Impact of Road Travel'

CSP29 'Design'

CSP36 'Biodiversity and Geodiversity'

CSP37, 'Landscape Character'

CSP39 'Contaminated and Unstable Land'

CSP40 'Pollution Control and Protection'

CSP42 'Infrastructure and Planning Obligations'

## SPD's

-Parking

## Local Plan Consultation Draft

Proposed Employment Allocation: Employment Proposal/Urban Fabric/Safeguarded Former Railway Lines

## National

### NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Paragraphs of particular relevance to this application include:

97 - To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources.

98 - When determining planning applications, local planning authorities should:

- not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- approve the application if its impacts are (or can be made) acceptable.

Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should also expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

32 –Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

58 & 60 – Design considerations.

### Planning Practice Guidance

Paragraph 001 - Addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin both plan-making and decision-taking.

Paragraph 003: - Increasing the amount of energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses.

Planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable.



Paragraph 004:

“..... all communities have a responsibility to help increase the use and supply of green energy, but this does not mean that the need for renewable energy automatically overrides environmental protections and the planning concerns of local communities”

“There are no hard and fast rules about how suitable areas for renewable energy should be identified, but in considering locations, local planning authorities will need to ensure they take into account the requirements of the technology and, critically, the potential impacts on the local environment, including the cumulative impacts”

### National Planning Policy for Waste

The DCLG published the National Planning Policy for Waste (NPPW) in October 2014. The NPPW replaces PPS10 and is to be read in conjunction with the NPPF and the National Waste Management Plan (published as the Waste Management Plan for England in December 2013).

Paragraph 5 of the NPPF referred to national waste planning policy as being published as part of the National Waste Management Plan for England. However, the Waste Management Plan for England (WMPE), when published in December 2013, did not contain land use planning policies, but referred to forthcoming National Planning Policy for Waste, then in draft form, now published. To all intents and purposes, national planning policy for waste is contained within the new NPPW which replaces PPS10. The NPPF is to be taken into account where it is relevant.

Given that the NPPF, NPPW and WMPE are to be read in conjunction, what the WMPE says about waste management technologies is relevant in planning policy terms. On page 13, the WMPE says the following about other recovery:

*The Government supports efficient energy recovery from residual waste – of materials which cannot be reused or recycled – to deliver environmental benefits, reduce carbon impact and provide economic opportunities.*

Over 1.4 million tonnes of waste wood was created in 2009. For Construction and Demolition waste in 2010, 2% (1.5 million tonnes) of the 77.4 million tonnes created was ‘sorting residues’ containing a significant further amount of waste wood from construction and demolition. The WMPE (page 20) indicates that, in 2011, 15 million tonnes of materials per annum was exported from the UK for recycling and recovery. 884,000 tonnes of Refuse Derived Fuel was exported from the UK in 2012.

The WMPE also provides support for the development of other recovery facilities to secure energy recovery from residual waste. Again, the WMPE indicates the significant waste stream arising in the commercial, industrial, construction and demolition waste sectors available for this purpose. A significant fraction of these waste streams is waste wood. Developing UK capacity to secure energy recovery from this waste stream can deliver renewable energy and low carbon energy generation benefits, which the Government is seeking to encourage.

The NPPW provides national policy on the development of Local Plans which identify the need for waste management facilities, identify suitable sites and areas, and on determining planning applications.

The NPPW paragraph 7 sets out policy to assist waste planning authorities in the determination of planning applications. There are six key parts to the policy:

1. Applicants only need to demonstrate market need for a proposed facility if it conflicts with the Local Plan of the area.

2. Proposals for waste management facilities should demonstrate that they do not 'cut across' and undermine local plan objectives with regard to the movement of waste up the waste hierarchy.

3. Waste planning authorities are asked to consider the likely impact on the local environment and on amenity against the following criteria set out in Appendix B of the NPPW:-

- a. Protection of water quality and resources and flood risk management
- b. Land stability
- c. Landscape and visual impacts
- d. Nature Conservation
- e. Conserving the Historic Environment
- f. Traffic and Access
- g. Air emissions, including dust
- h. Odours
- i. Vermin and birds
- j. Noise, light and vibration
- k. Litter
- l. Potential land use conflict

4. Waste Planning Authorities should ensure that waste management facilities are well-designed so that they contribute to the character and quality of the area in which they are located.

5. Waste Planning Authorities should concern themselves with the planning aspects of proposals and should not concern themselves with the control of processes which are a matter for pollution control authorities. Waste Planning Authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced.

## **Consultations**

Air Quality Officer – No objections to the proposed development on air quality grounds subject to the plant operating to the parameters detailed within the air quality assessment.

Biodiversity Officer – Does not object to the proposals, subject to the mitigation proposed in the ecological survey and the proposed £50,000 for biodiversity improvements in the Nature Improvement Area.

Billingley Parish Council – Object to the application based upon the following reasons:-

- Odour.
- Impact upon public health via airborne particles and bio aerosols.
- Poor track record of existing operational plants located elsewhere.
- Property devaluation.

Brierley Town Council – Object based upon the following reasons:-

- The site is an identified flood plain.
- Concerns over the amount of traffic movements despite assurances from the applicant.
- Environmental impact to wildlife.
- Visual impact.
- Concerns that the proposal would inhibit or deter future expansion of sites for new businesses.
- Support the opposition expressed by Great Houghton Parish Council.

Coal Authority – No objections subject to a condition requiring the recommendations of the phase 1 ground investigation report to be followed through to inform any mitigation that may be required during the construction phase.

Doncaster Metropolitan Borough Council – No comments or objections have been received.

Drainage –Do not object subject to imposition of suitable conditions.

Environment Agency – Do not object to the development subject to the imposition of conditions. In addition the EA state that the operation of the facility would require an Environmental Permit issued by the Environment Agency. That permit would contain conditions that require site operations to be compliant with the emissions limits set in the Industrial Emissions Directive. The permit would also require the operator to apply Best Available Techniques in carrying out activities at the site; those techniques include noise management, odour management, energy efficiency and resource efficiency.

Also the Air Quality Assessment supporting the application has been carried out following a methodology appropriate to that required in support of an application for an Environmental Permit. Whilst such an application would require additional detailed information, and validation, the conclusions drawn within the Air Quality Assessment are broadly in keeping with the level of emissions that we would expect from the type of facility proposed.

The applicant held a meeting with the Environment Agency on the 27<sup>th</sup> October to discuss a permit application. The Environment Agency have since written to the Council to advise that *'the facilities proposed are known technology, would be operated to familiar principles and would be built and operated with regards to relevant best available techniques for environmental protection'*. In addition *'the proposals are also in keeping with the waste hierarchy and current waste management practices'*.

The Agency point out that they are unable to make a judgement on the outcome of an application for an Environmental Permit at this stage. *However 'the proposed facilities are of the type that have been successfully permitted and regulated elsewhere' and 'Based on the information provided at this early stage there is no known reason, subject to a complete and robust application being submitted, that facilities of this type could not be effectively permitted and regulated by the Environment Agency'*.

The Agency have also clarified that the Environmental Permit application *'would assess impacts of their proposals on air, water, land, odour, noise and fugitive emissions, and we will include conditions in the permit to ensure that the appropriate controls are taken in controlling those impacts'*.

In addition to the above, the Agency have resolved not to object to the planning application on waste management, pollution control, flood risk, water quality or contamination grounds.

Natural England – No objections to the impact of the development on statutory nature conservation sites. However request that the authority ensures it has sufficient information to fully understand the impact of the proposal on the local sites. In addition they recommend that the possibilities of the application delivering green infrastructure and biodiversity and landscape enhancements.

Network Rail – Have provided comments in relation to the issue of the former railway line which was located inside the site in the area adjacent to the south west boundary. National Rail consider the protection of the former Cudworth line to be worthwhile and would prefer to keep the route as free from development as possible. However they acknowledge that this is a long term aspiration and that HS2 has added further uncertainty over the prospects of this line being reinstated. In addition they acknowledge that a significant amount of the line has been built over in the Rotherham District and off line solutions would need to be sought in such situations. On balance they do not seek refusal of the application and would seek an off line solution if such a situation

was to arise that plans to reinstate the railway line come forward. They would however favour the former railway line being kept as clear from development as possible.

Highways – Do not object subject to the imposition of conditions.

Little Houghton Parish Council – Object based upon the following reasons:-

- Odour and emissions.
- Impact of the development on human health.
- Traffic generation and the impact on the local road network.
- Property devaluation.

Great Houghton Parish Council – Object based upon the following reasons:-

- Harm to visual amenity/local landscape – TRRC building 30m in height, stack 45m. ASOS only 18m.
- Highway safety – the no of HGV movements proposed per day and concerns that local roads passing through the village might be used, contrary to any restrictions that may be imposed. Additional concerns are expressed regarding the enforceability of any conditions and about an increase in Co2 emissions.
- Odour and emissions- Concerns that odour would be impossible to mitigate based upon research from members of the local community into other AD plants around the country (Cannock and Twemlow and Goostry). A decision to refuse planning permission for a plant in Bury is also referred to.

PROW – No objections.

Regulatory Services – State that the operation of the facility described would require an Environmental Permit issued by the Environment Agency and that the Council would not have any regulatory control over the site once operational.

Rotherham Metropolitan Borough Council – No objections.

Tree Officer – Does not object subject to suitable conditions being imposed.

SYAS – No objections subject to condition

SYMAS – No objections subject to conditions requiring the recommendations of the phase 1 ground investigation report to be followed through to inform any mitigation that may be required during the construction phase.

SYPTE – No objections in principle but recommend that the developer funds incentives to use public transport.

South Yorkshire Police ALO – The building specifications should meet the requirements of SBD as a minimum standard.

Waste Management – No comments or objections have been received.

Yorkshire Water – Do not object subject to imposition of suitable conditions.

## **Representations**

The application was advertised by individual neighbour notification letter and by site and press notices.

424 objections have been received from members of the public. In summary the main concerns received in the objections are summarised as follows:-

The site – Concerns that the site is unsuitable for the proposed development as it is surrounded on three sides by Green Belt land, a nature reserve and an old growth forest. It is also asserted that the site is not identified as a strategic waste site for renewable energy in the waste plan. Concerns are also raised that the land might be unstable from the previous uses as a colliery and that intrusive site investigations should take place before the application is decided upon to determine whether the site can accommodate the development.

Pollutants – Concerns that waste wood contains Arsenic, Cadmium, Chromium, Copper, Lead, Nickel, paint flakes, brick dust, glass, plastic silica and more

Air Quality – Concerns about the emissions from the process via the stack, airborne dust, fine particles, spores, HGV traffic. It is also questioned what damage that the emissions from the development would cause the environment. It is also asserted that the Council would be in breach of the clean air act if the development is permitted and questioned why data from Doncaster Airport rather than a more local source is being used as the basis for the applicants' air quality assessments. Concerns are also raised that Great Houghton and Little Houghton would be downwind from the development increasing the impacts.

Impact on public health – Concerns that the emissions would give rise to public health problems including Cancer, Asthma, nosebleeds, nasal erosion, Rhinitis, breathing difficulties, chest infections, headaches, Gastro Intestinal illnesses, eye irritation, Dermatitis, Dementia and Alzheimers. Concerns are also raised that the effects would be exacerbated on the former mining communities. It is also questioned whether the impact on health would be monitored and what enforcement and mitigation options would be put in place if the development were proven to cause problems.

Concerns that this would be a 'guinea pig' development by an inexperienced operator and that the impacts have not been tested on an area previously.

Concerns that the produce from the agricultural land in the vicinity of the site would become unsafe for public consumption.

Odour – It is questioned as to whether the proposal would create any odours. It is also queried why the report submitted with the application has concluded that the odour potential of the development is less than the previous application.

Hazardous waste – Concerns are raised that toxic ash would be created by the process and would be transported in HGV's away from the site using local roads.

Adverse impact on the wildlife sites located within the vicinity of the site.

Fuel source – Concerns are raised the definition of biomass may extend to include burning dead animals.

Traffic impact – Concerns about the proposed number of HGV movements to and from the site on a daily basis and the impact on the capacity of the local road network including A6195 to the M1, Cathill Roundabout, the A628 roundabout at Shafton and the A635 to the A1. In addition concerns are raised that local roads passing through Great and Little Houghton and Middlecliff might be used, contrary to any restrictions that may be imposed. Additional concerns are expressed regarding the enforceability of any conditions.

Environmental Permit Enforcement – Concerns that there is a lack of adequate enforcement by industry regulators to mitigate waste wood emissions in communities. It is also questioned what monitoring would be in place to ensure that emission standards are not exceeded and if the permit shall prevent the burning of toxic material.

Unsuitable location – Proximity to existing houses, distance from the A1/M1.

Noise pollution from deliveries, pumps, compressors & the power plant. Concerns about how noise levels would be monitored and enforced.

Noise and disturbance during the construction phase.

Light pollution during dark hours from the need to fit aircraft beacons.

Flooding – Concerns about proximity of the site to a flood plain and that the development would increase the risk of flooding downstream. It is also stated that the development would contaminate the river and eco systems and that the risk is significant due to the potential for fires and explosions to occur.

Visual impact – Concerns about the height of the buildings and stack in comparison to ASOS and that the development would be heavy industrial in appearance and affect long distance views from large geographical area. Concerns are also raised that the development would be a backward step as the site has been restored to nature from its coal mining past. Concerns have also been received that the photomontages are misleading and that the development would appear unsightly. It is also stated that planting trees would not provide adequate mitigation to compensate for the effects of the development on the local landscape. In addition it is queried whether pylons would be required and that these would add further harm to the landscape.

Concerns that the development would cause planning blight in the area and that people would be put off buying land/investing in the local area because of the proposed development.

Public safety concerns - Potential for a fire/explosion due to the nature of the activities on the site and through the storage of large amounts of combustible material.

Localism – It is asserted that the application should be refused as it would not benefit the local community and a high numbers of local residents are opposed. Concerns are also raised that the applicant has not carried out adequate public consultation

Property devaluation - Concerns are raised that the development would devalue houses in the area by up to 40%.

Insufficient benefit to the local community – It is asserted that the development would not deliver many jobs and that the land could be used for an alternative development that would lead to the creation of more jobs, such as the previous planning permission for 19 industrial units. It is also stated that the development would lead to negative perceptions of the area and harm attempts to continue to regenerate the area and build new houses/attract new residents and businesses.

Electricity generated should serve the off the grid village of Little Houghton

Concerns that members of the public were not provided with the correct information at information days held by the applicant prior to the application being submitted.

It is stated that the application should have been subject to wider publicity. Concerns are also raised that the application has carried out insufficient public consultation prior to submitting the revised planning application.

It is queried what would happen to the land beyond the 25 life span of the development and if the buildings would be demolished and the land restored.

Concerns that mitigation measures would not be delivered and a lack of trust in the assessments provided by the applicant and the authorities to adequately monitor and take action against the development once operational.

Harm to local businesses including ASOS whose products may become contaminated by the processes on site and about the health of the workers.

Cyclist safety – It is stated that the Dearne Valley Parkway is used by cycle clubs for events such as time trails and by people going to work at the other businesses in the area. Concerns are therefore raised that the increase in HGV movements would be unsafe.

Lack of local benefit.

Increased litter.

It is questioned whether the development would result in the loss of a private public right of way.

