

Our Ref: JC/JKB/Barnsley Road 06

21 June 2010

Mr M Woodward  
Planning Officer  
Development Control  
Barnsley Metropolitan Borough Council  
P O Box 604  
Barnsley S70 9FE

Dear Mr Woodward

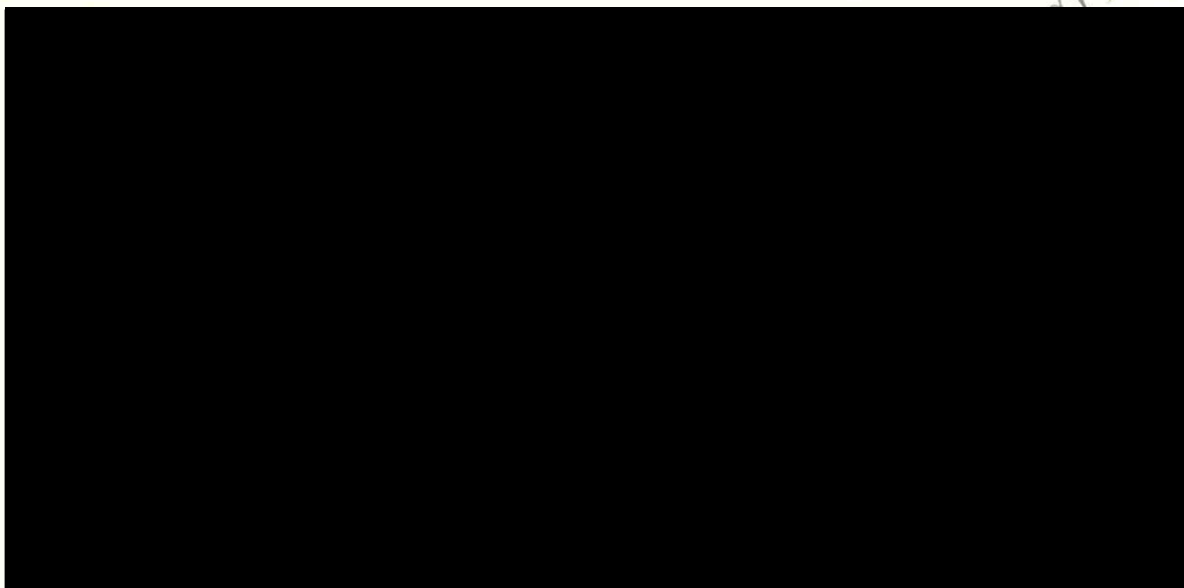
**LAND OFF BARNSELY ROAD, DARTON**

Please find enclosed four planning applications in connection with the above mentioned site, which have been amended from our previous proposal as discussed with our Mr Carlon.

Should you have any queries, please do not hesitate to contact us.

Yours sincerely

JOHN CARLON



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# **Barnsley Road, Darton**

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**Recovery of inert  
materials and soils  
and land improvement  
for end use as grazing  
land and stable block**

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**For**

**Mr Andrew Braithwaite**

**June 2010**

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**Prepared by:**

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## **Recovery of land with inert materials and soils and improvement of land for end use as grazing land and stable block**

