
Ref: 2021/1430

Applicant: Niftylift Ltd

Proposal: Formation of a new hardstanding area to increase the external yard area

Site address: Niftylift, Mason Way, Platts Common, Barnsley S74 9TG

The application is referred to Councillors for determination as the recommendation is subject to the completion of a S106 Agreement requiring biodiversity enhancements on the adjoining Council owned land that is located outside of the planning application site boundary. No representations have been received from any members of the public.

Site Location and Description

The Niftylift site is located in the north western part of Platts Common Industrial Estate, which is positioned on the northern edge of Hoyland. The Niftylift plot is located between Mason Way to the east and south, Ryecroft Bank and Ashroyd Business Park to the west, with the A6195 Dearne Valley Parkway positioned to the north of the site.

The overall site is approximately 1.8ha, which is mostly occupied by the existing industrial unit building and the associated service yard. The proposed yard extension area is positioned to the north west of the existing site and comprises an irregular shaped area of land that is approximately 0.45ha in size. It is currently undeveloped and is an area of scrub grassland that contains a sporadic amount of small, self-set trees.

The site is well screened by mature vegetation to the west and so the land in question is well screened from Ryecroft Bank or the Dearne Valley Parkway when viewed from that direction. Nor can the application land be seen from Mason Way to the south due to screening provided by the main Niftylift building.

A formal public right of way runs to the north of the site, with well worn, informal paths running across the grassland and scrubland subject to this application.

The nearest residential properties are located a considerable distance away to the north, east, south and west and are approximately 250-500m away from the site respectively.

Planning History

2012/0207 – Erection of extensions to workshop and alterations to traffic flow within site – Approved with conditions.

2017/1035 – Erection of commercial storage container – Approved with conditions.

2019/0557 – Extension to rear and side of factory building – Approved with conditions.

2022/0010 – Erection of industrial unit building and associated extension of yard area running concurrently. This is a live application that is still under consideration at the present time.

Proposed Development

The proposal seeks full planning permission for the formation of a new hard standing area to extend the existing external yard associated with Niftylift's existing operation.

Associated ground clearance is also proposed. These works are proposed to the immediate north of the existing site and would connect to the existing external yard to increase the capacity of the applicant's existing operation. In summary the works would include three main parts: -

- Hardstanding (consisting of an extended yard area on the upper section and a car park extension of 35no spaces on the lower section);
- Fencing; and
- Associated works including all necessary excavation earthworks and the provision of the making good of the land via the provision of the areas of new hard and soft landscaping.

The new areas of hard standing would extend outwards to the north in the direction of the Dearne Valley Parkway beyond the existing site boundary by approximately 40m. The width of the new hard standing area would be approximately 60m at its northern extent and 86m at the southern end where it would be a similar width to the existing yard.

As mentioned previously the existing topography of the site is not level. The proposal is that the service yard extension would be constructed level with the existing service yard, with the parking area beyond located on a lower terrace, approximately 1.4m to 2.8m lower than the service yard. The section plans show that the two rows of stacking storage units would be installed within the extended yard area up that would have a maximum height of approximately 4m, although the applicant has indicated the need for some storage units up to a height of 6m.

Access to the new hardstanding area would be taken through the existing car park, along the western boundary, to the rear of the main building.

The supporting case put forward by the applicant's agent is as follows: -

The need for the proposed works and installation of the new hardstanding area has arisen as a result of the company's consistent growth over the past 10 years. It has required them to expand the size and number of units on site, as a result of this there is no longer sufficient space for a suitable yard area. By extending the existing external yard area to the north, the existing vehicular access can be utilised in a safe and convenient manner, whilst minimising impacts on the wider local environment and the neighbouring units. This will also offer economic benefits for the area through supporting an established company's business and continued growth.

It is expected that the development would enable the company to expand its operations on site and employ approximately 15 new people in skilled jobs.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The Local Plan was adopted by the Council in January 2019 and the Council has also adopted a series of Supplementary Planning Documents which are other material considerations.

The site is within the Hoyland Principal Town area and is designated Urban Fabric in the adopted Local Plan where there is no specific use subject to compliance with relevant Local Plan Policies.