Loss of a reclaimed colliery site that is now regenerated and provides a habitat for trees, bats, a family of otters, badgers, foxes, rabbits, stoats, weasels, owls, blackbirds, grouse, thrush, birds of prey, jays, nuthatch. It is also stated that the adjacent river corridor provides a habitat for fish, newts, frogs and snakes and that this supports heron and kingfisher.

Lack of parking provision within the development (10 spaces versus 25 staff).

Jobs – Concerns are raised that the development would create few jobs compared with the planning permission for the 19 industrial units. It is also questioned whether any of the full time or construction jobs created would go to local people.

Environmental harm – Concerns that biomass is an environmentally damaging way to create energy due to the level of CO2 emissions. Concerns are also raised that the waste timber would be resourced from beyond the area specified within the application in order to keep the plant running, including potentially from overseas which would not be environmentally sustainable. In addition it is stated that this form of development may contribute towards global deforestation.

Lack of need for another renewable energy development due to other plants located elsewhere in South Yorkshire. Capacity should be maximised at these sites before new sites are considered. It is also questioned whether the development would rely upon a subsidy from Central Government in order to be financially viable in which case it should be refused.

ASOS and their distributor Norbert Dentressangle have confirmed that they do not object to the planning application now that the Anaerobic Digestion Plant no longer forms part of the proposal. In addition a letter in support has been received from Barnsley College

The letter from Barnsley College expresses support based upon the following reasons:-

Establishing such an important facility in Barnsley will not only open upon several prospects for the local economy but also allow the region to be at the forefront of pioneering sustainable technology.

The facility could improve opportunities for training and further education, helping Barnsley to build and retain a highly skilled workforce.

The large investment proposed would bring significant benefits to the area including jobs, supply chain opportunities and further investment in the area. Such an economic boost is much needed in Barnsley to ensure local people have access to local jobs and a healthy economy.

The construction and operational phases would present a range of employment, training and apprenticeship opportunities for local people in areas such as construction, engineering, business administration and the environmental industries along with other specialist roles.

The applicant has expressed interest in supporting the local community by committing to develop young people through the college's ambassador programme. This includes the provision of industry career talks, work placement and work experience opportunities and other work related activities.

## **Assessment**

### Principle of development

Planning law is that decisions should be taken in accordance with the Development Plan unless material considerations indicate otherwise.

The current position is that the Development Plan consists of the saved policies of the Unitary Development Plan, the Local Development Framework Core Strategy and the Barnsley, Rotherham and Doncaster Joint Waste Plan.

The National Planning Policy Framework (NPPF) is also an important consideration. The NPPF states that a presumption in favour of sustainable development should be at the heart of every application decision. For planning application decision taking this means:-

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:-
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
  - specific policies in the Framework indicate development should be restricted.

The Barnsley, Doncaster and Rotherham Joint Waste Plan was adopted in March 2012 and sets out the overall approach to managing waste across the three Boroughs for the next 15 years. The plan explains that the volume of waste is increasing in spite of efforts to reduce and recycle and that if present trends continue, Barnsley, Doncaster and Rotherham face a significant shortfall of suitable recycling and treatment capacity over the next 15 years. The result is that new waste management facilities need to be built across the three boroughs to address the capacity shortfall and meet government targets. If these targets are not met, the three local councils will face heavy financial penalties (e.g. a higher rate of landfill tax) and fines from this process would ultimately be passed onto the local taxpayer.

The overall strategy for achieving sustainable waste management is set out in policy WCS1. This states that provision will be made to maintain, improve and expand the network of waste management facilities throughout Barnsley, Doncaster and Rotherham to achieve sustainable waste management across all waste streams.

To facilitate proposals to address the identified municipal, commercial and industrial waste management capacity gap:

A) existing strategic waste management facilities are safeguarded to maximise their efficiency;



B) three sites are allocated for new strategic waste management facilities (and a fourth site is reserved); and

C) new or replacement smaller-scale facilities will be supported where these are required to serve local catchment areas and communities.

The proposed Timber Waste Recover Centre (TRRC) is intended to receive approximately 150,000 tonnes per annum of biomass which may include waste timber from commercial and industrial sources. Potentially therefore the development would contribute towards addressing the capacity gap from these sources.

Other relevant criteria of WCS1 are that:-

- Large scale waste management proposals will be directed towards the strategic site allocations where possible (*i.e. The policy does not require strategic waste developments to take place only on those sites*)
- Innovative waste technologies will be allowed and promoted where these support the vision and aims of the Joint Waste Plan.
- Proposals will be supported which enable Barnsley, Doncaster and Rotherham's waste to be managed locally, whilst allowing waste to be imported or exported where this represents the most sustainable option.
- Priority will be given to waste proposals, which maximise the reuse of vacant or underused brownfield land, particularly within established employment areas and which provide opportunities for co-location and priority areas for regeneration.
- Waste proposals will be directed towards accessible locations with good transport links, particularly in and around urban areas.

The application is accompanied by an Alternative Site Assessment which takes into account that the minimum size required for the proposed development site has decreased to approximately 3 hectares. The assessment has discounted each of the three strategic site allocations and the proposed reserve site. This is on the basis that the site at Manvers, Rotherham has now been developed as a Municipal waste facility and is therefore unavailable. Sandall Stones Road, Kirk Sandall in Doncaster is too small at only 2ha. Hatfield Power Park, Stainforth, Doncaster is large enough to accommodate the proposed development, however, at 16ha it is too large and would not be viable when factoring in the significant investment that would be required to unlock the site for development in the form of the need for a road link to the M18 and provide flood defences. Furthermore the reserve site at Aldwarke Steelworks, Parkgate, Rotherham is unsuitable as the Waste plan states that that particular site should provide rail and river access (via river wharf and railhead) to handle bulk waste and this would not fit with the operational requirements of the proposed facility.

In addition to the above the Waste Plan includes positive framework to facilitate the development of waste management on sites not allocated in the Joint Waste Plan (policy WCS4). This states that proposals for waste development will be permitted on such non-allocated sites provided that proposals:-

- 1) do not significantly adversely affect the character or amenity of the site or surrounding area;
- 2) contribute towards the aims of sustainable waste management in line with the waste hierarchy;
- 3) do not undermine the provision of waste development on strategic sites set out under policy WCS3;
- 4) prioritise the reuse of vacant or underused brownfield land, where possible; and
- 5) facilitate quicker and better quality reclamation, and do not prevent the timely reclamation of the site (where applicable).

The types of location where waste proposals may be acceptable in principle include land designated for employment and industrial purposes. The site falls into this category given the UDP

notation and the previous decision to allow the development of 19 industrial units (ref 2008/1426 and 2011/1143).

Notwithstanding it is also necessary to consider the proposal against the other criteria of policies WCS4, WCS1 and WCS6 of the Joint Waste Plan, the Core Strategy and National Planning Policy in the form of the National Planning Policy Framework, National Waste planning policies and the Planning Practice Guidance for Developments for Renewable Energy and Low Carbon Developments.

#### Renewable energy generation and whether the proposals constitute sustainable waste management

Waste management practices are governed by European and national legislation. The key principle relating to waste management is the 'waste hierarchy' which sets out a range of options for managing waste. The European Waste Framework Directive sets a target that, by 2020, the UK must recycle 50% of its household waste and re-use, recycle and recover 70% of its non-hazardous construction and demolition waste. Under the Landfill Directive the UK must ensure that no more than a third of its biodegradable waste is sent to landfill by 2020.

The proposed development would constitute a move up the waste hierarchy by managing and recovering energy from material that would otherwise either be disposed to landfill or exported overseas for treatment. Where waste wood is of a low grade and not suitable for reuse or recycling into products such as chipboard then waste to energy is the preferred option under the hierarchy.

Specifically the proposals would generate 20MW of electricity per annum from the processing of the waste which is a significant amount (approximately 49,000 homes). In my view this is a consideration that needs to be afforded great weight given that the National Planning Policy Framework and CSP5 express support for the use and supply of renewable and local carbon energy, including biomass if the impacts can be made acceptable and does not require the need for renewable energy developments. In addition the recently approved wind farm located near to the site comprising 3 x 126.5m wind turbines would only have an annual generating capacity of 6MW by comparison (the generating capacity of Spicer Hill, Blackstone Edge and Hazlehead Wind Farms is together approximately 15MW).

The proposed source of the waste is also another important consideration in that the relevant legislation and planning policies favour the construction of waste management facilities located near to the sources of the waste. The application explains it is proposed to source waste from both the local and sub-regional area. As such, the proposal would involve the importation of waste from locations within 50 mile radius of the site making this particular consideration more balanced. However policy WCS1 potentially allows for waste to be imported into the Borough where this is considered to represent the most sustainable option. In addition it is noted that the 50 mile catchment areas would include Barnsley, Rotherham and Doncaster Boroughs and would contribute towards the managing of waste from commercial and industrial sources.

In addition to the great weight attributed to the renewable energy generation, substantial weight is afforded to the fact the scheme accords with relevant national and local waste policies relating to the waste hierarchy and provision of additional capacity. It is therefore necessary to balance the impacts of the proposal against these identified benefits. This considered in detail within the following sections of the report.

#### Impact on Landscape Character and Openness of the Adjacent Green Belt

In my opinion this remains one of the key considerations of the application. The site was historically part of Houghton Main Colliery and was the subject of open cast coal workings until as

recently as 2001. However the site has now been restored and is now covered with vegetation including grass, young trees and shrubs.

The site is exposed to long distance views from some areas, most notably Darfield, Edderthorpe, Little Houghton, Great Houghton and Cudworth. Many of the key viewpoints are from within the Green Belt and accordingly, impact on landscape character is closely aligned with impact on openness of the adjacent Green Belt.

The Barnsley Borough Landscape Character Assessment was undertaken in 2002. The site is located within Landscape Character Assessment area C2 'Lower Dearne Lowland River Floor'. Part of Core Strategy policy CSP6 states that renewable energy development will be allowed provided that there is no significantly harmful effect on the character and landscape of the area. This is supported by CSP37 'Landscape Character' which states that development will be expected to retain and enhance the character and distinctiveness of the individual Landscape Character Area in which it is located (as set out in the 2002 Landscape Character Assessment of the Borough).

*The landscape character of the 'Lower Dearne Lowland River Floor Landscape Character Area comprises a flat valley floor of varying width and degrees of enclosure..... Diverse range of land use including agriculture, recreation, residential, industry, commercial, communication, landscape renewal and nature conservation..... Substantial areas of agricultural land..... Large areas without built development or without a dense covering of trees..... Small areas of scrub and trees..... Disused and active linear transport/communication routes running along and across the valley floor including dismantled railways, pylons, the River Dearne and the newly constructed A6195 road..... Immature, newly created landscapes in the form of open grass areas and young tree planting, associated with reclaimed industrial areas and the A6195..... Localised clusters of new warehouse style buildings bringing large scale buildings into the relatively open landscape..... Open water in the form of the River Dearne, streams, dikes, flashes and man made lakes.'*

Taking into account of the above, the strength of character and condition of the landscape was assessed to be moderate. Landscape sensitivity to further built development was judged to be high and landscape capacity was considered to be low. It was also stated that the landscape strategy objective should be to conserve and enhance the landscape.

However the Landscape Character Assessment pre-dates the construction of the large warehouse building located opposite the site which is now occupied by ASOS. This is material because the ASOS building is currently the dominant feature in the local landscape. In addition, the landscape is set to be significantly altered further by the construction of the three 126.5m high wind turbines that would be located just a few hundred metres to the north east of the site, to the north of ASOS.

The applicant's Landscape and Visual Impact Assessment correctly identifies the ASOS building as a focal element of the landscape at present (approximately 65,000sqm x 18m in height). Therefore at 30m in height the proposed TRRC building would be higher by comparison, as would the proposed 45m high stack. Measuring 53.7m in length X 13.4m in width X 23m in height the condenser would be further significant structure and lesser so the fire water and fuel oil storage tanks, the standby generator and substation.

The applicant's Landscape and Visual Impact Assessment asserts that the development is expected to have a slight adverse landscape impact and slight moderate adverse visual impact. However they consider that this would not be significant based upon the low density of sensitive receptors, i.e. the relatively small number of residential properties that would be able to view the site and the distance away from heritage assets. The application includes a number of photomontages demonstrating this is the case. In addition the applicant proposes to mitigate some of the impacts through landscaping and by the colour scheme which is proposed to be dark green in the case of the buildings and tanks and light green in the case of the stack.

In my opinion the assessment of this issue has to be balanced. On one hand the scale of the development and mass of the proposed buildings is such that the development would be contrary to the aims of what the landscape character area study states should be the landscape strategy for the area. On the other hand, the landscape character assessment pre-dates the ASOS building and the application for the wind turbines, which would both be focal points of the landscape. The buildings and structures on the application site would be taller than the ASOS building, but the footprint would be considerably less (6,638sqm as opposed to approximately 65,000sqm in the case of Asos). The dark tonal colour of the proposed buildings would also reduce the impact on the landscape, as would the proposal to carry out screen planting along the northern boundary and off site planting on additional land to the south of the application site. In addition the applicant has confirmed that the cables to provide the connection to the grid station in Middlecliff would be constructed underground meaning that no above ground cables or pylons would be required. Further visual amenity considerations are the effect of the development on the adjacent Green Belt land and CSP29 'Design'. In both cases the considerations would be similar to the above.

Overall, I am of the opinion that a reason for refusal based on visual impact could not be substantiated having regard to existing features of the landscape, including the ASOS building, the approved 126.5m wind turbines, the dark tonal colour of the proposed buildings and the proposed on and off site tree planting. The visual impact would also be less than the previous application as the site area has been reduced by over 1 hectare compared with the previous application and as it would no longer include the tanks and building that would have existed in association with the Anaerobic Digestion Plant. Nevertheless, the proposal would inevitably have a detrimental impact on landscape character, the openness of the Green Belt and visual amenity more generally, which collectively attract significant weight that has to be balanced against the benefits of the proposal.

### Air Quality

To assess the impacts of the operation of the development, an Air Quality Assessment was undertaken to ascertain the locality's baseline conditions, establish the level of dust, odour and air quality impacts the proposed development may have on sensitive receptors (such as residential properties and the ASOS building) and identify ways to mitigate any impacts.

The TRRC process would produce a combustible gas (syngas) which would be combusted in CHP engines to generate electricity, along with small volumes of waste products. Modelling was undertaken to predict pollutant process contributions from the proposed development at 13 sensitive locations which represent human health exposure (e.g. residential properties and ASOS) and a further 6 sensitive locations which represent nearby sensitive ecosystems.

The Air Quality Assessment has concluded that the operational impacts of the proposed gasification plant on human health and ecosystems would be insignificant and that this would also be the case in terms of the operational impacts of the traffic movements associated with the development.

The assessment has been considered by Pollution Control Officers in Regulatory Services. Regulatory Services state that the development would require an Environmental Permit from the Environment Agency. The Environmental Permit would contain conditions that regulate what occurs on the site. The permit would include strict emission limits from the process stack taken from the Industrial Emissions Directive (IED) and other conditions that require the use of the Best Available Techniques (BAT) to prevent pollution. However in their view there are no grounds to object to the application based on the operating parameters supplied in the report which indicates that emissions from the plant and associated traffic would be insignificant in relation to human health and also insignificant for locally designated ecological sites.

In addition the consultation response from the Environment Air Quality Assessment states that the application has been carried out following a methodology appropriate to that required in support of an application for an Environmental Permit. Whilst such an application would require additional detailed information, and validation, the conclusions drawn within the Air Quality Assessment are broadly in keeping with the level of emissions that the Agency would expect from the type of facility proposed.