### **Land at Barnsley Road, Darton**

#### **Application by Mr Andrew Braithwaite**

##### **1.0 Introduction**

- 1.1 This is an application for the construction of a stable block on land situated off Barnsley Road, Darton.
- 1.2 The proposal would require the existing levels of the land to be re-engineered using inert material and soils to create a level field. The site will then be used to construct a stable block for the keeping of horses and other livestock and a grazing area. The application area is 6,750 square metres. The NGR is SE312095.
- 1.3 The applicant is Andrew Braithwaite who is based in Barnsley, South Yorkshire. His father's business, Braithwaite Excavations, has a reputation for undertaking quality work and are specialists in bulk excavation, crushing and site remediation works.
- 1.4 The current site consists of a steeply sloping field which is untidy and unattractive at present. Please refer to the photo document in the appendices. The site has been subject to inert tipping in the past and there is evidence of bricks and rubble and waste concrete etc over large areas of the site. Please refer to the topographical survey undertaken at the site which shows existing levels, Drawing No BEL/BR-03 and the cross sections, BEL/BR-07 which shows the amount of material previously tipped which is estimated to be approximately 8,600 cubic metres. The material to be recovered are mainly road diggings which were placed on the site by Barnsley Council and South Yorkshire County Council.
- 1.5 This proposal would require a further 6,400 cubic metres of material necessary to obtain the proposed formation after the tip has been excavated and screened to take out the building and road materials. This would consist of inert subsoil material which may comprise of sandstones, shales, mudstones and clay material. Any soil which is contained in this material will be screened out and used in the final restoration of the site.
- 1.6 It is proposed to excavate the areas which have previously been tipped on and screen out any unsuitable material and also recover any soils which exist which can be used as restoration material. This will involve operating a screen on site for a limited time in order for the applicant to undertake this as it will be necessary to ensure that the site is restored to the highest standards for the proposed end use for grazing livestock. There are no records of types of material which has been tipped historically so it will be necessary to screen out any materials that are too coarse for use in the final hardstanding.

- 1.7 The development is necessary for the applicants proposed use of grazing and exercise of horses, agricultural and ecological improvement and landscaping and this will improve the visual amenity of the land which is barren and untidy at present.
- 1.8 The application proposes to create a level area which will be used for the grazing of horses and a timber clad stable block, see plan BEL/BR/06 This will include a yard area and parking.
- 1.9 The land will be raised to a level of approximately 60 to 62m AOD to tie in to the level to the west alongside Barnsley Road. This will involve recovering the material that has been placed on site and then raising the land back to a level up to a maximum of 4.5m at the lower end to create a level area.
- 1.10 The applicant states that he anticipates that the filling operations would take approximately 6 months to be completed which would generate a maximum of 20 lorries arriving per day with soils and excavation material. The proposed times of operation would be 8am to 5pm Monday to Friday and 8am to 12 noon on Saturdays with no works on Sundays or Bank Holidays. The maximum of 20 loads per day is required as the availability of suitable materials can not always be guaranteed and therefore there may be times when vehicle movements will be much lower.
- 1.11 The infill material to be used on site will be derived from a number of locally based construction projects and the fines from the existing site. This material will be sorted and screened at their own facilities to recover any reusable element including recycling of brick and concrete for secondary aggregate which would be used in the construction of the roads and parking in the site.
- 1.12 The scheme, once completed will be an attractive area of land with a beneficial after use compared with the untidy, steeply sloping and uneven area which exists at present. The boundary hedgerows will be reinstated where gaps exist and improved in the final restoration of this land.
- 1.13 The site is located partly within a flood zone on the Environment Agency Map and therefore a flood risk assessment has been produced by Fennell Green and Bates to accompany this application. The area is outwith of the flood zone according to the survey levels.
- 1.14 Due to previous tipping which has occurred on site, a Phase 1 contamination audit has also been produced and will accompany this application.
- 1.15 Recovery of this previously tipped material is essential for the overall restoration of the site. There is no recorded evidence to what has been tipped and it is likely that it would be contaminated and would therefore not be a danger for the intended use of keeping of livestock if recovered and covered with topsoil.
- 1.16 Blocks of concrete, kerbstones, flags and tarmac are visible and exposed over parts of the site and this material needs to be recovered and some of which could be crushed and used as secondary aggregate and used for the access into the site which would be a

sustainable use of this material. Any contaminated material come across during excavations will be removed off site and disposed of appropriately.

