

29 May 2024

Planning Development Management  
PO Box 634  
Barnsley  
S70 9GG



Dear Sir/Madam

## **Planning Application for the installation of Ferric Dosing Kiosk at Ingbirchworth Sewage Treatment Works**

**Ingbirchworth Sewage Treatment Works, Huddersfield Road, Ingbirchworth, Sheffield, S36 7GQ**

Ove Arup & Partners Ltd ('Arup') has been instructed to prepare and submit this planning application to Barnsley Metropolitan Borough Council ('Barnsley Council') on behalf of Yorkshire Water Services Limited ('Yorkshire Water') for the installation of a Ferric Dosing Kiosk at Ingbirchworth Sewage Treatment Works (STW), Huddersfield Road, Sheffield, S36 7GF.

This submission is supported by the documents and plans listed below which form the Planning Application:

- Application Form;
- Preliminary Ecological Appraisal;
- BNG Metric;
- Location Plan (ING01 BND WWT WWT DR C 1000);
- Site Plan (ING01 BND WWT WWT DR C 1001); and
- Elevation Plan (ING01 BND WWT WWT DR C 1003).



### **Site location**

The site is located within the existing operational land, under the ownership of Yorkshire Water, within Ingbirchworth STW, shown on Figure 1 below. The STW is accessed by the current entrance off Huddersfield Road (A629) to the north of the site which is regularly used for routine maintenance at the STW.

**Figure 1: Site Layout Plan**

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The STW is situated below the access track which slopes down southwards to the site. An established tree belt is located along the site's eastern and southern boundary. The northern boundary of the site is populated by an established tree belt and drystone wall, which separates the site from the highway edge. The site's western boundary comprises a private access road which leads to a farm to the south of the STW. The entirety of the STW is enclosed within a parameter fence.

### Principle of the Development

The development is being sought in response to the Government's publication of the Water Industry National Environment Programme (WINEP)<sup>1</sup>. The WINEP includes legal requirements for Statutory Water and Sewerage Undertakers, which includes Yorkshire Water, to improve pollution

<sup>1</sup> <https://www.gov.uk/government/publications/developing-the-environmental-resilience-and-flood-risk-actions-for-the-price-review-2024/water-industry-national-environment-programme-winep-methodology>

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controls within rivers and other Water Bodies. In response, Yorkshire Water is bringing forward this application (amongst others across the region) to achieve compliance with environmental regulations. Ingbirchworth STW has been identified as requiring immediate works under the WINEP to improve the quality of discharge entering Scout Dike Beck. The requirement is to reduce levels of Total Phosphorous and Total Iron entering the watercourse.

As a result, the scheme will seek to improve the quality of the water it discharges into Scout Dike Beck and will lead to improved water quality within the local aquatic environment.

### Scheme Description

To achieve compliance, new equipment is to be installed. The Scheme as a whole can be broken down into two elements:

- **Permitted Development:** elements of the scheme that are subject to the permitted development rights afforded to sewerage undertakers which do not need planning approval from Barnsley Council; and
- **Planning Application:** elements of the scheme that do require formal planning approval from Barnsley Council.

In total the works being undertaken at Ingbirchworth STW consist of:

- Installation of Ferric Dosing Kiosk (4 m (H) x 9.1 m (L) x 4 m (W));
- Installation of a Safety Shower measuring 3 m (H) x 1 m (L) x 1 m (W);
- Installation of associated infrastructure (consisting of underground pipework);
- Improvement to private access road; and
- Use of land for a temporary construction compound including laying of hardstanding to allow vehicles to park.

### Permitted Development

Yorkshire Water, as a sewerage undertaker benefits from Permitted Development rights contained within Schedule 2, Part 13, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (*'the GPDO'* hereafter). In addition, Yorkshire Water will be undertaking other works that also benefit from general Permitted Development rights. The other rights relevant to the works are Schedule 2, Part 4, Class A and Schedule 2, Part 9, Class E. Those works which fall under the classification of permitted development under Schedule 2, have been noted below with the corresponding section Class.

Those elements that are permitted development are not subject to this application and are not discussed further within this document.

#### Schedule 2, Part 13, Class B(a)

Class B(a) permits *'development not above ground level required in connection with the provision, improvement, maintenance or repair of a sewer, outfall pipe, sludge main or associated apparatus.'*

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It is considered that the following scheme elements benefit from permitted development rights under Schedule 2, Part 13, Class B(a) as they are located below ground and are required as part of the proposed improvement works being delivered by the scheme:

- Installation of associated infrastructure (consisting of underground pipework).

#### Schedule 2, Part 13, Class B(f)

Class B(f) permits “*any other development in, on, over or under their operational land, other than the provision of a building but including the extension or alteration of a building.*”

It is considered that the following scheme elements benefit from permitted development rights under Schedule 2, Part 13, Class B(f) as the land under the ownership of YWS is operational land and the works are below 15 m in height:

- Installation of a Safety Shower.