Related to this point the National Planning Policy for Waste has confirmed that '*Waste Planning Authorities should concern themselves with the planning aspects of proposals and should not with the control of processes which are a matter for pollution control authorities. Waste Planning Authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced*'.

Regulatory Services have also clarified that there should not be any issues with dust during the operational phase given that all material brought to the site would be stored within the building. However a dust management plan would need to be in place during the construction phase given that the Air Quality assessment has identified this to be a potential issue.

In addition Regulatory Services are satisfied that the development would not give rise to any issues with odour as the process due to the nature of the waste being processed on the site and as none of the material would be stored outside. Again however this is one of the areas that would be covered by the Environmental Permit.

### Noise

A Noise and Vibration Assessment has been submitted which had assessed the potential for noise impacts which may result from the construction and operation of the proposed development on sensitive 'receptors' such as nearby residential properties.

A noise survey has been undertaken at the closest receptor locations to the site, which has been used to inform the assessment. Assessment of on site operational noise has been undertaken based upon the methodology of BS4142, the measured background noise level data and predicted operational noise levels from the proposed REP (plant and on site vehicles).

The proposed development would be operational in some capacity for 24 hours per day, 365 day per year. HGV movements would take place between the hours of 07:00 to 19:00 Monday to Friday and 07:00 to 13:00 on Saturdays.

The assessment has concluded that noise from the facility would not be an issue to surrounding area. This is based upon the assumptions in the noise assessment which include constructing the building out of specific cladding materials. This would ensure that there would be no increase in existing background noise levels at the nearest sensitive receptors to the site and applying suitable acoustic or design measures that would be sufficient to reduce the predicted noise of the ACC fans.

The assessment does identify that the effects of noise would potentially be significant during the construction phase. Therefore a construction management plan would be required to limit the effects. This would need to include a restriction on the working time to normal daytime hours during the week and Saturday.

Again Regulatory Services have resolved not to object to the application based upon this issue on residential amenity grounds, subject to conditions being imposed to ensure that the recommendations outlined in the noise assessment are adhered to.

## Highway Safety

The Transport Assessment has been reviewed by highways in the context of Core Strategy policy CSP26 'New Development and Highway Improvement' and the NPPF.

The development would be staffed by 25 equivalent full time posts and is anticipated to generate 60 heavy vehicle trips per day which is reduced from 130 movements compared with the initial application. The application also explains that routing is proposed to be limited to the main strategic roads in the area which provide access to the M1 and A1. Movements would be between the hours of 07:00 to 19:00 Monday to Friday and 07:00 to 13:00 on Saturdays, although it is stated that a management plan would be in place to limit the number of deliveries during peak hours when the main strategic roads in the area are most congested, such as Cathill and Broomhill roundabouts. The applicants have also stated that they would be prepared to accept conditions imposing restrictions.

Highways have afforded consideration to this information and the representations submitted. However, in their opinion, the application cannot be objected to as the NPPF states that applications should only be refused if the residual or cumulative impacts of a development would be severe. In their opinion, the evidence does not exist in the Transport Assessment to conclude that this would be the case, subject to conditions being imposed to limit the movements during peak hours. This position also takes account of the fact that the site is allocated for development and that a planning permission had existed on the site for a number of years for a development that would have seen the construction of 19 industrial units. In addition, a framework travel plan has been prepared for staff, which would include measures to reduce individual car journeys to the site.

Notwithstanding the fact the highways impact is insufficient to warrant a refusal on transport grounds, there will still be a minor adverse impact and accordingly this is attributed modest harm that weighs against the proposal.

## Ground conditions

The desk top site investigation and coal mining risk assessment has concluded that there is a low/moderate risk associated with land quality issues at the site arising from the previous use of the site for open cast coal mining. It is also not known how compact the ground is following the reclamation scheme which involved backfilling the site with up to 40m of material. Therefore an intrusive site investigation would be required to confirm the ground conditions and provide information for the design of foundations and pavements to mitigate against issues including ground instability, contamination or ground gas. Pollution Control and SYMAS are content that the risks to the development have been adequately assessed at this stage of the planning process and would be sufficiently comfortable for the application to proceed subject to conditions requiring the results and any mitigation measures to be submitted prior to the commencement of development.

## Biodiversity

The main criteria for assessing the application is CSP36 'Geodiversity and Biodiversity'. The application is supported by a chapter in the Environmental Statement on biodiversity and a phase 2 habitat survey which have been assessed by the Council's Biodiversity Officer.

The main findings are the site contains rough grassland and young trees which have established on the site subsequent to the colliery restoration which are generally of low ecological value. The habitat is suitable for birds to nest and a small number of reptiles were discovered during the surveys. Therefore mitigation is proposed in the form of carrying out site clearance works outside of bird nesting season and erecting barriers to trap reptiles to enable any to be relocated. Subject

to this mitigation, surveys conclude that the development would not have any significant impacts upon ecological receptors. The site is also located within 2km of 4 Local Wildlife Sites and therefore it is concluded that the loss of the site would not be significant. In addition the application proposed enhancements in the form of tree planting, the creation of semi-naturalised grassland, wet flower meadows and ponds. Furthermore the applicant has offered the Council a commuted sum of £50,000 to spend in the Dearne Valley Nature Improvement Area. Taking everything into account the position of the Biodiversity Officer is not to object to the application subject to the obligations and conditions governing the mitigation measures.

### Drainage/Flood Risk

The site is located near to the River Dearne. Furthermore, an ordinary watercourse is 100m to the north of the northern perimeter of the site. Therefore flood risk is potentially an important consideration. A Flood Risk Assessment (FRA) and Drainage Strategy have been prepared to identify if the site is at risk of flooding, if the development poses a risk to flooding elsewhere, and to establish a suitable drainage design for the development.

The main findings from the Flood Risk Assessment are that the majority of the site is located within Flood Zone 1 whereby the risk of flooding is classed to be low. The portion of the westernmost part of the site is shown to be Flood Zone 2, which is classed to be at medium risk of flooding. However, the Flood Risk Assessment asserts that all of the site should be classed to fall within Flood Zone 1 following their investigation of the data available and topographical information.

Both the Environment Agency and the Council's Drainage section have afforded consideration to the information available, with neither resolving to object to the application based upon the risk to the development from fluvial flooding.

In terms of management of surface water run-off from the development, the proposals have been designed to include a number of underground storage systems, such that the surface water run-off rates from the site would be reduced by 30%. Therefore the development should contribute towards reducing the risk of fluvial flooding downstream. Again no objections have been received from the Environment Agency and the Council's drainage section on that basis.

Foul drainage from the development is proposed to be dealt with via the public sewer network. This is acceptable in principle to the EA and Yorkshire Water. However the final drainage design would need to be approved under a planning condition.

### Public rights of way

The site does contain a route through the site from between the roundabout and the western most part of the site, which connects to the former railway line that provides a recreational route to areas beyond the westernmost part of the site. However the site is in private ownership and this is not a public right of way.

The UDP proposals maps did contain a designated recreational routeway passing adjacent to the south western boundary of the site. However, this route no longer exists on the ground with the areas now covered over by tree planting. Most likely this is following the construction of Park Springs Road and the affect this had on re-profiling the area.

### Safeguarded former railway line

The proposed development encroaches onto 1/3 of section of former railway line running along the site boundary. Policy CSP 24 safeguards former strategic railway lines to accommodate their potential reinstatement. However, the policy also identifies that this will not always be possible and the alternatives will be explored. In this case, it is clear from the comments of Network Rail

this is a long term aspiration which is in question following the proposal to develop HS2. Furthermore, the remaining land would be wide enough to accommodate a reinstated line and there is also potential for the line to be diverted on the adjoining strip of land to the south. In addition, the previous planning permissions 2008/1426 and 2011/1443 for 19 industrial units, which have now materially commenced, included more development over the railway than is proposed as part of this application. Accordingly, I do not consider that the failure to safeguard the section of former railway line attracts any harm that needs to be factored in as part of the overall balancing exercise.

### Archaeology

The application includes an assessment of the potential of the site to contain archaeological features. The nearest known features to the proposed development are ridge and furrow and a possible Iron Age ditch recorded during monitoring of topsoil stripping some 400m to the north-east of the proposed development. However the conclusion is that the potential for the site to contain any features is low because of the previous mining activity on the site and the construction and dismantling of the associated railway lines. SYAS agree with these findings and consider that no further investigation work is required.

### Non material planning considerations

Concerns relating to the potential for the development to affect house prices in the area and fire risk are acknowledged. However these are not material planning considerations. In addition the applicant has provided the following information in relation to the concerns expressed regarding fire risk:-

*“The facilities which would be constructed in the proposed REP, would be designed to minimise the risk of any such event happening. In addition, there would be emergency procedures in place to manage any such event. Peel and its development partners take the health and safety of its employees and the communities in which they operate very seriously. Being able to manage the impact of an event such as this, should it occur, is part of their commitment to this principle.*

*In relation to insurers, the applicant would have to adhere to some of the most stringent and rigorous requirements across all industry when demonstrating to them that our proposals do not present a risk to our own and neighbouring properties. This is in fact, and has been for some while, the norm within the sector.”*

### Conclusion

The application is for a significant major development and raises the following fundamental issues which need to be balanced by Members:-

- Whether or not the presumption in favour of sustainable development applies.
- Land use planning policy considerations and the benefits associated with the application including the processing of large waste and the generation of a considerable amount of renewable energy.
- Concerns about the visual impact of the development upon the local landscape and the other identified harm.

The presumption in favour of sustainable development states that proposals which accord with the development plan should be approved without delay unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole or where specific policies in the Framework indicated that development should be restricted.



In terms of compliance with the development plan, the site is not allocated for the development of a strategic waste facility in the Barnsley, Rotherham and Doncaster Joint Waste Plan. However it has been demonstrated that none of the sites are suitable to accommodate the proposed development and the Joint Waste Plan potentially allows for and does not preclude new waste facilities being developed on non-allocated sites. Sites that are potentially acceptable include employment land, such as the proposed site. Accordingly, in land use terms, the proposal accords with the development plan.

For the presumption to apply, it is nonetheless recognised that the development proposed has to be sustainable. In this regard, the proposals would constitute sustainable waste management in that the processes would constitute a move up the waste hierarchy to recovering energy from the waste that would otherwise either be disposed to landfill or exported overseas for treatment. The compliance with relevant national and local waste policies attracts substantial weight in favour of the proposal.

In addition, it is clear there is a need for renewable energy developments in relation to both demand and the achievement of the Government's climate change objectives. The proposed scheme would generate 20MW of electricity per annum, which is equivalent to the annual energy usage of 49,000 homes. This is a very significant amount and therefore, the combined benefits of a secure source of renewable energy and the contribution to meeting climate change objectives are considerations that should be afforded great weight.

Based on the above, the proposal would contribute towards each of the three dimensions of sustainable development (economic, social and environmental) and it is therefore considered that the presumption in favour of sustainable development applies. Whilst this means that the test applied as to whether or not permission should be granted is that adverse impacts have to significantly and demonstrably outweigh benefits, this is not particularly material in the case. The reason for this is that the benefits of the scheme are considered to clearly outweigh the cumulative harm that has been identified, namely the significant adverse impact on landscape character and the openness of the Green Belt combined with a minor adverse highways impact. As such, even if the presumption did not apply, the proposal would still be considered acceptable given the weight attributed to the benefits of the proposal. It is therefore recommended to the Board that the application is granted planning permission subject to conditions and the signing of a legal agreement for the biodiversity contribution.

## **Recommendation**

Grant planning permission subject to conditions and signing of legal agreement.

1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

2 The development hereby approved shall be carried out strictly in accordance with the following plans and specifications as approved unless required by any other conditions in this permission:-

PL 001 Site Analysis 1302\_PL001  
PL 002 Site Location Plan 1302\_PL002  
PL 003 Proposed Site Layout 1302\_PL003  
PL 004 Proposed Roof Plan 1302\_PL004  
PL 005 Proposed Site Elevations 1302\_PL005  
PL 006 Proposed TRRC Process Building Elevations 1 1302\_PL006

PL 007 Proposed TRRC Process Building Elevations 2 1302\_PL007  
PL 008 Proposed TRRC Process Building Elevations 3 1302\_PL008  
PL 009 Proposed AD Process Building Elevations 1302\_PL009  
PL 010 Proposed ACC Elevations 1 1302\_PL010  
PL 011 Proposed ACC Elevations 2 1302\_PL011  
PL 012 Proposed AD Weighbridge Kiosk Elevations 1302\_PL012  
PL 013 Site Sections 1302\_PL013

Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

- 3 The development hereby approved shall be carried out strictly in accordance with the recommendations of the following reports in the Environmental Statement and Planning Application as approved unless required by any other conditions in this permission:-  
- Flood Risk Assessment;  
- Surface Water Drainage Scheme  
- ES Chapter 10: Noise and Vibration plus appendices;  
- Phase 1 Environment and Mining Report;  
Reason: In order to define the permission for the avoidance of doubt.
- 4 The approved Timber Resource Recovery Centre (TRRC) plant shall only be used for the reception, handling, recycling, treatment and transfer of waste up to a maximum of 150,000 tonnes per annum.  
Reason: To enable the Local Planning Authority to exercise control over any development within the site which could be detrimental to the amenities of the area and in the interests of road safety in accordance with Core Strategy Policy CSP 40.
- 5 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.  
Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with LDF Core Strategy Policy CSP 29, Design.
- 6 No development shall take place until full sample details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.
- 7 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:  
a) Creation of the site access;  
b) Provision of /any necessary alterations to street lighting;  
c) Provision of/any necessary alterations to highway drainage;  
d) Measures to control parking at the access to the site;  
e) Any necessary signing/lining  
The works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.  
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.
- 8 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in

a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.

Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

- 9 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- The parking of vehicles of site operatives and visitors
  - Means of access for construction traffic
  - Loading and unloading of plant and materials
  - Storage of plant and materials used in constructing the development
  - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  - Wheel washing facilities
  - Measures to control the emission of dust and dirt during construction
  - Measures to control noise levels during construction
- Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with Core Strategy Policies CSP 26 and CSP 40.
- 10 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
- Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.
- 11 Prior to the occupation of the development a draft Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall indicate measures that will be put in place to encourage travel by modes other than the private car, and allow for regular reporting and monitoring to be undertaken. Subsequently, within six months of the site becoming operational, a detailed travel plan shall be submitted to the Local Planning Authority and once approved, it shall be fully implemented and retained as such thereafter.
- Reason: In the interest of promoting use of public transport, in accordance with Core Strategy Policy CSP 25.
- 12 Prior to the commencement development, full foul and surface water drainage details shall be submitted to and approved in writing by the Local Planning Authority. This will include a scheme to reduce surface water run-off by at least 30% and a programme of works for implementation. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented and the scheme shall be retained throughout the life of the development.
- Reason: To ensure proper drainage of the area, in accordance with Core Strategy policy CSP4.
- 13 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping

works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained. The approved hard landscaping details shall be implemented prior to the occupation of the buildings.

Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.

- 14 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.

- 15 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas for a minimum of 5 years, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the approved plan.

Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.

- 16 Prior to the commencement of development or other operations being undertaken on site in connection with the development, the following documents shall be submitted to and approved in writing by the Local Planning Authority:

- Tree protection plan (TPP)
- Arboricultural implication assessment (AIA)
- Tree protective barrier details

No development or other operations shall take place except in complete accordance with the approved methodologies.

Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.

- 17 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0800 to 1300 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.

- 18 The level of noise emitted from the site shall not exceed the existing background noise levels (LA90 +0db) as measured at the monitoring locations M01 to M07 detailed in the noise report supporting the application. Once the plant is fully commissioned and operational the applicant shall submit to a report demonstrating that the facility is operational within the limits defined within this condition. In the event that the noise level from the development is above the stated levels then the applicant shall submit a mitigation scheme for the written approval of the Local Planning Authority in order to identify measures to reduce the noise of the development to within acceptable levels. The approved scheme shall then be implemented. In the event that the noise level from the development cannot be brought to within acceptable levels, as defined above, the development shall not continue to operate.

Reason: In the interests of the amenities of local residents and in accordance with Core

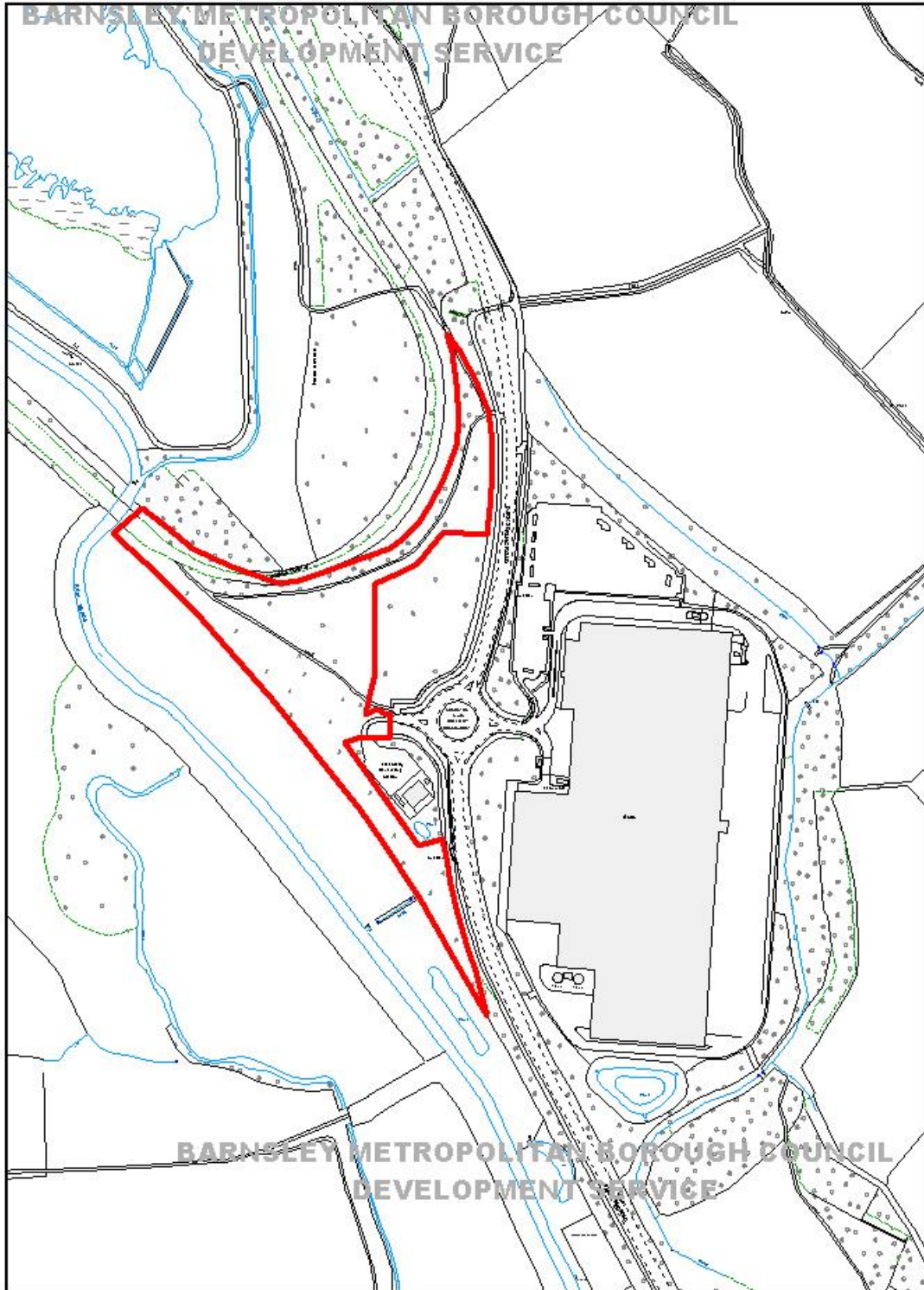
Strategy Policy CSP 40.

- 19 Deliveries with the transfer of waste to and from the site shall only take place between the hours of 07:00 to 19:00 Monday to Friday and 07:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays.  
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.
- 20 Delivery movements associated with the transfer of waste to and from the site shall not exceed 60 per day (30 in and 30 out).  
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.
- 21 There shall be no outdoor storage of waste.  
Reason: In the interest of visual and residential amenity in accordance with Core Strategy Policy CSP 40.
- 22 All waste transported to and from the site shall be transported to the site in vehicles that are fully enclosed.  
Reason: In the interest of visual and residential amenity in accordance with Core Strategy Policy CSP 40.
- 23 Prior to commencement of development full details of the mitigation measures identified in the Phase 2 Habitat Survey, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.  
Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.
- 24 Prior to the occupation of the development, a plan for the management of vehicles transporting waste to and from the site (including a routing plan and cap on HGV movements during peak hours) shall be submitted to and approved in writing by the Local Planning Authority. The approved traffic management plan shall be implemented on commencement of the use and at all times thereafter.  
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.
- 25 Prior to the commencement development a scheme showing the final lighting details shall be submitted to and approved in writing by the Local Planning Authority. The scheme will indicate that all lights will be correctly adjusted so that they only illuminate the surface intended, main beam angles of all lights should be below 70 degrees, any up lighting shall install shields or baffles above the lamp and no lighting should be installed which spreads light above the horizontal. The development shall then be carried out in accordance with the approved details.  
Reason: In order to reduce the amount of light pollution and to protect neighbouring amenities in the interests of road safety in accordance with Core Strategy Policy CSP 40.

PA Reference :-

2015/0137

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BARNSELY MBC - Development Service



Scale 1: \_\_\_\_\_

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**Ref: 2015/0300**

Applicant: Scott Parkin

Description: Erection of industrial unit B1(C), B2 and B8 use, with partial use of the unit for Sui Generis use (dismantle and disposal of end of life vehicles). Erection of detached dyno cell and office building and associated parking area (part retrospective) (resubmission of app 2013/1097)  
Site Address: Carbon Court, Springvale Road, Park Springs, Grimethorpe, Barnsley

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Objection from Brierley Town Council

### **Site Description**

Springvale Industrial Estate is located at the entrance to Grimethorpe on the Park Springs Road (A6195) close to a roundabout which also serves the Symphony distribution centre.

There is currently a building under construction on the site that was previously approved by the Members of the Planning Board under reference 2013/1097 in July 2014.

The site is the front portion of part a larger vacant plot within the industrial estate. To the east of this vacant plot on raised land are some allotments. A public footpath runs between the site boundary and the allotments and beyond the allotments are houses on Tudor Court that can be seen from Springvale Road. The site is bounded to the north by a large industrial unit occupied by Countrywide Health Suppliers, another vacant site is located across the road to the west and a number of smaller industrial and workshop units are located to the south in a courtyard called Grove Park.

The site is screened from the road by mature planting located within the highway boundary but it can be seen from the industrial units to the north and south as well as from the footpath, allotments and houses to the east.

### **Background**

The applicant currently occupies units at Broncliffe Industrial Estate in Monk Bretton. This is an industrial premises that is close to houses and is not the best location for the proposed uses from both the applicants and local residents' viewpoint. The Council have had noise complaints about vehicle testing at Darkside developments. Pollution Control has been investigating these complaints but their records suggest there has not been a statutory noise nuisance. The applicants intentions is for the various inter-related uses presently at Monk Bretton to be relocated to Springvale in purpose built premises on a larger site

Planning permission 2013/1097 granted approval for the erection of a single storey industrial unit B1 (c), B2 and B8 use, with partial use of the unit to be used as Sui Generis – dismantle and disposal of end of life vehicles.

### **Proposed Development**

Work has commenced on site on implementing planning permission 2013/1097. Through dialogue with the developer and the Council it was apparent that the consent did not fit the developer's requirements and he was looking for changes to the scheme. In particular there was a desire from the developer to relocate the Dyno testing unit from within the new industrial building to a free standing location in the parking and turning area adjacent to Springvale Road. In addition the siting of the building had been pushed back into the site to allow further parking and manoeuvring to be

gained in front of the building. The request for these changes has therefore been formalised with the submission of this application.

The new building has been erected 36m from the highway boundary, the approved distance at the same point was 27m. The unit has also been moved further towards the northern boundary. The gap to this boundary is now 2.5m as opposed to the 10m gap which was shown on 2013/1097.

The applicant states that the building was moved in order to accommodate a 25m HGV turning circle, and gain a larger parking and turning area in front and to the side of the building to enable the Dyno testing unit to be relocated and for more customer parking to be provided.

The proposed uses would be the same as for application 2013/1097 and are described as follows:

#### SRS Automotive Ltd.(Sui Generis)

SRS who specialise in decontamination of end of life vehicles and recovery of vehicle parts. In addition to the indoor element there would be a compound located in the northern end of the site for the storage of end of life vehicles that measures roughly 31m by 14m.

The compound would be attached to the SRS unit where the vehicles would be dismantled and decontaminated. All vehicle contaminants (fuel, brake fluid, hydraulic material, oil, engine coolant etc) would be removed from the vehicles using specialised equipment. The extracted fluids would be stored for collection by a specialist contractor. The vehicles would then be stripped down and any recoverable parts removed for re-sale. The non-recoverable parts would be removed and taken to an approved scrap metal merchant.

Recovered parts are sold over the internet and posted out but larger parts are collected by purchasers.

The applicants have indicated that SRS purchases cars from salvage auctions around the UK. Cars purchased are either collected using the company's recovery truck, or delivered by the supplier on a car transporter. They currently process 3-5 cars per week at Monk Bretton.

#### Darkside (B2 General Industry).

Darkside is for servicing of cars and the storage and distribution of new car parts. This company has over 50 dealers all over the world who buy the companies parts and software. They manufacture a lot of their own products in house, or use local manufacturing companies to do so. A connecting door allows access between Darkside and a vehicle workshop enabling additional space to be gained for this use from the previous permission..

#### Dyno Testing Unit

This is shown to be re-located from inside the new industrial building to a freestanding location between two banks of parking adjacent to Springvale Road, which has a wide verge with dense mature tree and hedge planting and a fence behind.

The unit measures 9m by 8.5m and is 5.17m high. The unit comprises the testing area and a separate office with its own door to the side. The unit has a flat roof but the details of the ventilation system are still to be confirmed.

This unit would be used for power management and adjustment of high performance cars. There would be a sound proofed test house that would be placed on a separate floor slab, have a beam and block roof and an insulated door. This test house would mean no testing needs to take place on surrounding roads



According to the supplied application forms these three companies would employ 15 full time and 3 part time employees. There are 14 customer parking spaces and 13 staff parking spaces shown. The previous scheme had 8 customer spaces and 10 staff parking spaces were shown.

The applicants state that their current premises at Broncliffe are too small (circa 650m<sup>2</sup> and 2300m<sup>2</sup> of enclosed yard space) and these new larger premises are required. The planning application states that the building provides 768m<sup>2</sup> of floorspace. Three roughly equal sized industrial units would be contained in a single block measuring roughly 49m by 15m by 8m high. The building would have a brick plinth with cladding over. Access would be from the access to Grove Park to the south so the existing tree screen would be retained and augmented.

Whilst the applicant owns the whole of the vacant plot, this is an application only for the front portion of the site. A separate planning application will be submitted at a later date for the remainder of the site. As the applicant owns the whole of the vacant plot it is possible to provide additional screening to the sensitive boundaries.

## **Policy Context**

Planning decision 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 development plan consists of the Core Strategy and saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

### Core Strategy

CSP1 Climate Change  
CSP2 Sustainable construction.  
CSP8 Location of Growth.  
CSP19 Protecting Existing Employment Land  
CSP25 New development and sustainable.  
CSP26 New Development and Highway Improvement  
CSP29 Design.  
CSP40 Pollution Control and Protection

### Barnsley, Doncaster and Rotherham Joint Waste Plan (JWP)

Relevant to this application are:

WCS1 – refers to the overall strategy and states that provision will be made to maintain, improve and expand the network of waste management facilities to achieve sustainable waste management across all waste streams. Whilst existing strategic facilities are safeguarded and three sites allocated for new strategic facilities, new or replacement smaller-scale facilities (to deal with municipal, commercial and industrial waste) will be supported where these are required to serve local catchment areas and communities. Waste proposals will be directed towards accessible locations with good transport links, particularly in and around urban areas.

WCS4 – refers to waste management proposals on non-allocated sites and states that they will be permitted provided they demonstrate how they do not significantly adversely affect the character or amenity of the site or surrounding area; contribute towards the aims of sustainable waste management in line with the waste hierarchy; and do not undermine the provision of waste development on strategic sites. The types of location where waste proposals may be acceptable in principle include existing waste sites and designated employment and industrial areas/sites.

WCS6 – covers general considerations for all waste management proposals (access, highway capacity, noise, dust, drainage, wildlife and habitats etc). Proposals must include sufficient information to demonstrate that they comply with the requirements within the policy.

### Saved UDP Policies

The site is within an Area of Investigation for Potential Employment Sites on the UDP.

### SPDs/SPGs

Parking

### Emerging Local Plan

The Draft Local Plan shows the site as an Employment Allocation.

### NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

The Framework does not contain specific waste policies, since national waste planning policy will be published as part of the National Waste Management Plan for England.

In respect of this application, relevant general policy statements include:

- Building a strong, competitive economy.
- The planning system should support sustainable economic growth.
- Promoting sustainable transport
- Decisions should ensure that developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.
- Developments should be located and designed to accommodate the efficient delivery of goods and supplies; give priority to pedestrian and cycle movements, and have access to high quality public transport facilities; create safe and secure layouts etc.
- The planning system should contribute to and enhance the natural and local environment by (amongst other things), preventing new development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution.
- Planning decisions should ensure that new development is appropriate for its location. The effects of pollution on general amenity should be taken into account.
- Local planning authorities should assume that the control of processes or emissions where subject to approval under pollution control regimes will operate effectively.
- Planning decisions should aim to avoid noise from giving rise to significant adverse impacts.

## Planning Policy Statement 10 (PPS 10)

PPS 10: Planning for Sustainable Waste Management has not been superseded by the NPPF. The overall objective is to protect human health and the environment by producing less waste and by using it as a resource wherever possible.

The key aim of PPS 10 is to break the link between economic growth and the environmental impact of waste by moving the management of waste up the 'waste hierarchy' of prevention, preparing for reuse, recycling, other recovery, and only disposing as a last resort. Applicants for waste disposal facilities should be able to demonstrate that the envisaged facility will not undermine the waste planning strategy through prejudicing movement up the waste hierarchy. In considering planning applications, waste planning authorities (WPA) should consider the likely impact on the local environment and on amenity.