## **2.0 The Site and Location**

- 2.1 Darton lies near to the River Dearne, directly to the east of Kexbrough, and 5 miles (8 km) north of Barnsley. It is served by the A637 road and is bisected by the M1 motorway (junction 38 being a mile to the north).
- 2.2 The site is classed as Green Belt in Barnsley Unitary Development Plan. The site is an unused area of unkept land which has been used historically as an inert tipping site by the Council and is therefore devoid of any topsoil in certain areas and has limited potential at present for agricultural use.
- 2.3 The area of the site is approximately 0.75 Hectares and falls from east to west from approximately 62m AOD to 57m at the lower end and at present it is unsuitable for any use and has been neglected for many years as it is hazardous underfoot and supports no vegetation suitable for grazing.
- 2.4 Land to the east, which is a flat field is used for the keeping and grazing of horses and to the south there exists another stable block and small holding.
- 2.5 The site is well situated for the main road network. The site will be accessed from the A637 Barnsley Road and is approximately 1 mile to the M1 motorway. The access onto the site was sufficient for Barnsley Council to use the site for tipping.

## **3.0 The Proposal**

- 3.1 The land is currently poor quality land which is hindered by steep slopes, and previous tipping which has occurred whilst the Local Authority were carrying out road repairs or improvements and there is a lack of core soils. Large blocks of concrete and rubber exist at the surface.
- 3.2 The proposal is to improve the application site to provide a field with a fall of 1 in 80 from west to east suitable for agricultural use to provide quality grazing land and stables.
- 3.3 The proposals make practical use of inert waste, would improve the quality of the land and with the landscaping proposed would not be detrimental to the rural character of the area. The proposal would bring back into use 0.75 hectares of land for agricultural use and predominantly grazing land for horses and other livestock.
- 3.4 The site will require approximately 6,400 cubic metres of material to bring the levels of the land to the level at Barnsley Road.

- 3.5 The existing site access will be retained and improved to the Local Authority's requirements. The entrance to the site will be sealed with tarmacadam from the public highway and all internal roads will be constructed using clean crushed hardcore.
- 3.6 The site will drain from west to east at a fall of 1 in 80 and the banking will fall at approximately 1 in 1.7 towards the stream at the back of the site. The site will be secured with a post and rail fencing at the top of the banking. This fall will allow surface water to drain towards the stream at a more controlled rate than exists at present.
- 3.7 Existing tree line along western boundary, overlooking Barnsley Road is to be retained and improved where necessary. Sections of this hedgerow will be reinstated which will screen the site completely from the nearest properties to the west which overlook the site and will screen the proposed stable block. Further tree planting is proposed to be along the bank to the eastern edge of the site.
- 3.8 Please refer to drawing number BEL/BR/06 for details of the proposed stables and construction details.

#### **4.0 Working Method**

- 4.1 Prior to the importation of any fill materials, any topsoil and subsoil will be recovered and stored on site for use in the restoration, however there does not appear to be any. It is unlikely that there will be any soils that can be stripped due to previous activity but some soils could be screened out from previously tipped material. The applicant is unsure whether the Council tipped directly on the field so topsoil could exist at the base.
- 4.2 The existing fill material will be extracted and screened on site and any coarse material which has previously been tipped will be removed from site and recycled at Braithwaites own facility.
- 4.3 The site will be worked in two phases working from west to east. A temporary internal haul road will be constructed using recycled aggregate in the first phase and previously tipped material will be dug out and screened so as not to cart soil away, only coarse material.
- 4.4 The inert fill material will be brought into site in 6 and 8 wheeled tipper trucks and tipped out in dumps and these dumps will be pushed out in layers to lay the material out to the extremities of the tipping area. Material will continue to be brought in until the site has been formed in accordance with the proposed infill design shown on plan BEL/BR-04. The material is fit for purpose and if compacted in layers will provide a solid base for the proposed improved agricultural use.
- 4.5 The infill material would be covered progressively with soils and the site will be graded to a sloping contour if 1:80 towards the stream. The areas to be kept as grazing land will be seeded with a grass/clover mix to be agreed with the Council's landscape officer.

## 5.0 Policy Issues

National and local policies on waste will need to be considered with this application due to the need for infill material to raise the land to provide a suitable end use for the site as a stable block with additional grazing land. The proposal is to use inert material that would otherwise be classed as waste or engineering material to bring land back to a beneficial use. The coarse material will be taken away and recycled for secondary aggregate or re-use.

