



**Growth and Sustainability
Regeneration and Culture
Planning and Building Control**

Sian Hayle
Axis

By email

My Ref: 2024/ENQ/00517
Your Ref:
Date: 31/01/2025
Enquiries Elaine Ward
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Dear Madam

EIA DEVELOPMENT
ENVIRONMENTAL STATEMENT SCOPING OPINION –

Proposed restoration of Yews Quarry

Stairfoot Brickworks, Wombwell Lane, Stairfoot Barnsley

I refer to formal EIA scoping request submitted under Regulation 15 for the EIA Regulations 2017 (as amended).

The application site

The quarry is one of several in the locality with varying degrees of restoration that historically provided material for Stairfoot brickworks. It is of triangular shape, which is steep sided and poorly vegetated on the lower slopes, though young trees and shrubs appeared to be regenerating at the upper levels on top of bedrock where thin soils remain. It has a sloping floor dipping to the southeast with water in the lowest areas. Rear gardens of St Pauls Parade lie close (approx. 15m) to the site which is currently unrestored.

Access would be from Wombwell Lane via an existing access. The site route would run along the boundary of the Stairfoot brickworks site which has recently received planning permission for a glass recycling facility (planning permission 2024/0373). From there the old haul routes would be followed crossing the Trans Pennine Trail (TPT) and national cycle route, travel northeast to reach the disused quarry area. These haul routes have regenerated since the quarries closed and are well vegetated with shrubs and trees which have grown into or overgrown the haul roads since the quarries became disused.

The Trans Pennine Trail, public footpaths 323 and 324 are all within or on the boundary of the site. Elsecar Greenway also runs along the Stairfoot Brickworks. The SSSI Marine Band which lies outside the site to the south and the site lies within the consultation boundary of the Dearne Valley SSSI. Part of a BMBC landfill site is shown as being within the prospective red line boundary and the



haul route would also cross the route of a safeguarded former railway line parallel to the Elsecar Green Way which also follows the TPT at this point.

The site lies within a Coal Authority low risk area and the whole area lies within the Dearne Valley Green Heart Nature Improvement Area where development is expected to enhance Biodiversity.

Site History and background

The site was historically used for quarrying of raw material for the adjacent brickworks. All extraction ceased over 10 years ago, and an investigation of the records indicates that there are no extant planning permissions or approved restoration schemes. As a result, a proposal to carry out any restoration on the site must be dealt with on its own merits and judged against current national and local policies and guidance.

Proposal

The report states that the forthcoming application will be for the restoration of Yew Tree Quarry through the infill of non-hazardous excavated soil materials.

Imported waste material would comprise excavated non-hazardous soils from development sites in the local area. It is estimated that circa 400,000m³ of non-hazardous soil materials would be imported over a period of 111 weeks. This would equate to circa 80 HGV tippers on average per day. As incoming waste material would be sourced on a campaign basis, the number of trips a day would vary with a maximum anticipated of 200 two-way trips (i.e. 100 arrivals + 100 departures). Volumetrically, this would equate to 22 two-way HGVs per hour, on average.

Material would be received 5 days per week, Monday to Friday 07:30 – 16:30. Saturday operations would be limited from 08:00 – 13:00, there would be no vehicle movements during this time.

The Proposed Development would require the construction of a new temporary site compound which would include a wheel wash, parking and welfare facilities.

Material would be placed directly on a phased basis; stockpiling would not be anticipated but unsuitable waste would be removed. Proposed restoration to grassland species and shrub boundary planting.

In accordance with mandatory BNG requirements 10% BNG would be required.

Screening Opinion

A preliminary EIA screening opinion was previously given for a larger area including this site (and Northern Quarry) under pre-application reference 2022/ENQ/00353 on 24th November 2022. The LPA confirmed that the proposal at that time would fall under Schedule 2(11)(b) (ii) of the EIA regulations Installations for the disposal of waste where the area exceeds 0.5 ha and would require an EIA. The indicative threshold criteria indicates that EIA is required where new capacity is created to hold more than 50,000 tpa, however, it goes to state that sites seeking to accept only inert wastes (demolition rubble etc) are unlikely to require EIA.