### Waste Strategy for England 2007

The strategy builds on the Waste Strategy 2000 and reiterates the need to apply the waste hierarchy. Most products should be re-used or their materials recycled and encouragement is given to the waste management industry to invest in facilities to recycle and recover waste.

## **Consultations**

Highways- No objections subject to conditions

Pollution Control - No objections to the design and re-location of the Dyno testing unit.

Environment Agency - A Waste Management Licence will be required before the use can be brought into operation. Discussions are taking place with the applicant.

YWA - No objections subject to conditions

Highways drainage Conditions on previous approval need to be re-applied.

## **Representations**

Brierley Town Council - Has objected to the relocation of the Dyno testing unit to a position outside the main building on the grounds of noise pollution/disturbance for local businesses and residents in close proximity to the area.

The application was advertised by way of a press notice, site notice, and neighbour notification letters. No representations have been received from members of the public to this application.

## **Assessment**

### Principle of development

It is considered that the proposed uses are compatible within an existing industrial estate and this site which is designated as an employment proposal. As such Core Strategy policy CSP19 on Protecting Existing Employment Land is met. Development would provide much needed jobs.

This is an existing industrial estate close to the centre of Grimethorpe and as such Core Strategy policies CSP8 Location of Growth and CSP25 New development and sustainable travel will also be met.

Part of the proposal (the SRS car dismantling in Unit 1) would be regarded as a small scale waste management facility contributing towards the aim of sustainable waste management in line with the waste hierarchy. As it is serving a local catchment area on an existing industrial estate, and being within the settlement boundary with good transport links it is considered to comply with relevant policies WCS1 and WCS4, SD1, GD1 and PPS 10 and the Waste Strategy for England 2007.

In addition to the above this is a revised application following a previously approved scheme with the same uses. Therefore, the principle of the development has been established and the issue to be considered relates to the changes made to the original planning approval.

The main changes are the relocation of the approved building, the relocation of Dyno testing unit and additional customer parking. This is a business currently operating in Monk Bretton with much smaller premises so this will be an opportunity to expand and address residential amenity concerns raised at Monk Bretton. The impacts of the proposed changes will be discussed below in the sections on residential amenity and visual amenity.

### Residential Amenity

The main concern raised during the planning process for 2013/1097 related to the potential for noise nuisance resulting from the Dyno testing unit, which was proposed to be located inside the new industrial building.

The Dyno unit tests high performance engines and the applicants had submitted a noise report with the previous scheme which listed the noise generated by different vehicles tested at Monk Bretton. On the basis of this noise report it was feared that the noise generated could unduly affect residents on Tudor Court. Officers in Pollution Control were initially concerned that noise levels could be excessively high if the doors to the new industrial unit were left open. This was especially the case as the building originally had its doors facing towards the nearby houses on Tudor Court.

In response to the initial concerns the applicant agreed to a number of mitigation measures which included the following:

- Turning the unit around so the doors faced Springvale Road.
- Ensuring the sound proofed test house located within the building would have been placed on a separate floor slab, have a beam and block roof and an insulated door.
- Imposing a condition on the permission requiring that a noise level of 35dBA be achieved at the boundary of the houses at Tudor Court.

Given the above measures to mitigate the specific noise issue identified with the Dyno vehicle testing booth and the fact that the site is within an existing industrial estate no objections were raised to the original proposal in terms of compliance with policies CSP40 Pollution Control and Protection.

With regards to this current application, the proposal is now to relocate the Dyno Testing Unit so it would be outside the new building and be placed within an enlarged parking and turning area adjacent to Springvale Road. As such a re-assessment of its impact on neighbouring properties needs to be made.

Clearly, there is an advantage in that the new building will now be located between the Dyno unit and the houses on Tudor Court so an increased distance has been gained and the industrial unit would also help as a barrier to the noise.

Revised noise readings were submitted to show the impact of the relocation of the Dyno testing unit. The information submitted set out how the proposed unit will reduce noise levels compared to the previous scheme. On the basis of these spreadsheets Pollution Control Officers are satisfied that there will not be a noise issue from the development and there will be no adverse impacts on neighbouring amenities subject to suitable conditions as imposed previously.

### Visual Amenity

The site forms part of an established industrial estate where similar buildings with parking at the front exist. There is an existing heavily screened site frontage within the adopted highway and the access arrangements via Grove Park will ensure that no part of this screening needs to be removed. Therefore, views of the new building, SRS compound, relocated Dyno Testing unit and parking areas will be significantly reduced. In addition the applicants are proposing additional screening to the north of the compound, where there is the access to an adjacent industrial unit.

There are houses on Tudor Court that are raised above any screening, however, these are a significant distance away and are behind allotments.

The siting of the building has changed but this has taken it further from the road so it should be an improvement.

The buildings are industrial in character and the main concern would be controlling the use of the compound for storage of cars for dismantling and the Dyno Testing Unit. The compound is already approved under reference 2013/1097, which contained conditions on its operation. There can be conditions attached to any planning permission regarding the numbers of cars that can be stored and how these are arranged so that stacking does not occur. It is not envisaged that in these circumstances visibility of the cars can be mitigated against

The relocated Dyno unit would measure 9m by 8.5m and is 5.17m high. It has a flat roof but the details of the ventilation system are still to be confirmed. Planning conditions can be imposed to ensure that the ventilation equipment is not overbearing or otherwise visually harmful.

For the reasons outlined above the proposal would meet the requirements of Core Strategy policy CSP29 on Design.

### Highway Safety

There are no objections raised on highway grounds subject to re-imposition of the conditions placed on the previous approval. The site is to be accessed from Grove Park to the south, which is the preferred option as it means that the existing mature planting on Springvale Road is not affected. The proposal has allowed for greater parking and maneuvering facilities to be gained which should enable freer flow of traffic into and out of the site.

### Conclusions

Complaints have been received from local residents about noise nuisance due to the operation of these businesses at Monk Bretton although these complaints have not been corroborated by Pollution Control. These complaints relate to the Dyno testing facility. Nevertheless, the Monk Bretton site is much closer to houses and there would be a clear improvement as a result of relocation of these businesses to an industrial estate much further from houses.

Previously permission was granted by PRB under reference 2013/1097 so the principle of the proposed uses at the site has already been established. However, the developer has subsequently made changes to the siting of the main building and also wants to relocate the Dyno testing unit

outside the building and increase customer parking. These changes have been assessed in the above report.

Brierley Parish Council has objected to the relocated Dyno on noise grounds but no objections have been received from Pollution Control Officers who have assessed the submitted noise data and sound insulation in the Dyno Unit. A planning condition setting a 35dBA limit is also recommended to be imposed to be re-imposed.

Given the above the application is considered to be in line with relevant local and national planning guidance.

## **Recommendation**

### **Grant subject to conditions**

- 1           The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission.  
Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.
- 2           No development of the Dyno Testing Unit shall take place until full details of the proposed external materials and extract ventilation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.
- 3           No development of the Dyno Testing Unit shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).  
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.
- 4           Prior to commencement of development of the Dyno Testing Unit, details of improvements to the means of access, including visibility splays and pedestrian facilities, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the development being brought into use.  
Reason: In the interests of road safety, in accordance with policy CSP26.
- 5           Prior to commencement of development of the Dyno Testing Unit, details of an on-site turning area capable of accommodating the manoeuvres of the largest vehicle expected to visit the site, including vehicular tracking, shall be submitted to and approved in writing by the Local Planning Authority. The approved turning area shall be implemented prior to the development being brought into use and retained as such thereafter.  
Reason: In the interests of highway safety, in accordance with policy CSP 26.

- 6 Prior to the occupation of the building a draft Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall indicate measures that will be put in place to encourage travel by modes other than the private car, and allow for regular reporting and monitoring to be undertaken. Subsequently, within six months of the site becoming operational, a detailed travel plan shall be submitted to the Local Planning Authority and once approved shall be fully implemented.  
Reason: In the interests of encouraging sustainable modes of transport, in accordance with policy CSP 25.
- 7 No development of the Dyno Testing Unit shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:  
-The parking of vehicles of site operatives and visitors  
-Means of access for construction traffic  
-Loading and unloading of plant and materials  
-Storage of plant and materials used in constructing the development  
-The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate  
-Wheel washing facilities  
-Measures to control the emission of dust and dirt during construction  
-Measures to control noise levels during construction  
Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.
- 8 Prior to any works on the Dyno Testing Unit commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.  
Reason: In the interest of highway safety, in accordance with policy CSP 26.
- 9 No development of the Dyno Testing Unit shall commence until details of the arrangement of the SRS compound have been submitted to and approved in writing by the Local Planning Authority. Details shall demonstrate that there will be no stacking of cars and the development shall be completed in accordance with the approved details which shall thereafter be retained.  
Reason: In the interests of visual amenity in accordance with Core strategy policy CSP29 Design.
- 10 Before development commences on the Dyno Testing Unit details of the treatment of the northern boundary of the SRS compound shall be submitted to and approved in writing by the LPA and the development shall be completed in accordance with the approved details which shall thereafter be retained.  
Reason: In the interests of visual amenity in accordance with Core strategy policy CSP29 Design.
- 11 Before the development of the Dyno Testing Unit the applicant shall submit to the Local Planning Authority a scheme of works detailing how operations associated with

the development, including use of the Dyno testing machine, shall be controlled so that the continuous noise level (LAEQ) shall not exceed 35dBA or 5dBA (LAEQ) above the background noise levels, expressed as LA90, whichever is lower, at the boundary of the nearest residential property. The development shall be carried out in accordance with the approved scheme and the measures contained with the scheme shall be retained as such thereafter.

Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.

- 12 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species.  
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.
- 13 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority before development commences.  
Reason: To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system, which will prevent overloading in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.
- 14 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.  
Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.
- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no building or structure shall be placed or erected within 3 metres, measured horizontally, of any sewer or culverted watercourse.  
Reason: To prevent damage to the existing [sewer, watercourse or culverted watercourse] in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

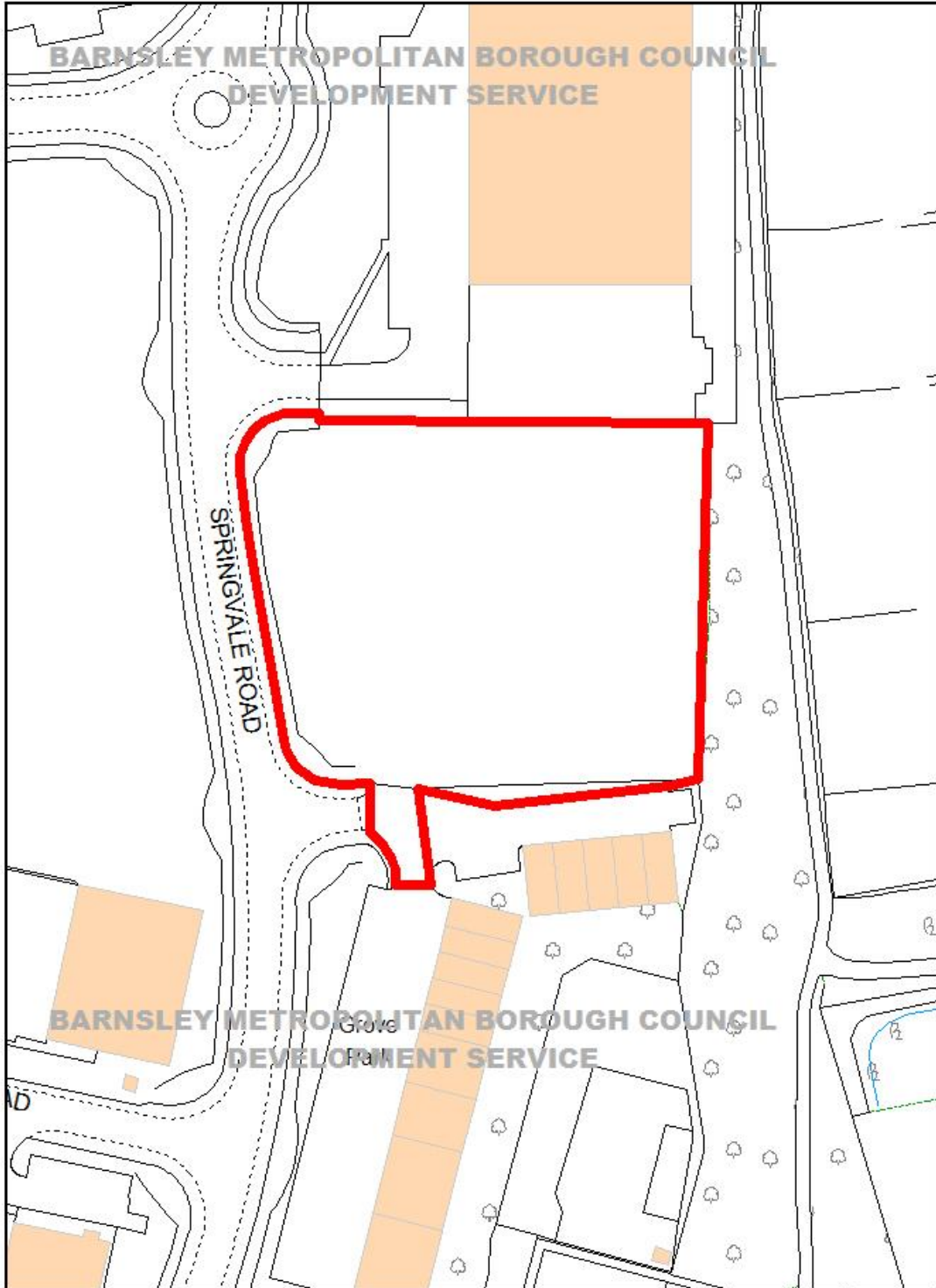


PA reference :-

2015/0300


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**BARNESLEY MBC - Development Service**

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Scale 1:1250

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2014/1210

Mr Clarke

Erection of 10 bed Residential Care Unit (C2) and Occupational Therapy shed with access and car parking.

Land between 73 and 77 Park Street, Wombwell, Barnsley, S73 0HL

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**A request for the application to be presented at Planning Board was made by a Local Ward Member and 5 letters of objection have been received.**

### **Site Location and Description**

The site consists of an area of 0.3 ha of vacant land between two existing houses fronting Park Street, Wombwell.

The site is bounded by the disused canal on the northern eastern boundary, the aforementioned existing houses on the south eastern and north western boundaries, and Park Street on the south western boundary. A row of brick built terrace houses faces the site from the other side of Park Street

Shops, a medical centre & other local amenities, are located in the nearby town centre and substantial retail developments at Cortonwood & Stairfoot are a short distance away by car and public transport. Park Street Primary school is located close to the site and Wombwell High school is within reasonable walking distance. Main bus routes linking Barnsley, Rotherham and surrounding urban areas run past the site.

The site falls approximately 6m south west to north east and is set down from Park Street approximately 800mm. A 6m wide drainage easement runs down the south eastern boundary. There are numerous trees on site of varying size and condition.

There is a variety of housing adjacent the site ranging from terraced properties to substantial detached houses. The neighbouring properties are two large detached dwellings which have long rear gardens projecting back to the canal to the north. The site frontage has a small stone wall and a bus shelter lies near the centre of the frontage.