### 5.1 National Policy

#### Planning Policy Statement 10

National policy on waste which is most relevant to this particular proposal is found in PPS 10 'Planning and Waste Management' (2005) which provides policy guidance on waste management.

#### 5.2 The waste hierarchy is:

- Reduction
- Re-use
- Recovery (recycling, composting and energy recovery)
- Disposal

5.3 This proposal will involve using locally sourced inert materials from construction projects. The material from this process has to be disposed of somewhere and this proposal would see the inert material destined for disposal and would be moved up the waste hierarchy and reused in this scheme as a beneficial use for the agricultural improvement of the land.

5.4 The proximity principle requires waste to be managed as near as possible to its place of production because the transportation of waste has an environmental impact. The applicant is a manager in Braithwaite Excavations who are involved in construction and demolition projects local to the application site so any infill material will be sourced from the suitable sites which are closest to the Darton area.

5.5 Annex A, of PPS 10 considers the future need for landfill development in the UK. The guidance states that although in the interests of sustainable development, alternative forms of waste management must be used to deal with waste, which this application proposes.

5.6 This application will use recovered materials from construction projects in the region and on this land. It therefore does not prejudice movement up the waste hierarchy and is putting these materials to a beneficial end use rather than ending up as landfill. This application will be in accordance with the key planning objectives in PPS10 to improve the agricultural condition of the land at Barnsley Road for its end use as a stable block and grazing land.

## 5.7 PPG 2 – Green Belts

### The use of land in Green Belts

#### The essential characteristic of Green Belts is

Once Green Belts have been defined, the use of land in them has a positive role to play in fulfilling the following objectives:

- to provide opportunities for access to the open countryside for the urban population;
- to provide opportunities for outdoor sport and outdoor recreation near urban areas;
- to retain attractive landscapes, and enhance landscapes, near to where people live;
- to improve damaged and derelict land around towns;
- to secure nature conservation interest; and
- to retain land in agricultural, forestry and related uses.

5.8 This proposal will be in accordance with PPG2 on the use of land in green belt as it will fulfil most of these objectives which are set out in PPG2. The proposal will improve damaged land and will provide opportunities for outdoor sport and will improve the attractiveness of the land which is untidy and unattractive at present.

5.9 The proposed stable block will be built in wood and have a traditional timber roof which will be in keeping with the area and the green belt and the proposal is adjacent to a stable yard to the east.

## 5.10 Local Policy

### 5.11 POLICY ES1

***The council will refuse proposals for development which are likely to result in harm to the environment through excessive levels of pollution arising either within the site to be developed or occasioned elsewhere by the proposed development. The council will in particular resist development which is likely to result in housing, schools, hospitals or other sensitive land uses being subjected to excessive levels of air, noise or other pollution. Where development is permitted the council will seek to ensure that resulting pollution is avoided or minimised.***

The proposal may generate elevated levels of noise whilst the filling operations are being undertaken but this will be for a short timescale only. As stated in the sections on Noise and Dust working will be suspended in times of adverse weather conditions. All best considered techniques and standards will be followed with regards to pollution. The proposal is for an operational period of 6 months from starting on site and the land will be restored to an attractive and beneficial after use of agricultural land for grazing horses and a stable block. A screen will be required initially to screen out any coarse material which exists on site but the times of use will need to be agreed with the LPA but will be within working hours.

#### 5.12 **POLICY GS7**

*Without prejudice and subject to the application of policies GS8, GS8a, GS8b, GS8c, GS8d, GS8e and GS9 in this plan, development within the green belt will not be permitted unless it maintains the openness of, and does not conflict with the purposes of including land in, the green belt.*

The land will be reinstated after the 12 months land improvement scheme and therefore does not conflict with Policy GS7. It will provide an open area for the exercise and grazing of horses and will not affect the openness of the greenbelt being a sports use. Other livestock can be kept such as chickens, sheep or goats.