Barnsley Local Plan

LG2 The Location of Growth
E1 Providing Strategic Employment Locations
E2 The Distribution of Employment Sites
E3 Uses on employment land, Policy
E4 Protecting Existing Employment Land
GD1 General Development
POLL1 Pollution Control and Protection
D1 High Quality Design and Place Making
T3 New Development and Sustainable Travel
T4 New Development and Transport Safety
BIO1 Biodiversity and Geodiversity
I1 Infrastructure and Planning Obligations
SD1 Presumption in favour of Sustainable Development

Supplementary Planning Documents

Biodiversity and Geodiversity
Sustainable Travel
Parking

NPPF

The NPPF 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 an up to date development plan should be approved without delay. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed. Other paragraphs of relevance include:-

Para 81 states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity taking into account both local business needs and wider opportunities for development.

Para 174 states that planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Para 180 states that when determining a planning application, local authorities should apply the following principles a) if significant harm to biodiversity, resulting from development, cannot be avoided (through locating on an alternative site with less harmful impacts) adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Consultations

Biodiversity – The relevant officers have been heavily involved in the assessment of the application due to the need for the development to demonstrate no net loss of biodiversity. The proposed solution requires a mixture of on-site and off-site provisions to enable that to be the case. Following an assessment of the information provided including the initial ecological survey which identified the site to contain moderate value semi-improved grassland and scatter scrub and the provision of a biodiversity metric there are no objections to the proposals subject to the completion of a S106 Agreement and the recommended conditions in order to secure the required provisions. Further details are explained in the biodiversity section of the report below.

Asset Management – That particular service has been involved with the discussions due to the site and the proposed land intended to create the off-site biodiversity provisions being within Council ownership. They have indicated their willingness to allow the additional land to be used for the required provisions.

Coal Authority – No objection subject to the imposition of an informative.

Highways Drainage – No objections subject to conditions.

Enterprising Barnsley – Enterprising Barnsley have been working with the applicant over a number of months and fully support the application and development to help them to successfully expand and to generate economic growth in the borough.

Highways DC – No objections subject to conditions.

Forestry Officer – No objections to the proposal subject to conditions including replacement planting.

Pollution Control – No objections.

PROW – No objections.

SYMAS – No objection subject to informative.

Yorkshire Water – No objections have been received.

Representations

The proposal was advertised by way of a site notice and neighbour notification letters. No representations have been received.

Assessment

Principle of development

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004.

Relevant policies include SD1 Presumption in Favour of Sustainable Development, LG2 The Location of Growth, E2 The Distribution of Employment Sites, Policy E3 Uses on employment land and GD1 General Development.

The site is designated Urban Fabric in the Local Plan and is also within the Hoyland Principal Town, which is a priority to accommodate growth during the Local Plan period. The proposed development would allow the expansion of operations at an existing established employment site and business resulting in new employment opportunities being created. In addition, the proposal would facilitate the expansion of an existing B2 'General Industrial' use. The proposal is therefore compliant with the aims of policies LG2, E2, E3 which mean that it is acceptable in locational/spatial planning and employment land use terms.

The urban fabric designation and relationship with the existing Platts Common Industrial Estate also means that the proposal is a compatible use and is potentially acceptable in principle subject to other local plan policies being satisfied including the long list of criteria set out in policy GD1 General Development and Policy BIO1 Biodiversity and Geodiversity which requires no net loss of biodiversity.

The National Planning Policy Frameworks is another important material consideration related to this case, in particular paragraph 81 which states that '*significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development*'. This point attracts further weight as another material consideration, therefore.

Biodiversity and Trees

With regards to Biodiversity, there is a requirement under Local Plan Policy BIO1 and the accompanying Biodiversity and Geodiversity SPD to demonstrate no net loss of biodiversity on the site.

The ecological survey has established that the value of the existing habitat consists of semi-improved grassland and scattered scrub that is of a moderate value. Therefore, the applicant provided a Biodiversity Habitats Metric due to the need to quantify the loss of habitat that would occur, and the requirement to demonstrate that there would be no net loss of biodiversity as a result of the development. The submission has therefore been accompanied by a calculation of the habitats lost on site as a result of the proposed development in accordance with the latest guidance in the Defra Metric 3.0. Specifically, the proposal would result in the loss of low value grassland, scrub and self-set trees. However due to the nature and size of the site it is not possible to provide all of the required mitigation within the site. Following dialogue therefore it has been agreed that an area of existing grassland, located between the site and the highway, within the Council's ownership can be utilised for the improvement and a scheme has been prepared. But as the area in question is located outside of the site boundary a S106 Agreement is required in order to ensure that the works are carried out as part of the development.