### **Site History**

Permission was refused in 2014 for a 12 bed care home facility with two blocks of 6 beds ref 2013/0804, with one block situated behind the other. Permission was refused due to its impact on residential amenity due to the back land nature of the 2<sup>nd</sup> unit, the access and parking arrangements were also considered detrimental to highway safety and it was considered there was a lack of information with regard to the developments impact on trees. The decision was then appealed and dismissed.

Outline permission was given previously (2013) under ref 2013/0059 for 4 detached dwellings, with access in the centre of the site with a turning head in the centre of the 4 units.

### **Proposed Development**

Permission is sought for a single care home with 10 bedrooms, laid out as separate units providing apartment type accommodation for all residents. The building proposed is of a split level type

being two storey at the front and three storey at the rear with additional accommodation within the roof space.

The main residential sections within the building are on the ground and first floors, with 4 single bedroom apartments to each. An office, communal area and visiting rooms are also located on these levels.

Within the roof space are two single bed apartments for residents that are more capable of independent living with a lesser requirement in terms of the level of care required.

Due to the land levels which slope from the front to the rear the partially underground lower ground floor is intended towards activity and occupational therapy areas along with a staff training room, general administration and storage.

The main building is set 24.5 metres back of the highway, with an 18 space car park in front of it. The building is 23 metres wide and 16 metres in length and is stepped in 6 metres from the side boundary with No 77 and 4.2 metres from the opposing side boundary with No 73 Park Street.

Within the rear grounds of the Care home is an ancillary Occupational Therapy shed of dimensions 5 metres wide by 10 metres in length with an eaves height of 2 metres and ridge height at 3 metres in total. This building is also indicated for use for activities such as woodworking.

A new vehicular access is created to the front of the site which involves the movement of the existing bus shelter to the south east by a couple of metres sideways and stepped back so it doesn't impede on the visibility of the new access.

The site does have a number of trees present these are clustered to the rear of the site and down the side boundary between the site and No 77 Park Street. A tree survey has therefore been submitted as part of the application.

## **Policy Context**

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 development plan consists of the Core Strategy and saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

The Council has produced a Consultation Draft of the Development Sites & Places Development Plan Document (DSAP), which shows possible allocations up to 2033 and associated policies. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation.

## **Core Strategy**

CSP 26 – New Development and Highway Improvement – New development will be expected to be designed and built to provide safe, secure and convenient access for all road users.

CSP29 – Design – High quality development will be expected, that respects, takes advantage of and enhances the distinctive features of Barnsley.

CSP36 - Biodiversity - Development will be expected to conserve and enhance the biodiversity and geological features of the borough

### Saved UDP Policies

H8A – The scale, layout, height and design of all new dwellings proposed within the existing residential areas must ensure that the living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new residents and those existing, particularly in respect of the levels of mutual privacy, landscaping and access arrangements.

H8D – Planning permission for infill, back land or tandem development involving single or a small number of dwellings within existing residential areas will only be granted where development would not result in harm to the local environment or the amenities of existing residents, create traffic problems or prejudice the possible future development of a larger area of land.

### SPDs/SPGs

SPD 'Designing New Housing Development'

SPD 'Parking' provides parking requirements for all types of development.

### Other material considerations

South Yorkshire Residential Design Guide - 2011

### NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

In respect of this application, relevant policies include:

General principles para 17  
Design para 58 – 65

### Consultations

Yorkshire Water Services Limited – No objections

Environmental Health – No objections

Highways DC – No objections

Design – No comments received

Forestry Officer – No objections

Ward Councillors – A request was received for the application to be presented at Planning Board due to concerns the use was inappropriate in this location.

Drainage – No objections

Waste Management – No comments received

## **Representations**

5 letters of objection have been received raising the following issues:-

- Inappropriate location for a care home in a residential area; other more suitable sites.
- Concerns about the type of residents who will live in the home.
- Building will be in 24/7 use and as such will be lit up all night causing light pollution.
- The occupational therapy shed is sited towards the back gardens of residents and as such will cause noise and disturbance.
- The level of activity will mean headlights shine directly into adjacent homes.
- Loss of light and outlook to No 77 Park Street.
- Increase in traffic, Park Street is extremely busy and a main through route and the proposed use will exacerbate the issue.
- Concerns about the ground infill on hedge boundaries and water run off from the site.
- Highway safety concerns due to proximity of site to a local school.
- Scale of building is incongruous and out of character with street scene.

## **Assessment**

### Material Consideration

Principle of development  
Design and layout  
Residential Amenity  
Visual Amenity  
Highway Safety

### Principle of development

The site is allocated as Housing Policy Area in the currently adopted UDP proposals maps and Urban Fabric, i.e. land within the settlement with no specific allocation, in the consultation draft of the Local Plan Document

Saved UDP policies H8A and H8D and Core Strategy policies CSP 26 and 29 provide the policy framework for assessing infill developments, they are reinforced further by guidance provided within Supplementary Planning Guidance Document 'Designing New Housing Development' and the South Yorkshire Residential Design Guide. The National Planning Policy Framework also has many parallels to above policies and states permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Development of the site was established with the granting of permission for 4 detached houses ref 2013/0059. The proposed care home is still considered a form of residential development and the application submitted seeks to address the reasons for refusal of the earlier scheme dismissed at appeal by the Planning Inspector.

In dismissing the appeal the inspector considered,

“There is no principle objection to the development and the site is located close to local amenities”. As such the proposal is considered acceptable in principle subject to it being of suitable design and layout, and not having a significant impact on residential amenity or highway safety.

### **Design and layout**

The scheme has been revived from the previous refused submission by reducing the number of buildings from 2 to 1 and reducing it from a 12 bed care home to a 10 bed care home.

The proposed building has a larger footprint than the neighboring properties, however it does relate sympathetically to them in terms of its central siting which leaves space to either side boundary and retains a sense of spacing between buildings. The proposed care home is also a similar height in relation to both Nos 73 and 77 which enables it to fit in with the streetscene. Furthermore, the building is set back of the two neighbouring dwellings which results in the ground level being lower in relation to the dwellings either side.

Whilst the footprint is larger than surrounding buildings this is unavoidable given the building is to provide a Care Facility for 10 persons with 24/7 care and as such there is a functional requirement for the space. The design is well conceived despite this and every effort has been made to lessen the perceived scale with the property stepped back to achieve a lower ground level and a split level front to rear design is well disguised with the front having a two storey elevation and the rear dropping to three storeys with dormers to the rear utilizing the roof space. The main massing as such is at the rear leaving the front façade of a more subtle two storey form in line with the street scene and surrounding buildings.

The building has been pushed back due to the car park to the front and due to the requirement for a large vehicle to be able to maneuver at the front. Whilst set further back than the dwellings either side it is still considered the building relates satisfactorily to its neighbors without looking at odds with them.

A mixture of facing brickwork is proposed for the walling with self-colored render and grey concrete tiles to the roof. The finish is a broad reflection of the surrounding materials within the street scene.

The proposal is therefore considered of acceptable design reflective of both the street scene and the surrounding properties. Whilst its scale is large compared to neighboring properties this is a functional requirement and overall the design is well conceived and as a result the proposal is considered in line with policy CSP29 of the Core Strategy.

### **Residential Amenity**

The proposed building is set back from the two dwellings to either side and it is these two dwellings which will be impacted upon most by the development. This being said the building is set centrally leaving space to both sides, and the set back allows the height from the road to resemble the properties to either side and as such I do not consider the proposal will be overbearing in its nature.

The main windows for the home are located in the principle elevations, front and rear, however a number of windows are proposed in the side elevations which may cause residents some concerns, however all the side windows are to be obscure glazed, with the majority being bathrooms or offices whereby an outlook is not considered essential.

## The points raised through objections

Concerns have been expressed as to the type of residents that will reside in the home; this is not considered relevant in planning terms but given it has been expressed, the layout demonstrates that the residents will be homed in self-contained units with their own kitchen and bathrooms with 24/7 care provided. The residents within the home will as such have a degree of independence.

**Light pollution** – The residents would have for the most part normal sleep patterns whereby lights out in the residential areas will be at a normal evening time. Obviously there will be a need for corridors and staff areas to be lit but this would be limited to the areas staff were in and not the entire building. In addition there would be minimal outdoor lighting and as such the building would not result in excessive light pollution.

**Disturbance from occupational therapy shed** – The operators have a history of running activities from their homes including small textiles, gardening and baking projects at other units. The nature of project for this site has not been decided upon yet, although woodworking has been indicated on the plans. However the activity is not considered to be any more significant than that would be associated with a household shed or garage. The Council's Regulatory Services Section have inspected the plans and have raised no objections.

**Associated activity** – The home manager and deputy manager will work standard hours arriving between 8 – 9am and leaving around 5pm, with care staff operating a shift pattern. Parking on site is provided for staff, but given the bus shelter outside the building some staff may travel by bus. There will be occasional visitors within set hours but in general it is not considered the proposal would generate significant activity.

**Impact on no 77 Park Street** – As previously explained the building is set centrally and this leaves a separation distance of 10 metres from the side of the proposed home to the side of number 77. Specifically the bay windows on the flank elevation have been mentioned in the objection however these are secondary windows. In addition the cross section shows the height of the home at its lower level will be similar to that of the neighboring dwellings, and the property has a hipped roof which means the lower profile eaves level is to the side. This combined with the separation distance means that I do not consider the proposal will result in any loss of light or result in overshadowing.

**Impact of ground fill on boundaries and water run off** – The applicants have stated that the raised parking area will be drained which is likely to be by soak ways and as such any water runoff is unlikely as a result. A condition relating to drainage can be imposed as part of any approval.

The concerns expressed which relate to parking and highway safety will be considered below under highway safety. Overall however the proposal is not considered to result in significant detrimental impact to surrounding residents and is therefore considered acceptable in terms of this criterion.

## Highway Safety

The proposal provides an access off Park Street with a car park to the front providing 18 parking spaces, which is considered sufficient for the scale and type of development. Highways have considered the proposal and consider the access and the level of parking acceptable; the plans also demonstrate that an emergency and delivery vehicle would be able to turn around within the site.

The location of the bus shelter will require moving however it is considered that subject to agreement with SYPTTE that this could be moved a short distance so that it still remains in front of the site.

As such taking all of the above points together, I conclude that the development would not increase the risk to other highway users including pedestrians. Accordingly, the development would comply with CS Policies CSP 26 and 29 and UDP Policy H8D.

### **Trees**

The tree survey provided shows that only one tree which is safe to retain is to be removed to facilitate the development and this is a small category C Hawthorn. Some of the group of poor quality Cherry trees require removal as they are in the way of the development, however these are already highlighted for removal for arboricultural reasons. There are also two large Poplars which require removal for arboricultural reasons, however they are not implicated in the development.

No category A or B trees are to be removed to facilitate this development and it is clear from the plans that the provision of protective barriers will provide adequate protection as none of the rooting areas or canopy spreads of retained trees are being encroached into. As trees are to be removed then a landscaping scheme will be required detailing new replacement tree planting.

Overall however the proposals are not considered to significantly impact on the existing tree cover and as such the scheme is considered acceptable in compliance with policy CSP 36 of the Core Strategy.

### **Appeal Decision**

The Planning Inspector raised no concerns in his decision for the 12 bed care home scheme in relation to increased traffic or highway safety issues. His main concerns were related to the location of the access to the side boundary of the site immediately adjacent No 77 and the car park being located between the blocks further back level with the rear gardens of both adjacent residential properties. The access has now been moved to a more central position and the car park retained at the front to address the issues that were raised..

### **Conclusion**

The proposal addresses concerns expressed from the earlier 12 bed two block care home which resulted in access down the side boundary with No 77, and the car park towards the rear gardens which would have resulted in an unacceptable relationship causing disturbance to the adjacent residential properties. Additionally the one block behind the other generated a bulky back land site layout which was considered overdevelopment. The proposal has as such been reduced to 1 block with access centrally located and the parking to the front which protects the amenity of the adjacent residents

Whilst the proposed building will be larger in overall mass than the surrounding residential dwellings every effort has been made in the form of the split level design to minimise the overall appearance of scale, the building is also set in from the side boundaries which retains spacing between buildings. The size of the building is a functional requirement given its use and I consider every effort has been made to minimise any resulting impact.

Given the above and the taken account of the advice contained in the Framework (NPPF), in particular paragraph 50, which advises Council's to plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. This is also reflected in the ambitions of the Core Strategy (CS); ambition 6 seeks to enable adults to have healthy and fulfilling lives. The supporting text to CS Policy CSP 14 suggests that it aims to support housing applications for vulnerable households including those with mental and physical disabilities.



As a consequence it is considered that the previous reasons for refusal have been overcome and that the proposal is on overall balance considered in line with the NPPF and Core Strategy documents, and as such recommendation to approve is put forward..

**Recommendation Grant** subject to conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby approved shall be carried out strictly in accordance with the amended plans (Nos. 44/14/01 A, and 44/14/02) and specifications as approved unless required by any other conditions in this permission.  
Reason: In the interests of the visual amenities of the locality accordance with Core Strategy Policy CSP 29, Design.
- 3 No development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.
- 4 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.  
Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with Core Strategy Policy CSP 29, Design.
- 5 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.  
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.
- 6 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).  
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.
- 7 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species.  
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.

8 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.

Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.

9 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:

- Relocation of bus shelter on Park Street
- Any necessary resurfacing/reconstruction/construction of footway.
- Any necessary lining and signing

The scheme shall then proceed in accordance with the approved details.

Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

10 Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.

Reason: In the interest of road safety in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.

11 Sightlines, having the dimensions 2.4m x site boundary, shall be safeguarded at the junction with Park Street, such that there is no obstruction to visibility at a height exceeding 1.05m above the nearside channel level of the adjacent highway.

Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

12 No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:

Tree protective barrier details  
Tree protection plan

The scheme shall then proceed in accordance with the approved details.

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality in accordance with Core Strategy Policy CSP 36 Biodiversity and Geodiversity.

13 The erection of barriers and any other measures specified for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment,

machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To safeguard existing trees, in the interest of visual amenity.

- 14 The windows on the side elevations of the building facing Nos 73 and 77 Park Street shall at all times be fitted with obscure glass and retained as such thereafter.

Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property and in accordance with LDF Core Strategy Policy CSP 29, Design.

Reason:

- 15 No development shall take place until:

(a) Full foul and surface water drainage details, including a scheme to reduce surface water run off by at least 30% and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:

(b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;

(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;

Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development.