#### 5.13 **POLICY GS9**

*Development within the green belt, or conspicuous from it, should not by reason of its siting, materials or design result in significant harm to the visual amenity of the green belt.*

The proposal is for agricultural improvement of the land with the construction of a stable block for the keeping and grazing of horses and therefore would not result in significant harm to the visual amenity of the green belt.

#### 5.14 **POLICY GS14**

*The council will continue to encourage and assist farmers and land owners to conserve and improve the landscape. Where opportunities arise, resources will be concentrated on areas of relatively poor landscape outside borough landscape value areas.*

This proposal will bring agricultural, and ecological improvement on an untidy and unattractive piece of land which is unfit for agricultural use due to previous tipping which has occurred on the land. The land will be reinstated to good quality grazing land for horses with stable block.

#### 5.15 **Waste disposal policies**

Because this proposal involves the importation of inert soil material, waste disposal policies are relevant to this application.

#### 5.16 **POLICY WD2**

*In order to minimise the need for waste disposal sites and facilities, the council will seek to minimise waste generation and to achieve the maximum amount of re-use and recycling of potential waste materials.*

This proposal will reuse inert waste materials to maximum benefit for agricultural improvement to an equestrian use. This waste would end up in landfill if it were not re-

used. The proposal will screen any material which is suitable for recycling and utilise this in the construction of internal road for the duration of the infilling scheme and recover suitable building materials.

### **5.17 POLICY WD3**

*Proposals for waste disposal sites and facilities will be considered on their merits, and the environmental acceptability of such proposals will be assessed with regard to the following:*

- A) *The effect on local amenity based on an assessment of visual impact, dust, fumes, noise and other potential disturbance, taking into account screening and other protective measures, which are available.*
- B) *The likely duration of tipping*
- C) *The proposed final appearance and landform of the site*
- D) *The effect on the natural and built environment*
- E) *The effect on agricultural land*

*These effects shall be demonstrated wherever appropriate by the preparation of an environmental statement. Planning permission will not be granted where there is significant and unavoidable damage to the environment resulting from any of the factors identified above.*

This proposal is of a temporary nature at 6 months so any impacts, if any, will be temporary and will benefit the final appearance of the land and will improve the agricultural value. With best practice employed on site, the effect on the local amenity with regards to dust and noise will be minimal and will be in accordance with MPS 2 Annex 1 and Annex 2.

## **6.0 Dust and Mud on the Road**

- 6.1 The following measures will need to be implemented to avoid the possibility of dust nuisance becoming an issue for this proposal and minimising the possibility of mud and debris leaving the site and onto the public highway.

### *Practical Actions*

- 6.2 The operator shall appoint a responsible person for dealing with environmental issues on the site. The Site Manager will keep a daily log of the weather conditions, including the direction of the prevailing wind with a brief description of its type, i.e. gentle, breeze, moderate, strong or gale force. This log will include any complaints received, with a record of any investigations carried out and changes to the working practices on that day. The log will be available for inspection on the site
- 6.3 In the event that the wind is blowing towards any sensitive properties, the responsible person, identified above, shall satisfy himself that the control measures are adequate. If the control measures are insufficient to prevent dust blow from the operations to the sensitive locations, the filling operations shall cease until the weather conditions improve. Most

prevailing winds are south westerlies which will take any dust blow in a north easterly direction and therefore away from any dust sensitive receptors on Barnsley Road.