The applicant indicates that the current proposal, whilst smaller at 4.7 ha would still give rise to a variety of similar environmental effects and it is on this basis that the applicant is preparing an Environmental Statement.

Formal Scoping Opinion

An Environmental Statement Scoping Report dated December 2024 reference 3263-01-ESSR has been received from Axis on behalf of Green Earth Developments Group in connection with the above proposed development to support the request for a “scoping opinion” for an Environmental Statement which is scheduled to accompany a future planning application.

Para 1.3.3 of the report states that the parent company of the applicant company intends to establish a Stairfoot Habitat Bank and is progressing towards this via a conservation covenant, anticipating commencement of trading of offset units in January 2025. At the time of writing this has not yet come to fruition, and it is unclear if the Habitat Bank would include the application site and what the implications of this might be for any future planning application.

In accordance with Para 15(6) of the regulations, before adopting the scoping opinion the authority has taken into account the following:

- (a) any information provided by the applicant about the proposed development.
- (b) the specific characteristics of the particular development.
- (c) the specific characteristics of development of the type concerned; and
- (d) the environmental features likely to be significantly affected by the development.

1. The Council agrees that the generic methodology set out in Section 4 of the report is appropriate for presenting the information within the ES, as is the method of determining significance of effects, mitigation, residual effects, cumulative effects, major accidents, climate change, and indirect effects.
2. Section 5 of the report proposes that the following topics should be specifically addressed in the Environmental Statement. These are:
 - a. Noise
 - b. Transport and Access
 - c. Ecology and Biodiversity

It is agreed that the scope of topics listed above in the scoping report should be included within the Environmental Statement (ES) which is scheduled to accompany the planning application.

However, based on comments from the Environment Agency, it is considered that a **full assessment of the geology, hydrogeology, hydrology, and ground conditions on and at adjacent areas to the site should also be included in the ES.**

3. The following agreed scoped out topics would therefore include:
 - a. Landscape and Visual Impact
 - b. Air Quality
 - c. Heritage and Archaeology
 - d. Major incidents and disasters
 - e. Population, human health and climate change

Whilst it is agreed that these topics can be scoped out of the ES, they should nevertheless be addressed elsewhere in the planning application where appropriate.

4. A number of internal and external consultees were contacted in order to seek their views on the scope of the Environmental Statement. The consultation responses received have been appended to the email and should help inform the preparation of your Environmental Statement and any future planning application.

This letter represents the Council's "scoping opinion" based on the information provided in the Environmental Statement Scoping Report dated December 2024 reference 3263-01-ESSR. The contents of this letter, including the comments from consultees, should be taken into account when preparing the version of the Environmental Statement to accompany any future the planning application and/or inform the preparation of other application documents.

Any additional comments from consultees subsequently received will be forwarded on to you and should be taken into account when preparing the planning application and Environmental Statement. The Council reserves the right to request further information if it is deemed appropriate.

I trust this information will be of assistance to you.

Yours sincerely



For and on behalf of:
Garry Hildersley
Head of Planning and Building Control
www.barnsley.gov.uk/developmentmanagement

The authority reserves the right to request additional information in accordance with para 15(9) of the Regulations.

Appendices below.

Comments on future application –

The Council's comments in relation to the restoration of Yew Tree Quarry by landfill of remain unchanged from the earlier screening opinion reference 2022/ENQ/00353 on 24th November 2022 which is appended to the email. The following additional comments are also pertinent.