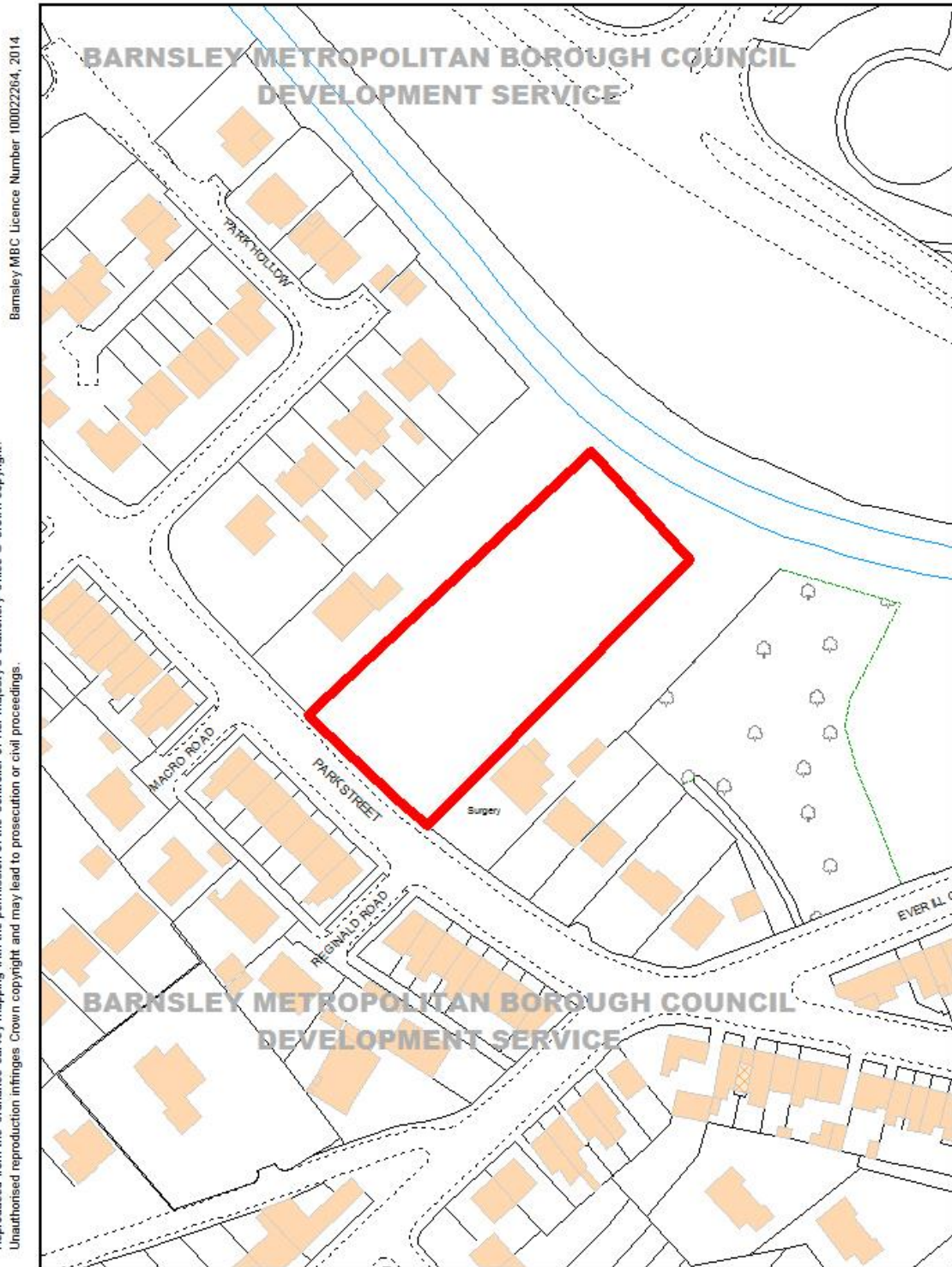
Reason: To ensure proper drainage of the area in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no building or structure shall be placed or erected within 3 metres, measured horizontally, of any sewer or culverted watercourse.

Reason: To prevent damage to the existing [sewer, watercourse or culverted watercourse] in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.


PA reference :-

2014/1210



**BARNESLEY MBC - Development Service**

Service Director: David Shepherd  
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Scale 1:1250

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**2015/0418**

Miss Kirsten Gaskell

Change of use from residential (C3) to private care home (C2)  
153 Barnsley Road, Cudworth, Barnsley, S72 8UT

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**The application was requested to be presented at the Planning Board by the Cudworth Ward members.**

**20 letters of objection have been received**

**Councillors Houghton and C. Wraith have objected to the application**

### **Site Location and Description**

The property is a brick terraced dwelling, located on the south east side of Barnsley Road in the centre of the Principal Town of Cudworth.

The dwelling is located immediately next door to the Metro C21 Superstore which lies on the corner between Barnsley Road and Co – Operative Street. To the other side is a row of residential terraced properties which match the applicants in design with a front projecting gable with dual vertical windows present at both ground and first floor within the gable.

To the rear the property has a long narrow garden which backs onto a rear access track which is utilised by a number of residents for access to outbuildings and garages. This track is also backed onto by bungalows on York Street.

### **Proposed Development**

Permission is sought for a change of use from the existing residential property (C3) to a private care home. The care home would provide 24 hour care for 3 young persons at the property and no external alterations to the building are required to facilitate the use.

The applicant has stated that the children who would be accommodated are under the Social Services category of 'looked after children', whereby these children would normally be placed within Foster Care Homes, but due to a lack of foster homes in the area these children are placed into care.

### **Policy Context**

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 development plan consists of the Core Strategy and saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

The Council has produced a Consultation Draft of the Development Sites & Places Development Plan Document (DSAP), which shows possible allocations up to 2026 and associated policies. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation.

## Core Strategy

CSP 26 – New Development and Highway Improvement – New development will be expected to be designed and built to provide safe, secure and convenient access for all road users.

CSP29 – Design – High quality development will be expected, that respects, takes advantage of and enhances the distinctive features of Barnsley.

## SPDs/SPGs

SPD 'Parking' provides parking requirements for all types of development.

## Other material considerations

South Yorkshire Residential Design Guide - 2011

## NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

In respect of this application, relevant policies include:

General principles para 17  
Design para 58 – 65

## **Consultations**

Environmental Health – No objections

Highways DC – No objections

## **Representations**

Councillors Houghton and C. Wraith have objected to the development on the following grounds:

- This is a change of use from a residential property to a business which impacts on the residential nature of the area and particularly on the aged persons bungalows to the rear of the property.
- It is our belief that the proximity (i.e. next door) to the supermarket/off licence means two incompatible activities are being brought together.
- The increased activity within the property will impact upon local residents, particularly with regards to traffic and a lack of sufficient parking space, again will have a negative impact.
- The proximity to a main road and potential impact on traffic movement on an area already identified as problematic by Highways.
- A children's home will generate more noise and thus impact upon adjacent properties and residents, particularly older people.

20 letters of objection have also been received, however the majority raise non planning related concerns such as the background of the people in the home, reduce property values, and an increase petty crime. A number of objectors have raised the location as an issue being adjacent to an off license, close to an area which houses a number of elderly persons and on a busy main road.

Other concerns raised are noise and disturbance, lack of parking, visual impact, and inappropriate location.

## **Assessment**

### Material Consideration

Principle of development  
Design and layout  
Residential Amenity  
Highway Safety

### Principle of development

The site is allocated as Housing Policy Area in the currently adopted UDP proposals maps and Urban Fabric, i.e. land within the settlement with no specific allocation, in the consultation draft of the Local Plan Document.

The existing property is a dwellinghouse which is classed as a C3 use under the Town and Country Planning (Use Classes) Order 1987 (as amended). The C3 use classification also allows for up to 6 residents, not necessarily related to each other, to live as a single household. For this application, the applicant has indicated there would only be three children living at the premises accompanied by staff. As such the numbers in the house would not be over 6 residents. However, the applicant has indicated that staff are required 24 hours a day, and it is only this requirement for 24 hour care, and not the number or type of residents proposed to be living at the premises, that means that the proposed use would be classed as a C2 use and hence the planning application is required.

The use of the dwelling would still be primarily for residential purposes, and therefore in principle would be acceptable within a Housing policy Area. However, it is still necessary to assess the impact on visual amenity, residential amenity, and highway safety.

### Design and layout

In terms of design there are no external alterations to the building proposed and as such the proposal is considered acceptable and in accordance with policy CSP29 of the Core Strategy.

### Residential Amenity

The proposed use is for the care of 3 young persons with 24 hour care as such the activity is considered similar to that of a family of two adults with 3 children, and given that this level of activity could occur without the need for planning permission, an objection based on the activity or noise and disturbance in terms of residential amenity cannot be substantiated.

A large number of the objections submitted raise concerns about the potential behaviour of the occupants of the care home and some objectors have cited problems at other care homes from anti-social behavior and the location of the premises next to a supermarket/off licence.. These are matters that are not material planning considerations and are operational matters for the managers

of the care homes to deal with. Given the relatively small scale of the use, which is comparable to that of a domestic dwelling, the proposal is considered acceptable from an amenity perspective.

### Highway Safety

The proposal has been assessed by the Highways Section who have commented as follows

‘The proposed development is unlikely to result in any significant adverse impact on the surrounding highway network. Consequently, there are no objections to the proposed development in a highway context.’

Given the above, the proposal would not result in conditions detrimental to highway safety.

### Conclusion

The use proposed will not generate any increased activity over and beyond that of a family occupying a dwelling and as such the small scale of the proposal means that a number of the concerns expressed cannot be substantiated in planning terms. As such the proposal is considered in line with local and national planning guidance and approval is therefore recommended.

### **Recommendation**

**Grant** subject to conditions

- 1           The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
  
- 2           The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved, including the description on the submitted application form indicating the home is for only 3 young people and will be staffed 24 hours a day, unless required by any other conditions in this permission.  
Reason: In the interests of the amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.

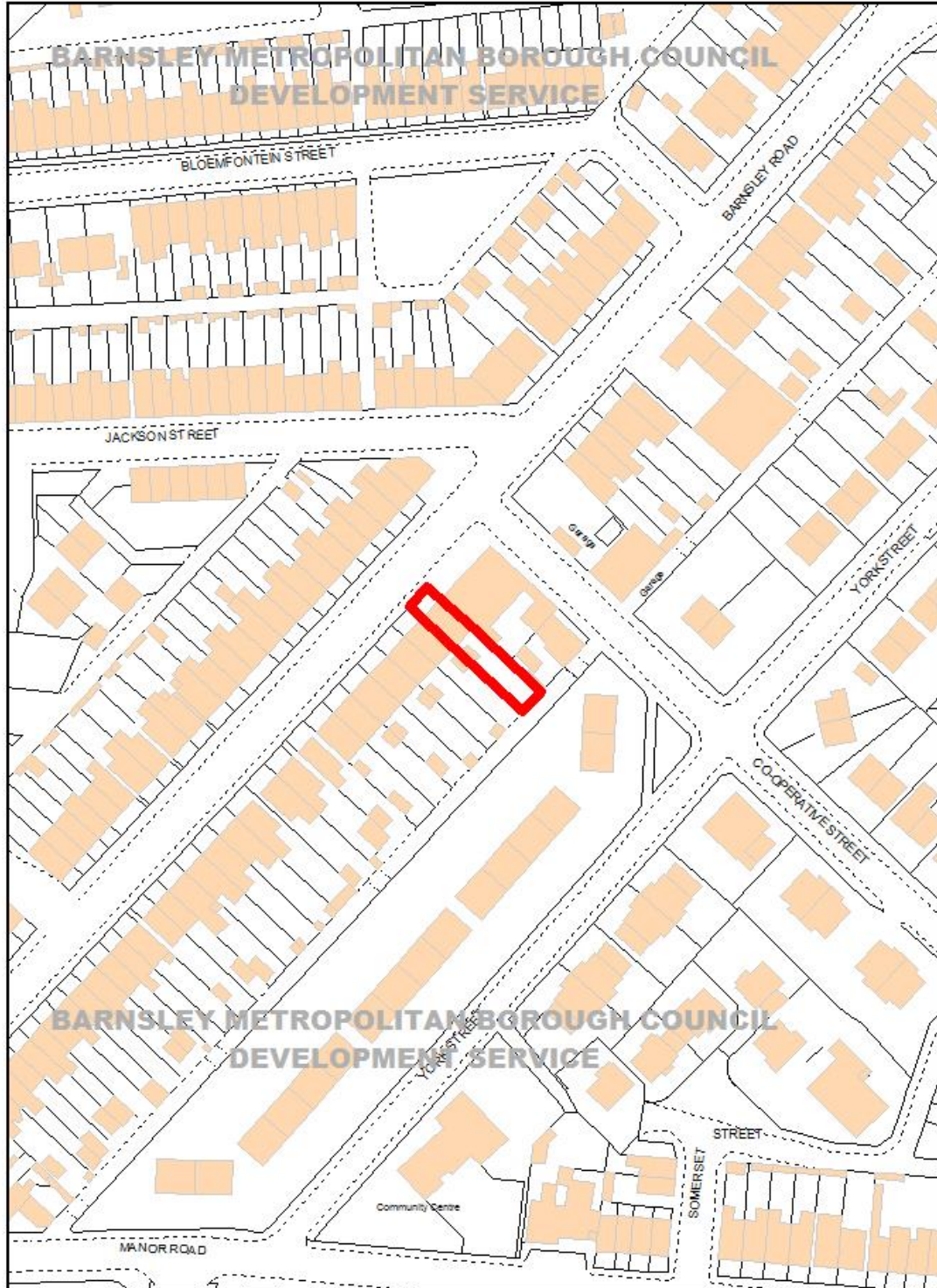


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2015/0418


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**BARNSELY MBC - Development Service**

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Westgate Plaza One, Westgate,  
Barnsley S70 9FD  
Tel: 01226 772621

  
Scale 1:1250

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**2015/0421**

BMBC School Assets

Erection of temporary mobile classroom to primary school for early learning and associated services connections.

Hunningley Primary School, Hunningley Lane, Barnsley, S70 3DT

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No objections received.

### **Site Description**

The application relates to Hunningley Primary School which is located to the East of Hunningley Lane between Stairfoot and Worsbrough. The site is triangular in shape with vehicular and pedestrian access, fields and a MUGA to the North West of the building and a playground and playing field within the 'tip' of the triangle to the South East. The school building is predominantly single storey and brick built with a mixture of pitched and flat roofs. There are a number of off shoots and additions to the original building which are generally laid out in a 'U' shape.

The surrounding area is predominantly residential with semi-detached properties off Lockleafash Crescent to the South West and a mixture of detached and semi-detached properties opposite Hunningley Lane to the North West. The main Sheffield to Leeds/Huddersfield train line runs along the Eastern boundary of the site with allotment gardens beyond. To the South East of the site is Ardsley Cemetery.

The school currently accommodates 333 pupils with 55 staff members, 388 people in total.

### **Proposed Development**

The applicant seeks permission to site a temporary mobile classroom on part of the existing playground to the South East of the school building. The building would measure 18.3m long and 7.36m wide with a height of 3.2m. The building would accommodate a nursery classroom, a small group room, a staff amenity area, store, cloakroom and WC.

The proposed class room would accommodate an additional total of 22 people including 20 pupils and 2 staff members.

The modular classroom is proposed as a Phase 1 development to temporarily house the additional students and staff. A phase 2 development is planned for next summer which would include a permanent school extension to the frontal playground area, which will include a large formal car park where the current grassed area lies to the south of the entrance road. This, however, would need to be subject to separate planning application.

### **Policy Context**

Planning decision 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 development plan consists of the Core Strategy and saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

The Council has produced a Consultation Draft of the Local Plan, which shows possible allocations up to 2033 and associated policies. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation.

### Core Strategy

Core Strategy policy CSP 26 'New Development and Highway Improvement' states that new development will be expected to be designed and built to provide safe, secure and convenient access for all road users.

Core Strategy Policy CSP 29 sets out the overarching design principles for the borough to ensure that development is appropriate to its context. The policy is to be applied to new development and to the extension and conversion of existing buildings.

CSP 43 'Educational Facilities and Community Uses' – We will support the provision of schools, educational facilities and other community facilities.

### SPDs/SPGs

SPD 'Parking' – sets out the parking requirements for all types of development.

### NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

In respect of this application, the policies above are considered to reflect the 4th Core Principle in the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings.