- 6.4 Should it be considered necessary, a wheel spinner will be installed to remove excess mud and debris from the wheels of vehicles leaving the site. All vehicles will pass over this until all mud is removed and due to the length of the access road, this should be sufficient to remove all mud and debris from the wheels prior to the vehicles exiting the site and on to Barnsley Road and on to the main road network.
- 6.5 The haul road shall be dampened when necessary using a water bowser and when necessary the road on Barnsley Road (A637) outside the site entrance will be dampened and brushed.
- 6.6 Upward pointing exhausts will be used on all mobile plant which is used on site. Speed restrictions of 15mph will be enforced on all vehicles moving on site and on the haul road.
- 6.7 Any complaints of dust nuisance will be recorded and if these continue to occur, dust monitoring will be undertaken at the sensitive locations using directional dust deposition gauges. This will be undertaken by the Site Manager employed by Braithwaite Excavations.
- 6.8 The operator will use agreed wet cleaning methods or mechanical road sweepers on all roads during periods of dry weather.
- 6.9 The operator will ensure that a water bowser is kept on site whenever plant is operational and will ensure that all high activity areas such as internal roads can be dampened when necessary.
- 6.10 The operator will clean road edges and pavements using agreed wet cleaning methods such as manual sweeping if necessary.
- 6.11 Where stockpiles of coarse material are stored they must be kept wet and suitably profiled to minimise dust emissions, according to weather conditions.
- 6.12 It is recommended that any water make from the site is stored and used in periods of dry weather to suppress any potential for dust. There is no water supply on site but a storage tank will be located at the site for when water is required. A bowser can be brought from the applicants yard if need be.
- 6.13 In the event that the wind is blowing towards any sensitive properties, the responsible person shall satisfy himself that the control measures are adequate. If the control measures are insufficient to prevent dust blow from the operations to the sensitive locations, the capping operations shall cease until the conditions improve.

## 7.0 Noise

- 7.1 The purpose of this section is to ensure that disturbance due to noise and vibration arising from the proposal is kept to an acceptable level and is in accordance with government guidance on noise.

### *General Requirements for Noise and Control*

- 7.2 Compliance with BS 5228 'Noise Control on Construction and Open Sites' is expected as a minimum standard. In all instances where alternative working methods exist, the minimisation of noise and vibration shall be a prime consideration in the choice of technique and equipment used.
- 7.3 Construction noise generated during the development phase is assessed using the methodology of BS 5228 - Part 1:1997 '*Noise and Vibration Control on Construction and Open Sites*' which contains guidance on the prediction of noise levels at sensitive receptors from the operation of fixed and mobile noise sources found on construction and other open sites.
- 7.4 The operators, Braithwaite Excavations, will be held responsible for ensuring that all plant and equipment, including any which may be on hire, is well maintained, properly silenced and used in accordance with the manufacturer's instructions as required by the above British Standard.

### *Good Site Practice*

- 7.5 Good site practice and noise management can considerably reduce the noise impact from construction site activities on nearby sensitive receptors. The following measures will be followed by the operators.
- Only well maintained plant will be operated on site and will be serviced regularly during the restoration works
  - Machines and plant that maybe in intermittent use will be shut down between periods.
  - Silencers or mufflers will be utilised and will be properly maintained during the remediation works.
  - *Mobile plant will be sited as far away from sensitive receptors as possible.*
- 7.6 Minerals Policy Statement (MPS) 2 (Reference 1) is the latest Government advice applicable to the control of noise from minerals waste recycling operations in England and recommends the setting of absolute values for noise limits, linked to daytime, evening and night-time working periods, defined as 07:00 - 19:00 hours, 19:00 - 22:00 hours and 22:00 - 07:00 respectively. Other guidance is the Control of Dust and Emissions from *Construction and Demolition sites* published by The Mayor of London.
- 7.7 Subject to a maximum of 55 dB  $L_{Aeq, 1h}$  (free field), Mineral Planning Authorities (MPAs) should aim to establish a noise limit at the noise sensitive property that does not exceed the background level by more than 10 dB(A).

- 7.8 It is recognised, however, in MPS 2 that this will in many circumstances be difficult to achieve without imposing unreasonable burdens on the operator. In such cases the limit should be as near to that level as practicable during normal working hours (07:00 - 19:00) and should not exceed 55 dB(A)  $L_{Aeq\ 1h}$  (free field).