1. Previous advice given stated that there would be no objection on biodiversity grounds *in principle*, to the Yew Tree Quarry only having some minimal low-level restoration. With an appropriate mitigation scheme, Biodiversity Net Gain is likely to be achieved. However, there are significant concerns regarding the loss of woodland and scrub to enable access to the Yew Tree Quarry site, which is proposed for restoration to grassland species and shrub boundary planting only. The applicant needs to ensure the mitigation hierarchy (avoid, mitigate and compensate) and policy BIO1 are adhered to.
2. Evidence should be provided to indicate what alternatives to landfill have been investigated for this site and why minimal intervention or low-level restoration as previously suggested would not be successful in the restoration of the site to grassland and scrub as proposed which would result in the same biodiversity net gain.
3. The proposal is to restore the site by landfill. The Waste Management Plan for England 2021 identifies that landfill is the worst option in the waste hierarchy and efforts should be made to move waste up the hierarchy. The proposal should
 - a. identify what other alternatives to restoring the quarry have been investigated and
 - b. justify why these have been discarded and why the waste material cannot be otherwise utilised than by landfill. and
 - c. to what degree the proposal accords with the waste hierarchy.
4. Barnsley Doncaster and Rotherham Joint Waste Plan (JWP) has no need for any additional landfill capacity for the Plan Period in the Joint Waste Plan area which covers the majority of south Yorkshire. The lack of need in the JWP would indicate the waste would not be local which conflicts with modern waste policy and the proximity principle. Statements from the adopted Joint Waste Plan include: -
 - The bulk of construction, demolition and excavation waste will continue to be managed on site close to where it arises.
 - Our existing landfill sites have sufficient capacity to dispose of inert construction, demolition and excavation waste during the plan period.
 - The application should be clear on the source of the waste.
5. Impact on residential amenity as a result of earthworks operations over a period of 111 weeks is also of concern despite any noise and dust mitigation measures. This would especially be the case when levels are close to, at, or above the surrounding ground levels. Post completion, the surcharged levels of the site would create bunds to the rear of the dwellings several metres high, affecting outlook.
6. Policy- Any application will be considered against National Policies and Guidance in the NPPF and NPPG, and relevant Development Plan Policies

which include Local Plan, Joint Waste Plan and adopted supplementary planning documents. It is considered that the proposal is currently in conflict with a number of policies and documents which should be addressed in any future planning application.

Appendix 2

Summary of Consultation Responses received to date.

Biodiversity – the site lies within the SSSI buffer zone for the Dearne Valley Wetlands SSSI. The proposal is not in compliance with the Local Plan policy BIO1 in that it does not conserve or enhance deciduous woodland priority habitat within the site or on the proposed access route or the open mosaic habitat on previously developed land identified on the Government MAGIC website. More detail should be submitted for the 2023 surveys in the ecology and biodiversity section of the ES with updated surveys where necessary. The applicant should consider whether the application is subject to the Biodiversity Gain condition and the requirement to submit a biodiversity gain plan and metric.

British Horse Society

Mitigation measures are required to address the impact that large numbers of HGV's crossing the crossing the TPT will have in the many horse riders that use it. Mitigation request includes horse box parking area.

Contaminated Land – please contact John Scott on 01226 772456 for information on Council landfill sites adjacent to the application site. JohnScott@barnsley.gov.uk

Environment Agency – the EA should include a full assessment of geology, hydrology and ground conditions on site and at adjacent areas. The potential risk to the development from landfill gas should be assessed. The Ecological assessment should include impacts in the context of landscape scale habitat connectivity along watercourses. Ponds should also be in scope. Grass snake, a BAP species, has been confirmed on site.

Highways

A Transport Assessment and Travel Plan are required. A delivery management plan is required with particular emphasis on conflict between HGV users and PROW and bridleways, phasing of deliveries and departures, abnormal loads etc. A construction management plan would also be required, as would a highway condition survey.

Health and Safety Executive – no need to consult HSE with respect to hazardous substances, safeguarding zone for explosives or consultation zone for major accident hazard pipelines.

Natural England - requires a robust assessment of environmental impacts and opportunities based on relevant and up to date environmental information. Natural England's consultation provides advice on the scope of the Environmental Impact Assessment (EIA) for the proposed development.