### **Consultations**

Highways DC – No objections

### **Representations**

The application has been advertised by way of a site notice and properties which share a boundary to the site have been consulted in writing. No objections have been received as a result.

### **Assessment**

#### Principle of development

The extension and alteration of an existing school building is acceptable in principle where residential and visual amenity is maintained and where adequate parking, turning and maneuvering facilities are provided.

### Residential Amenity

The proposed mobile unit would be positioned to the South East of the existing building on a portion of the existing tarmac playground. It would be approximately 40m from the closest residential property to the West of the site on Lockleaflash Crescent. To the South of the proposed position is a cemetery and to the North and East is a trainline with allotments beyond.

The proposed floor area of the building would be 126m<sup>2</sup> which is relatively small in comparison to the floor area of the school as a whole. Furthermore, the proposal would only increase numbers at the school (both staff and pupils) from 388 to 410 (a 5% increase). Furthermore, the building would only be utilized during sociable hours when the school operates and it is only to provide temporary accommodation while the school considers further extensions in the future.

As a result of the above comments, the proposal would not significantly increase noise and disturbance levels above and beyond those currently experienced. In addition, given the size of the unit and its separation distances to surrounding properties, it would not increase overshadowing or be an overbearing feature.

### Visual Amenity

The proposed unit would be located to the rear of the school building a significant distance from the highway. In addition, there would be limited views from the cemetery to the South given the boundary treatments. Therefore, the main views would be from the train line and, even then, they would be fleeting with the unit viewed against the backdrop of the existing, larger school building and extensions.

In any case, the unit is a modest addition of a simple design. Furthermore, it is only proposed to be a temporary addition until a more permanent solution is sought. As such, visual amenity would be maintained to a reasonable degree, in accordance with Core Strategy Policy CSP 29.

### Highway Safety

There are 36 existing staff car parking spaces and 16no visitor parking spaces on site. The total number of staff as a result of the additional classroom would be 57, 2 more than the current total of 55.

SPD 'Parking' states that there should be 1 space per 3 members of staff, therefore, 19 spaces are required to comply with the SPD. The existing parking situation is therefore considered to be adequate to accommodate the additional classroom and the staff and pupils it would generate. As such, highway safety would be maintained to a reasonable degree, in accordance with CSP 26.

Furthermore, the modular classroom is proposed as a Phase 1 development to temporarily house the additional students and staff. A phase 2 development is being looked at for next summer with the intentions for it to include a permanent school extension to the frontal playground area and additional parking.

### Summary

The proposed mobile unit would perform an important function of helping to alleviate the current short term pressure on school places. Its design would be respectful to its surroundings, in accordance with CSP 29, and would not be detrimental to the amenities of the neighbouring uses and residents. There would be a slight increase in pressure on the highway, but given the nature of the area, this would not be significant in comparison to the current situation and adequate parking would be provided on site in accordance with SPD 'Parking'. As such, the application is recommended for approval.

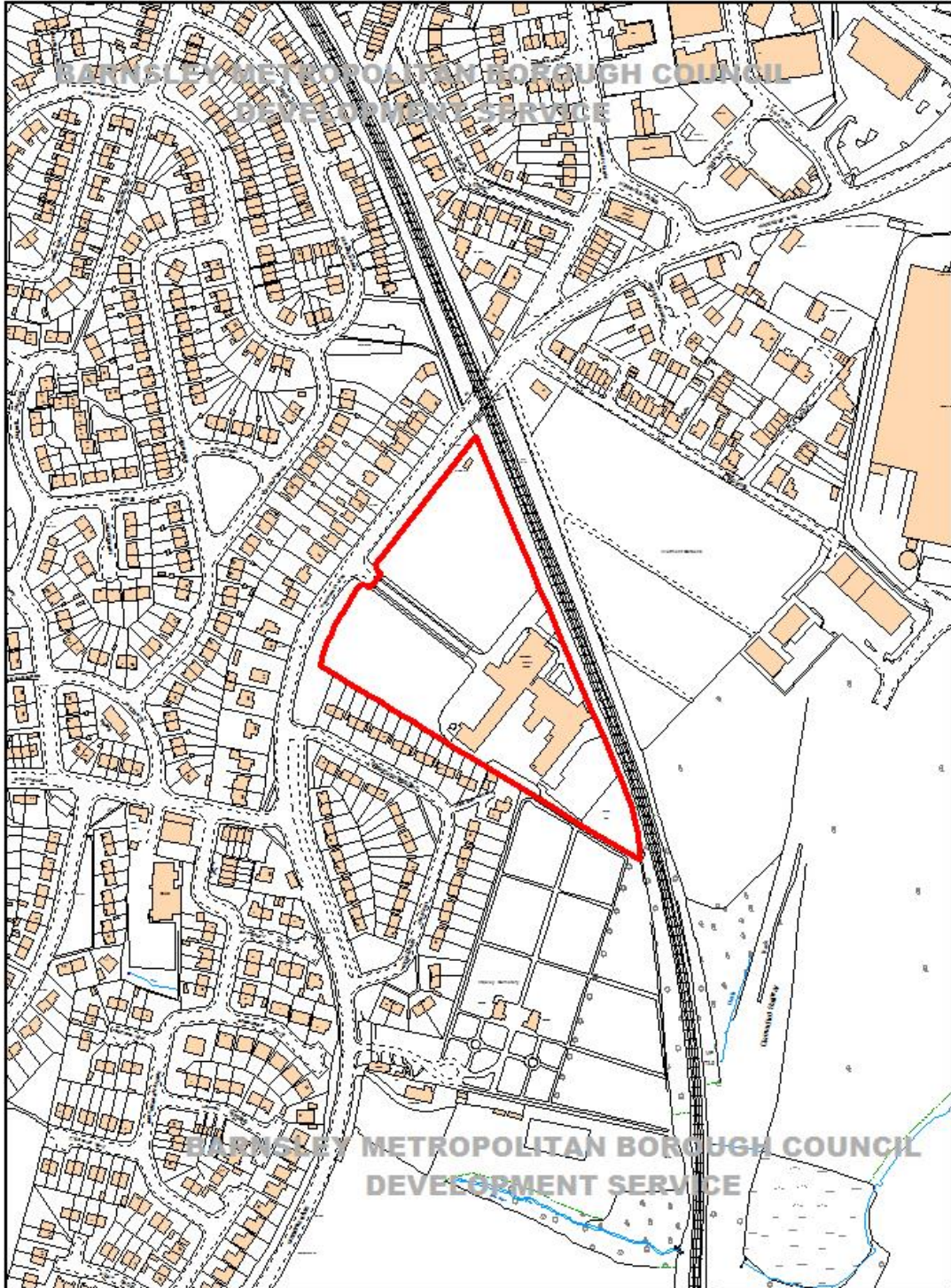
**Recommendation - Grant** subject to conditions

- 1           The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
  
- 2           The development hereby approved shall be carried out strictly in accordance with the plans (Nos. NPS-DR-A-(00)-012-P2 & NPS-DR-A-(00)-020-P4) and specifications as approved unless required by any other conditions in this permission.  
Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.
  
- 3           The existing parking/manoeuvring facilities, indicated on the submitted plan, shall be retained for that sole purpose at all times.  
  
Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.

PA Reference : -

2015/0421

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**BARNSELEY MBC - Development Service**



Scale 1: \_\_\_\_\_

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**Ref: 2015/0365**

Applicant: Mr Ron Brannon (Berneslai Homes)

Description: Alterations to building including new entrance, pitched roof, alterations to entrance and new fencing.

Site Address: Woodhall Flats, Barnsley Road, Darfield, Barnsley

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### **Site Description**

Woodhall Flats are located in a residential area in Darfield at the corner of Barnsley Road and Woodhall Close.

Woodhall Close is a short cul-de-sac that comprises a development of semi-detached bungalows clustered around the turning head. Adjacent to the Close are some more sporadic bungalows set in landscaped grounds and Woodhall Flats the subject of this application. The flats are a collection of two storey red brick blocks built around a central courtyard with parking and servicing to the rear.

The surrounding residential development on Barnsley Road is a mixture of terraced, detached and semi-detached houses.

### **Proposed Development**

This application is made by Berneslai Homes for various alterations to the Woodhall flats that include:

- Creation of a new main entrance to incorporate a new canopy, level access and associated internal alterations.
- New pitched gable roof over the existing single storey entrance with rendered walls and concrete roof tiles.
- Landscape works within the courtyard area including a new surface, new feature fencing around the entrance, new benches and grassed areas.

### **Policy Context**

Planning decision 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 development plan consists of the Core Strategy and saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

#### Core Strategy

CSP29 Design.

#### Saved UDP Policies

The site is within a Housing Policy Area on the UDP.

## SPDs/SPGs

Parking

## Emerging Local Plan

The Draft Local Plan allocates the site as urban fabric.

## NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development.

## **Consultations**

None

## **Representations**

The application was advertised by way of neighbour notification letters. No representations have been received.

## **Assessment**

### Principle of development

This is an existing block of flats that are to be improved. In principle the improvement of existing residential accommodation would be supported subject to the impact on neighbouring amenities, visual amenity, and highway safety.

### Residential Amenity

There are no dwellings located immediately behind the flats where there is a car park and service area. Whilst the height of the entrance will increase by virtue of putting a pitched roof over the existing flat roof entrance this will not have any adverse effect on the nearest residential property. The nearest bungalow, no. 7 Woodhall Close, is at a 45 degree angle, with the main windows facing away from the development, and would be over 20m away from the alterations to the entrance.

### Visual Amenity

Currently the present single storey entrance building has a flat roof, does not provide level access and is not easily discernible as the main entrance for residents. The proposal will be a distinct improvement by creating a far more attractive entrance. Furthermore, the courtyard will be improved with new feature fencing, landscaping and seating. Level access will be provided and as such the proposal accords with the objectives of the Councils Core Strategy policy CSP29 Design.

### Highway Safety

The scheme will not impact on the car parking and servicing area to the rear of the flats. As such there will be no detriment to highway safety.

## **Recommendation**



**Grant** subject to conditions

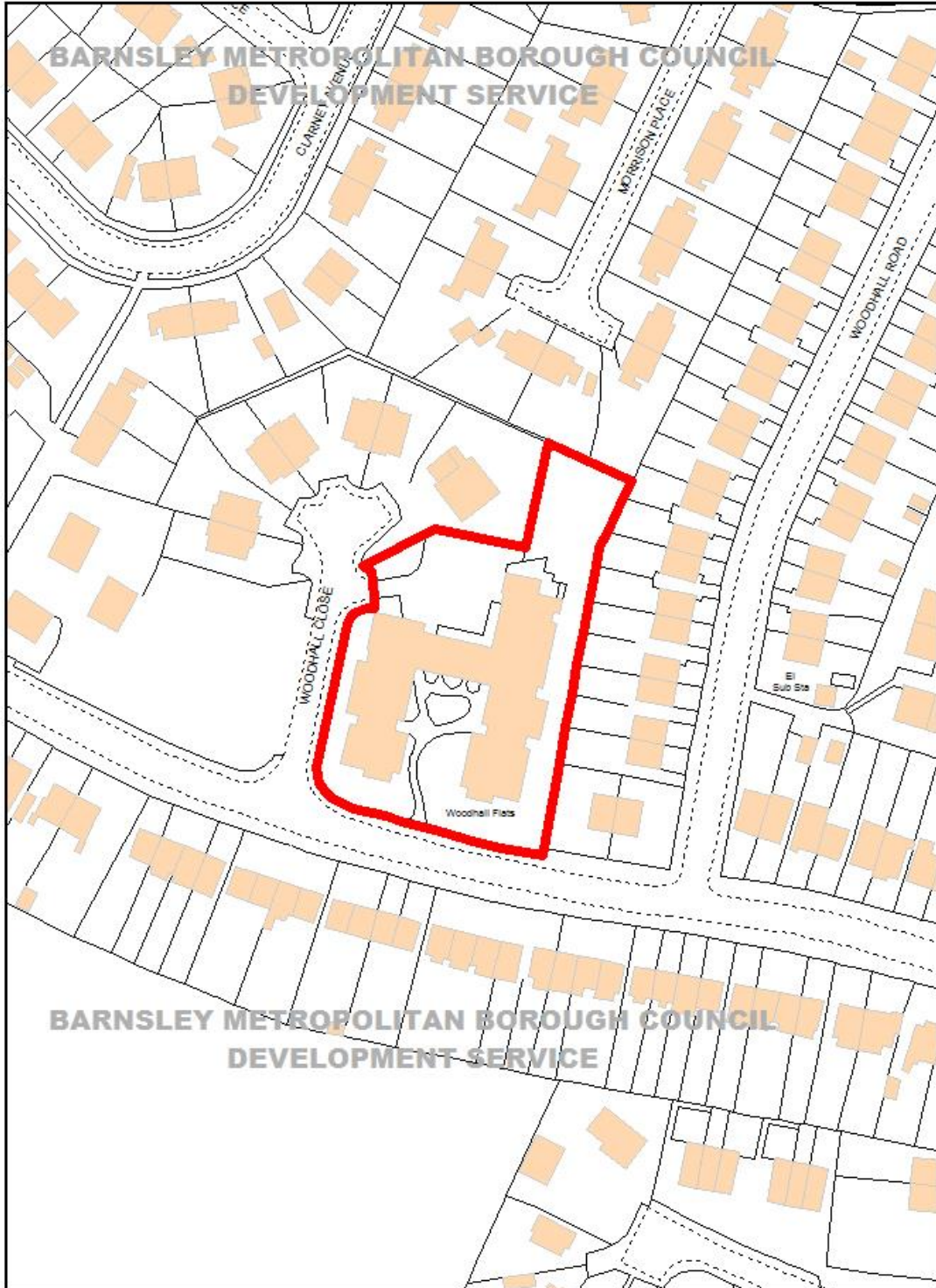
- 1           The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
  
- 2           The development hereby approved shall be carried out strictly in accordance with the plans 17-16-1-1009-A-11, 17-16-1-1009-AQ-14, 17-16-1-1009-A-12, 17-16-1-1009-A-13, 17-16-1-1009-AQ-15, 17-16-1-1009-A-100, 17-16-1-1009-A-101 and specifications as approved unless required by any other conditions in this permission.  
Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

PA reference :-

2015/0365

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**BARNLSLEY MBC - Development Service**

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Scale 1:1250

**BARNSLEY METROPOLITAN BOROUGH COUNCIL**

**PLANNING APPEALS**

**1<sup>st</sup> April 2015 to 30<sup>th</sup> April 2015**

**APPEALS RECEIVED**

The following appeals have been received during this month

<b><u>Reference</u></b>	<b><u>Details</u></b>	<b><u>Method of Appeal</u></b>	<b><u>Committee/Delegated</u></b>
2014/0972	Erection of 1 no. detached dwelling. Land at St Austell Drive, Barugh Green, Barnsley	Written Representation	Delegated
2014/1269	Erection of first floor side extension to dwelling. 25 Bence Lane, Darton, Barnsley, S75 5PA	Written Representation	Delegated

**APPEALS WITHDRAWN**

0 appeals were withdrawn in the month of April 2015.

**APPEALS DECIDED 0 in April 2015**

<b><u>Reference</u></b>	<b><u>Details</u></b>	<b><u>Method of Appeal</u></b>	<b><u>Decision</u></b>	<b><u>Committee/Delegated</u></b>

**0 appeals decided since April 2015**