## **8.0 Vehicular Movement and Control**

- 8.1 The number of vehicles bringing material to the site will be kept to a minimum to ensure the operator maintains a steady output. It is estimated that no more than 40 vehicle movements per day will be involved, (20 in, 20 out). The transport route will be agreed with the MPA. This is a maximum figure and it is likely that vehicle movements will be less throughout the duration of the scheme but this is a maximum that may be required dependant on the availability of suitable materials.
- 8.2 It is anticipated that the scheme will be completed in 6 months and the average wagon movements will be four per hour.
- 8.3 The site will have easy access out of Darton on the A637 Barnsley Road and the site is within 1 mile of Junction 38 of the M1 and it is also near to Braithwaite Excavations yard in Barugh Green.
- 8.4 The access will be improved with a temporary hardcore surface for the remediation works and will eventually be sealed with tarmac once the works are completed.
- 8.5 All vehicles entering the site with material to be deposited will be sheeted, the access road into the site will comprise hard standing, and this will be retained for the duration of the operations.
- 8.6 **Policy WD4 of the Barnsley UDP states:**  
**The following transportation criteria will be taken into account in consideration of planning applications for waste disposal**
- A) The effect which traffic generated by the proposed waste disposal will have on road safety, property and the amenities of the people living in the vicinity of the development, or along the transportation routes to be used**
  - B) The degree to which alternative transport modes can be used to minimise traffic disturbance**
- 8.7 Waste disposal sites and facilities generate volumes of road traffic. Good location and acceptable access to a major highway are important elements in a site. Proper management of vehicles, the site and loading are essential to prevent nuisances and the deposit of material on adjacent roads.
- 8.8 The site has good access to the major road network and therefore the impact on traffic will be minimal. The proposal for a maximum of 40 movements (20 in, 20 out) for a 6 month

period will be easily accommodate this extra traffic and therefore it is not anticipated any issues arising with regards to traffic.

## **9.0 Conclusions of the Proposal**

- 9.1 This proposal is in accordance with all recycling and waste policies with regards to the reuse of waste materials and their movement. This scheme encourages the use of waste for a use other than landfill. The policy of reducing landfill by reuse recycling and reduction is aimed at municipal and commercial waste.
- 9.2 The completed scheme will not detract from the landscape and as it is agricultural land improvement by filling and remediation it is likely to be in the Green Belt. Agricultural improvement or reprofiling is not in conflict with green belt. The construction of a stable block is in keeping with green belt policy as it provides an opportunity for outdoor recreation and other uses which preserves the openness of the green belt in accordance with PPG2.
- 9.3 The scheme enhances biodiversity in accordance with PPS 9. It recovers, recycles and reuses waste for a beneficial use of agricultural land. The grazing land will be planted up with a mix of species to enhance biodiversity and further tree planting will take place to improve the existing tree line and a hedgerow to the east will also be improved.
- 9.4 The scheme will not result in significant harm to visual amenity of the area, albeit there will be some effect over a short period of time until the proposal is completed but the long term benefits will outweigh any short term negative impacts in accordance with policy GS9 of the UDP. The visual amenity of the land is not attractive at present and will be improved for long term benefits.
- 9.5 The road network can accommodate the additional traffic movements as it equates to two in and two out per hour. The site is ideally situated for access straight onto a major A road and is only approximately one mile from the M1 motorway. The scheme is therefore in accordance with policy T2 of the UDP. The applicants will use locally sourced materials for this proposal and this will minimise the distances which the infill material needs to travel for disposal.
- 9.6 This proposal is in accordance with Policy WD2 of the Barnsley UDP as it will reuse inert waste materials to maximum benefit for agricultural improvement. This waste would end up in landfill if it were not re-used. The proposal will screen any material which is suitable for recycling and utilise this in the construction of internal haul road for the duration of the infilling scheme.
- 9.7 The scheme, once completed will create an attractive area of land with a beneficial after use compared with the untidy, steeply sloping and uneven area which exists at present. The boundary hedgerows will be reinstated where gaps exist and improved in the final restoration of this land. The scheme will be in accordance with local and national green belt policy and will be in keeping with the local area of grazing land for horses.