The areas included within the off-site compensation areas would involve the enhancement of existing habitats. That would be achieved through the initial introduction of wildflower seeds and the on-going management through 1-2 cuts per year. The existing scrub will be enhanced through additional planting of appropriate native scrub species, the yearly cutting of glades and periodic trimming and coppicing to promote structural diversity.

The newly created habitats should be managed for their wildlife interest, and a Construction Environmental Management Plan (CEMP), and Biodiversity Enhancement Management Plan (BEMP) should be produced to provide management prescriptions to ensure the favorable management of these habitats.

The detail has been assessed by the Council's Ecologist and accepted as accurate. Overall, this is predicted to deliver biodiversity net gain of 10.5%, which is over and above the requirements of Local Planning Policies BIO1 Biodiversity and Geodiversity and GI1: Green Infrastructure. This avoids conflict with the above policies and GD1 attracts significant weight in favour of the proposal, in addition to the overall development plan compliance.

In relation to trees an Arboricultural Report & Impact Assessment has been carried out. The report confirms that there are 39 individual trees on site and 3 separate tree groups within the site and that 32 trees or tree groups will need to be removed to facilitate the development. Despite the loss of existing trees, the report confirms that they are all lower value retention category 'C' and provide little amenity value to the wider surrounding area. The new landscape plantings at the site would mitigate for the tree removals and would provide screening between the new development and the adjacent land. Furthermore, the report confirms that suitable new tree planting has the potential to mitigate the tree removals and improve the sites tree cover. The Tree Officer agrees with those findings, noting that the trees appear to be self-set that are of low value and are not worthy of a Tree Preservation Order. Based upon that the Tree Officer has not raised any objections to the removal of these trees. Nevertheless, their replacement will be required to accord with policy GD1, which can be secured via a planning condition.

Wider visual amenity considerations

The service yard extension is proposed to be located to the rear of the existing premises between the main building and the A6195 Dearne Valley Parkway. The land in question is relatively hidden from view being well screened by mature vegetation to the west and so is not visible from Ryecroft Bank or the Dearne Valley Parkway (DVP) when viewed from direction. Nor can the application land be seen from Mason Way to the south due to screening provided by the main Niftylift building. In addition, approximately 90m would be retained between the extended yard area and the northern boundary with the DVP.

Therefore, whilst the development would be carried out on a vegetated area of land that is free from development at the present time the visual impact of the development on the wider area would be very limited and self contained. Furthermore the existing screening is due to be supplemented by new planting to achieve the no net loss of biodiversity as a result of the development. The minimal visual impacts would include the external storage stacking units which the cross sections show would not be seen above the height of the vegetation as seen from the Dearne Valley Parkway which is on a much lower ground level. It has been indicated that the height of the shelving racking may increase in height as the need arises, however it has been indicated that the height would not increase above 6m due to potential instability due to the impact from the wind. Whilst this is not an especially sensitive landscape, being positioned next to an existing industrial estate and a bypass road, the potential increase to 6m could result in the site being visible from the DVP to the north, to the detriment of the area and as such it is considered prudent to include a condition limiting the height of the racking closest to the northern boundary to 4m.

The proposals are therefore considered acceptable in visual amenity terms and is compliance with policy GD1, subject to conditions and S106 provisions which would secure replacement planting.

Residential Amenity

The proposal is located within a well-established industrial estate to the south of the A6195 Dearne Valley Parkway and is located between approximately 250m from the nearest residential properties. The surrounding properties are screened from the proposal by the existing commercial premises, other commercial premises and the busy A6195. It is therefore considered that the proposed service yard extension and car park would not have a detrimental impact on residential amenity and is in accordance with Local Plan Policies GD1 and POLL 1. Indeed, Pollution Control were consulted on the proposals and have raised no objections.