#### Schedule 2, Part 4, Class A

Class A permits ‘*The provision on land of buildings, moveable structures, works, plant or machinery required temporarily in connection with and for the duration of operations being or to be carried out on, in, under or over that land or on land adjoining that land.*’

It is considered that the construction compound, which will be located within the existing STW boundary and to the land immediately to the west of the STW, will fall under Class A. For the land outside of the STW, MOT Type 1 material will be used to reinforce the ground to allow vehicles to park. A fence panel is to be temporarily removed on the western boundary of the STW to allow workers to travel on foot (only) between the carparks and the STW. All construction delivery vehicle movements will continue to use the existing STW site access from Huddersfield Road. Following completion of the works the fence panel will be reinstated and the MOT Type 1 material used for the compound will be removed.

#### Schedule 2, Part 9, Class E

Class E permits ‘*The carrying out on land within the boundaries of an unadopted street or private way of works required for the maintenance or improvement of the street or way.*’

It is considered that that improvement to the existing private way of access, which runs immediately adjacent to the west boundary of the STW, benefits from permitted development rights. It is the intention to use MOT Type 1 to repair and reinforce the existing access (no additional widening of the road will take place) on behalf of the landowner with whom Yorkshire Water have entered an agreement. Following the removal of the construction compound YWS will no longer require use of the road.

### Planning Application

Those works which do not benefit from permitted development rights are the subject of this planning application. The application is therefore seeking permission for:

- **Installation of a Ferric Dosing Kiosk**, the kiosk is made from Single Skin Glass Reinforced Plastic (GRP) Laminates and coloured dark green (BS 4800 14C 39) in order to reduce any visual

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impact on the surrounding area. Please refer to drawing ING01-BNE-WWT-WWT-DR-C-1003 for more details on the kiosk.

## Policy Review

### Barnsley Local Plan (Adopted January 2019)

Barnsley Metropolitan Borough Council is the Local Planning Authority for Ingbirchworth. Therefore, the proposed development has been assessed against Barnsley Local Plan (adopted January 2019) which will guide development up to 2033. From a review of the Local Plan and the Joint Waste Plan the site falls under a number of policy areas. These are:

- Policy GB1, the site falls within an area designated as Green Belt; and
- Policy BIO1, the site is immediately adjacent to Scout Dike Reservoir (a site recognised as having local biodiversity and/or geological value).

### Joint Waste Plan (adopted March 2012)

Barnsley Metropolitan Borough Council is also the Minerals and Waste Authority covering Ingbirchworth. In March 2012 the Council, along with Doncaster City Council and Rotherham Borough Council, adopted the Joint Waste Plan, which has also been considered against the site.

- Policy WCS4, the proposal relates to waste development on a non-allocated site.

### Green Belt

Policy GB1 (Protection of Green Belt) aligns the Council's policy in accordance with that of the National Planning Policy Framework (NPPF). Chapter 13 of the NPPF, Protecting Green Belt and, identifies the purpose of the Green Belt and also how to assess applications which affect the Green Belt. While Local Authorities should regard the construction of new buildings in the Green Belt as inappropriate, Paragraph 154 provides a list of exceptions. Paragraph 154 part (g) states that an exceptional use is:

*[the] limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*

- *not have a greater impact on the openness of the Green Belt than the existing development; or*
- *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

Regarding the impact of the proposed development on the openness of the Green Belt, there are no additional impacts on any of the five purposes of the Green Belt outlined in paragraph 145 of the NPPF that are not currently existing and would result from the installation of the kiosk. The purposes are defined as:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*

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*d) to preserve the setting and special character of historic towns; and*

*e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

In terms of purposes a, b, and c of the Green Belt, the kiosk is to be located within the existing curtilage of the Ingbirchworth STW. The STW contains a proximity fence that marks its boundary. The kiosk will not result in the expansion of the facility outwards, preventing contributions to either sprawl, the merging of towns, or encroachment into the countryside.

Purpose d refers to the preservation of the setting and special character of historic towns. The village of Ingbirchworth has 9 Grade II listed buildings with the nearest to the site being 200 m to the west (Barn immediately southeast of Broadfield Farmhouse). In addition, there is also 1 Grade II\* listed building which is 375 m west of the site (Barn at Ingfield Farm immediately west of Ings Cottage). Despite the presence of the listed buildings, the kiosk will not impact their setting and that of the wider village. The proposed kiosk has been designed to be similar in size and colour to match the existing works on the site. The design choice enables the kiosk to blend into the surroundings and visually integrate into the existing STW. The kiosk is relatively small in scale compared to existing buildings within the STW and would be set at a low level in relation to the surrounding landscape.

The final purpose, e, relates to the recycling of derelict and other urban land. As previously noted, the kiosk is to be located within the existing Ingbirchworth STW owned and operated by YWS. Both the active site and the neighbouring (east) area are classed as operational land due to the current and former presence of works related to the treatment of wastewater. In addition to the above-ground infrastructure that can be seen on the site, there is also a substantial level of subterranean pipework which connects the different processes together. Consequently, the application accords with purpose e.

Overall, it is considered that the development forms 'limited infilling' which would not result in any further impact on the openness of the Green Belt than what is existing and would therefore be in accordance with Paragraph 154 (g) of the NPPF and Policy GB1.