Pollution Control - Noise impacts have the potential to have a severe effect on residential amenity, conditions proposed.

Sheffield Area Geology Trust – no objection in principle. The application should include information and assessment of geology.

South Yorkshire Mining Advisory Service (SYMAS)

The site is not in a Coal Authority Coal Mining Referral area and a coal mining risk assessment is not required. However, SYMAS estimates the importation of 400,000 m³ of material appears excessive for the void volume and requires final landscape

drawings and sections supported by volume calculations., together with details of drainage infrastructure and management and maintenance responsibilities.

The Coal Authority (Mining Remediation Authority) - the site falls within a Low-Risk Area and there are therefore no specific comments.

Trans Pennine Trail/SUSTRANS – Early discussions should take place to manage the works which will require vehicles to cross the Trans Pennine Trail / National Cycle Network between 160 and 200 times per day. Early discussions are paramount to ensure Trail users are fully protected during works and given priority at all times. TPT and Sustrans cannot support this application until this assurance is given. The developer should note that this section is also used by horses who can easily be spooked by loud construction noises. Advanced signage should be placed on site prior to any works and discussion. Clear on-site signage will be paramount before and during work.

Yorkshire Wildlife Trust – pleased that potential impacts on statutory and non-statutory sites will be considered a part of the EIA.

Yorkshire Water – no comments

Appendix 3

Information required for validation.

1. Required information from National Validation Checklist
2. Application Forms
3. Application Fee
4. Ownership Certificate
5. Agricultural Holding Certificate
6. Location Plan (Ordnance Survey Based 1:2500 or 1:1250)

Local Validation checklist [Local Validation Requirements](#)

Please read the checklist carefully which provides guidance for applicants when preparing documents to submit.

1. Ecology Survey and biodiversity metric
2. Existing and proposed topographical surveys
3. Environmental Statement – noise, transport and access, ecology and biodiversity, geology, hydrogeology, hydrology, and ground conditions
4. Proposed flood risk assessment and surface water drainage strategy if not in ES
5. LVIA
6. Air Quality Impact assessment
7. Dust assessment and mitigation proposals.
8. Planning and consultation statement
9. Transport Assessment and Travel Plan if not in ES
10. Tree Survey, Arboricultural impact assessment and method statement
11. Cross sections of existing and proposed levels including nearby dwellings to demonstrate final levels post restoration.
12. Traffic management plan
13. Phasing plan for landfill
14. Restoration Scheme
15. Landscape scheme with volume calculations
16. Indicative aftercare scheme

Further information may be required on receipt of the application.

Full details of Barnsley's validation requirements can be found via the below link:

<https://www.barnsley.gov.uk/media/jnapkupt/local-validation-requirements.pdf>

You should be aware that in the course of processing your application we might require further specific details to be supplied by you to enable us to give your proposal proper consideration and to avoid delays.

Where an applicant fails to incorporate advice given at the pre-application stage into the formal planning application submission, and the resultant development is considered to be harmful in policy terms, it is likely that the application will be refused without any further negotiation. It is therefore important to respond positively to the advice given at the pre-application stage and to fully embrace the collaborative working as advocated by both the NPPF and NPPG.

We cannot consider multiple revisions of the submitted scheme where clear advice at the pre-application stage has been given in terms of making the proposal acceptable/policy compliant. Should any minor amendments be needed following first submission of your planning application, then we will of course work with you to make the proposed scheme better. However, we are unable to deal with multiple amendments pertaining to significant matters – especially if these were clearly detailed at the pre-application stage.

Please note that the Council will not accept reports or surveys that are over 2 years old, unless they are subject to an up to date addendum.

Should your application be refused you do of course have the right to appeal the decision taken by the Council.

Any comments made during pre-application or application meetings by a Council Officer are informal and intended as guidance. Any such comments are made entirely without prejudice to any such decision that Barnsley may make.

The Councils response is based on the policies relevant at the time of the writing. Please note all information relating to this Pre Application will be deleted 7 years after the Pre Application decision date.