Highway's considerations

The Highways Officer notes that an additional 35 car parking spaces are proposed to be provided on the area of land that is to be developed. The proposed spaces are of adequate size (2.5m x 5.0m) and an aisle width of 6m has been provided between the two rows to allow sufficient room to manoeuvre in to/out of the spaces. It is evident that there are many occurrences of cars being parked on street and on the footways within the vicinity of the site. The number of those that are associated with this site is unknown, however it is considered that the provision of additional parking spaces within the site would help in reducing the number of vehicles parked on-street. This will be particularly beneficial if there is to be an increase in the number of HGV's using Barrowfield Road to gain access to the site. The proposals are therefore considered acceptable from a highways development control perspective and are supported in accordance with Local Plan Policy T4.

Other Issues

Public rights of way - The Public Rights of Way Officer notes that there is a recorded public footpath to the north of the site, which should not be directly affected by the proposals. As such, there are no objections. However, it is noted that there are unrecorded, worn, informal paths across the site and that an appropriately worded informative should be included.

Coal Mining Risk - The Coal Authority records indicate that a coal outcrop runs through the site, and this may have been subject to unrecorded workings at shallow depth. If workings are present within the outcrop these may pose a potential risk to surface stability and public safety. The Coal Authority's general approach in cases where development is proposed within the Development High Risk Area is to recommend that the applicant obtains coal mining information for the application site and submits a Coal Mining Risk Assessment to support the planning application. However, when considering the nature of this particular development proposal, it does not appear from the plans submitted that the formation of a new hardstanding area to increase the external yard area will require substantial foundations or earthworks. On this basis the Coal Authority do not consider that requiring a Coal Mining Risk Assessment would be proportionate to the nature of the development proposed in this particular case and do not object to this planning application. However, the Coal Authority does recommend that, should planning permission be granted for this proposal, an informative note should be included on any planning permission granted.

Electric Vehicle Charging Points - The development sees the inclusion of 35 additional parking spaces, Supplementary Planning Document - Sustainable Travel states that as a minimum, industrial development will be required to provide electric vehicle charging points at 10% of parking. No indication of electric vehicle charging points has been provided, however this can be included as a condition.

Conclusion

The proposal is intended to enable the expansion of a well-established local company onto land that is designated Urban Fabric in the Local Plan and is also within the Hoyland Principal Town, which is a priority to accommodate growth during the Local Plan period. The proposal therefore complies with the aim of a number of important Local Plan policies including LG2 The Location of Growth, E2 The Distribution of Employment Sites and Policy E3 Uses on employment land and is considered acceptable in locational/spatial planning and employment land use terms.

In addition, it is considered that the proposal satisfies the relevant criteria of Local Plan Policy GD1 'General Development' by virtue of it being a compatible land use and because the limited effects of the development (the plans have been assessed to be acceptable in relation to the implications for visual and residential amenity and landscaping) which would all be at a low magnitude.

The development would lead to the loss of some moderate value biodiversity habitat including 32 low value category C trees. However, that has been quantified and a scheme has been agreed that would see the provision of on site and off-site provisions to arrive at a position where there would be no net loss of biodiversity.

In addition to the above the proposal has been assessed in relation to other material considerations including the highways implications, drainage, coal mining risk and public rights of way and is considered acceptable in relation to each of those topics subject to the imposition of suitably worded conditions.

Taking into account the relevant development plan policies and other material considerations the application is in accordance with the development plan (most notably policies LG2, E2, E3, GD1, BIO1, T4) and is assessed to be a suitable and sustainable form of development that accords with Local Plan Policy SD1 Presumption in favour of Sustainable Development in overarching terms. Similarly in National Planning Policy terms (NPPF) the presumption in favour of sustainable development is considered to apply also (para 11) which is that proposals that accord with an up-to-date development plan should be approved without delay. The recommendation is one of approval therefore subject to a S106 Agreement being in place to ensure the required off site biodiversity provisions and to the other conditions listed below.

Recommendation

Grant planning permission subject to conditions and the completion of a S106 Agreement (Provision of off-site biodiversity provisions to ensure no net loss of biodiversity as a result of the development)

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 unless required by any other conditions in this permission.