#### **Very Special Circumstances**

It is also considered that Very Special Circumstances (VSC) would apply for the proposed kiosk. Paragraphs 152 and 153 of the NPPF and Policy GB1 of the Barnsley Local Plan, identify that inappropriate development, by definition, is harmful to the Green Belt except in Very Special Circumstances (VSC). Paragraph 153 in particular notes:

*'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations'.*

The kiosk is essential to enable Yorkshire Water to meet obligations under the WINEP and reduce levels of phosphorous and iron from the treated effluent entering the watercourse. The obligations are site specific, applying to existing STW's, and therefore no other location can be considered for this development. Therefore, the kiosk is required by regulation to be located at the Ingbirchworth STW to integrate into the site's existing facilities and processes to improve water quality that is discharged into the Scout Dike Beck. This in turn will have wider environmental benefits to the

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watercourse, the catchment and to public health, delivering a high-quality and safe service to the surrounding area and population.

### Biodiversity and Ecology

The site is immediately adjacent to Scout Dike Beck which is classed as a Local Wildlife Site within the Local Plan. Under Policy BIO1 (Biodiversity and Geodiversity), the Council will not permit developments which would harm biodiversity or geological feature or habitat unless effective mitigation and/or compensatory measures can be ensured.

The overarching objective of the proposal is to improve the quality of water that is permitted to be discharged from the STW into Scouts Dike Beck. Overall, the intention is to reduce the number of Phosphates and Iron entering the watercourse, leading to downstream water quality improvements.

A Preliminary Ecological Impact Assessment and BNG Metric has been prepared and submitted to support this scheme. The PEA was undertaken for the entirety of the land under the ownership of Yorkshire Water. The summary of the findings of the PEA are listed below:

- No statutory designated sites were identified within 2km. The wider site is located within the IRZ of two SSSI's, however the proposed development is not of a type that requires consultation with Natural England.
- Seven non-statutory designated sites were identified within 2km. One is directly adjacent to the wider site, therefore consultation with the LPA/County Ecologist is recommended to ensure any required mitigation is discussed prior to submission of a planning application.
- The wider site supports a mix of habitats including grassland, woodland, lines of trees, scattered trees and urban habitats. Areas of woodland, lines of trees and scattered trees should be retained where possible. Where the loss of any trees is unavoidable, it is recommended that these are replaced on a 2:1 ratio, using species of local provenance.
- One tree is scheduled to be removed due to the works. This tree has negligible suitability for roosting bats, therefore no further surveys are required of this tree.
- If it is identified that further trees require removal, a detailed bat roost suitability assessment will be required of all trees that are affected. Further surveys of these trees may be required, depending on the outcome of the bat roost suitability assessment.
- Suitable habitat for badger was identified on the wider site, however no signs of badger activity was recorded. Works on site should be completed under a method statement for badgers.
- Suitable habitat for breeding birds was identified on the wider site where possible, any work which is likely to damage a breeding bird nest such as vegetation clearance, should be undertaken outside of the bird nesting season (March to August inclusive). If this is not possible, a nesting bird survey should be undertaken by a suitably qualified ecologist immediately prior to clearance works commencing.
- Works within areas of suitable reptile and amphibian habitat are expected to be limited in scale. However, it is recommended that a precautionary working method statement is adopted during any vegetation clearance in areas of suitable reptile and amphibian habitat.

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While the PEA has identified areas of habitat suitability for badgers and breeding birds, this was in the context of the wider area and outside of the application boundary. However, the methods proposed within the PEA will be followed during construction as precautionary measures.

A BNG report has also been submitted with this application. The findings of the report outline that the site area contains (pre-development) 0.034 habitat units. A scheme to off-set the loss including 10% will be subject to discussions with Barnsley Council.

### Waste Developments

Policy WCS4 (Waste Management Proposals on Non-Allocated Sites) notes that waste proposals may be acceptable in principle in locations such as wastewater / sewage treatment works as long as they meet the following criteria:

- 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 proposed development will provide additional treatment facilities to the existing STW to improve the quality of water discharged from the STW. Due to the scale of the development and the materials chosen, it is not considered that that the development would have an adverse effect on the character of the site or surrounding area. It is therefore considered that the application complies with Policy WCS4 of the Barnsley Local Plan.

### Conclusion

This letter is submitted on behalf of Yorkshire Water in support of a full planning application for the development of a Ferric Dosing Kiosk. The proposed development at Ingbirchworth STW is required to meet Yorkshire Water's regulatory obligations under the Environment Agency's WINEP programme and once complete, will reduce the levels of phosphorous and iron from the treated effluent entering the watercourse via the Scout Dike Beck. This in turn would result in wider local benefits to water quality within the watercourse.

For the reasons set out here and in the supporting application drawings and documentation, the proposed development is considered to be in accordance with all applicable local and national planning policy. It is therefore requested that Barnsley Council grants planning permission for the proposed development.

Yours faithfully

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Sean Smith  
Senior Planner