Plan References

2020/112/03 Proposed Yard Sections

2020/112/05 Existing Boundary Plan

2020/112/06 Proposed Boundary Plan

Site Location Plan

10641-E-01 Figure 1 Baseline Habitats received 19th April 2022

10641-E-02 Figure 2 Proposed Habitats received 19th April 2022

10641-E-03 Figure 3 Habitat Retention received 19th April 2022

10641-E-04 Figure 4 Baseline Habitat Condition/Distinctiveness received 19th April 2022

10641-E-05 Figure 5 Proposed Habitat Condition/Distinctiveness received 19th April 2022

Biodiversity Metric 3.0 received 11th May 2022

Biodiversity Impact Assessment Rev B dated May 2022 produced by FPCR Environment and Design Ltd for Niftylift received 17th May 2022

Arboricultural report and Impact Assessment produced but AWA Tree Consultants ref AWA3642 dated March 2021

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

3. 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:

i. The parking of vehicles of site operatives and visitors

ii. Means of access for construction traffic

iii. Loading and unloading of plant and materials

iv. Storage of plant and materials used in constructing the development

v. Measures to prevent mud/debris being deposited on the public highway.

Reason: In the interests of highway safety.

4. No development shall take place unless and until full foul and surface water drainage details, have been submitted to and approved in writing by the Local Planning Authority. 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 unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the proper drainage of the area

5. Prior to commencement, a Construction Environmental Management Plan (CEMP: Biodiversity) detailing precautionary measures to be adopted on site during construction works to protect retained habitats and to avoid harm/disturbance to protected and priority species such as nesting birds, amphibians, reptiles, foraging and commuting bats and hedgehogs shall be submitted to, and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved documents and timescales.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1

6. Prior to commencement, a Biodiversity Enhancement Management Plan (BEMP) which would include the following shall be submitted to, and approved in writing by the Local Planning Authority:

-a plan of the areas to be maintained, enhanced and/or created;

- a schedule of actions to create or enhance and maintain each habitat at the required quality for a period of 30 years;
- a schedule of ecological monitoring for the 30 year period identifying when key indicators of habitat maturity should be achieved. Monitoring would be required within years 2, 5, 10, 20 and 30; and
- schedule of actions to be undertaken in case signs of failing are identified.
- the schedules must include details of technique(s) to be used, equipment to be used, roles and relevant expertise of personnel and organisations involved and timing of actions including submission of monitoring report to the Council.

Thereafter the approved scheme shall be carried out in accordance with the approved details and timescales.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1

7. Prior to commencement, a replacement planting tree scheme, including details of the species, positions, planted size and planting methodology for the new trees, along with a landscape plan detailing habitat enhancement proposals, in off-site areas as set out within section 4.0 of the BIA report shall be submitted to, and approved in writing by the Local Planning Authority. Thereafter the approved scheme development shall be carried out in accordance with the approved details and timescales.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1

8. Upon commencement of construction works, a minimum of 4no. electric vehicle electric vehicle charge points shall be provided, details of which shall be submitted and approved in writing by the LPA. The EVCP will have a minimum "Mode 3" (7 kW, 32 AMP) capability and shall be installed in accordance with the approved details prior to first occupation of the development and thereafter in accordance with the approved details.

Reason: To ensure the new residential units are provided with infrastructure that conforms with the requirements of LP Policy T3 - New Development and Sustainable Travel.

9. Upon commencement of development a plan indicating the position of boundary treatments to be erected (maximum height 2.4m) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making

10. Prior to the development hereby permitted being brought into use, the proposed access, on-site vehicle parking, and turning shall be laid out in accordance with the approved plan. All areas to be used by vehicles must be properly consolidated and hard surfaced and drained into the site and subsequently maintained in good working order at all times thereafter for the lifetime of the development.

Reason: To ensure that there are adequate parking and turning facilities to serve the development which are constructed to an acceptable standard.

11. The row of shelving racking units located within the new yard area, closest to the building, as indicated on the approved plans that are listed in condition 2 shall not exceed a height of 6m, with all other new external shelving not exceeding a height of 4m.

Reason: In the interest of visual amenity and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

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 completion of the development; 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, unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the locality.

PA Reference:-

2021/1430



BARNSELY MBC - Regeneration & Property



Scale: 1:2227

