
2023/0241

Mr Ben Haigh

Change of use to metal recycling yard for the storage and separation of metals and associated provisions including storage container, office block, weighbridge and lay down enclosures

Lafarge Ready-mix Concrete, Wombwell Lane, Stairfoot, Barnsley, S70 3NS

Site Location and Description

The application relates to a former concrete manufacturing site to the north-east of Wombwell Lane (A633), Stairfoot. The site is currently vacant, roughly rectangular in shape and largely hard surfaced with concrete. It is considered to be previously developed. The site is currently enclosed by a palisade fence and there are many trees and shrubs adjacent to the fencing. There are two existing vehicular accesses into the site from Wombwell Lane.

There is a public right of way along the north-east and south-east boundaries of the site, beyond which is a former brickworks which is currently unoccupied (though subject to an outstanding planning application for enabling works). The public right of way leads north-east to the Trans Pennine Trail. To the north-west, the site is bound by Wombwell Lane greenspace. To the south-west, on the opposite side of Wombwell Lane is Barnsley Retail Park

Extract from 2018 Aerial Imagery:



Site History

2020/0722 – permission granted for change of use to display and sale of garden buildings/sheds.

B/97/0279 – Erection of cement silo

B/78/4134 – Erection of weigh/batch plant for production of ready mixed concrete, office portacabin, construction of parking areas and alteration to accesses.

Proposed Development

The applicant seeks permission for the use of the site for metal recycling including storage and separation of materials.

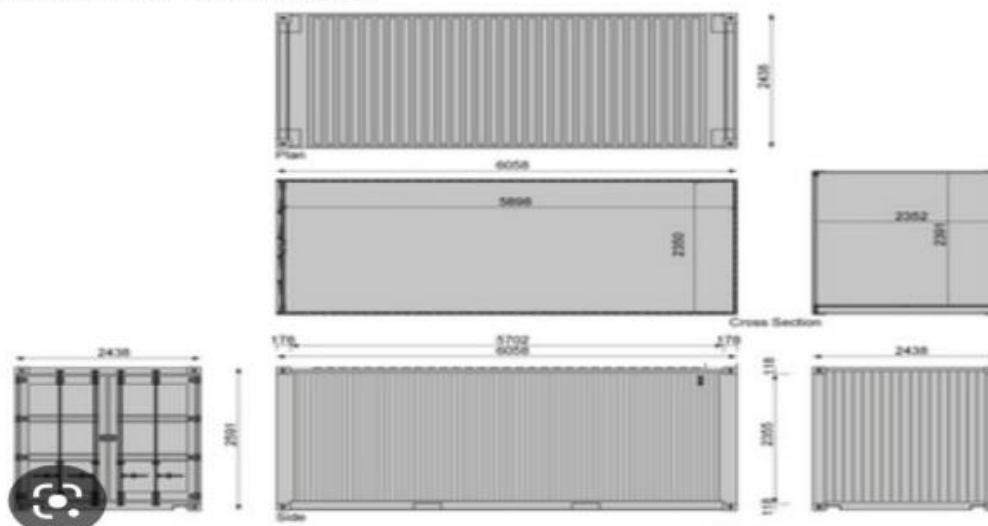
The existing hardsurfacing and palisade fencing would be retained. The application includes siting an office, storage container and weighbridge and concrete fencing is proposed on the north-east and north-west boundaries which will form part of lay down enclosures. In amended plans and design and access statement the applicant has confirmed that the new concrete fencing will be set 2 metres in from the existing palisade boundary fence; the proposed storage height has been amended from 5 metres to 3 metres; and it has been clarified that the office will include toilets.

The submission indicates that the proposal is expected to create vehicle movements of 8 smaller 3.5 ton vehicle and 2 heavy 8 wheeled vehicles per day; expected volumes are 50-60 tonnes per week and no more than 100 tonnes on site at any one time; machinery will only be used in safe areas and away from public walkways to prevent any potential incidents.

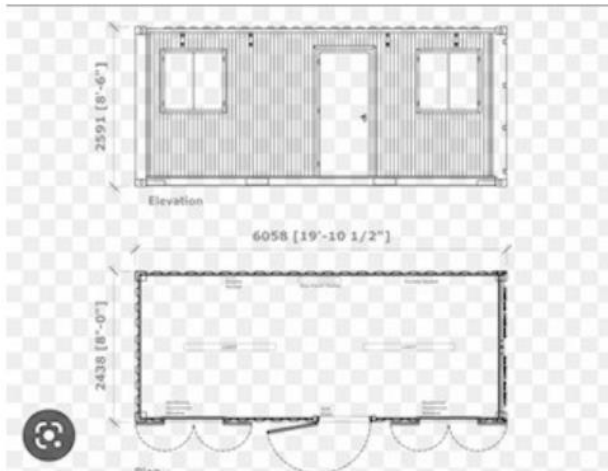
The applicant has submitted two further statements in support of the proposal. A waste management policy statement setting out why it is considered that the application is in conformity with policies of the Joint Waste Plan. An expected source and destination of metals statement sets out that most metals will be sourced from Barnsley, and otherwise from within a 10 mile radius; and that metals will be dispatched to end processors in Barnsley, Rotherham and Doncaster.

Proposed 6 x 2.4 metre storage container:

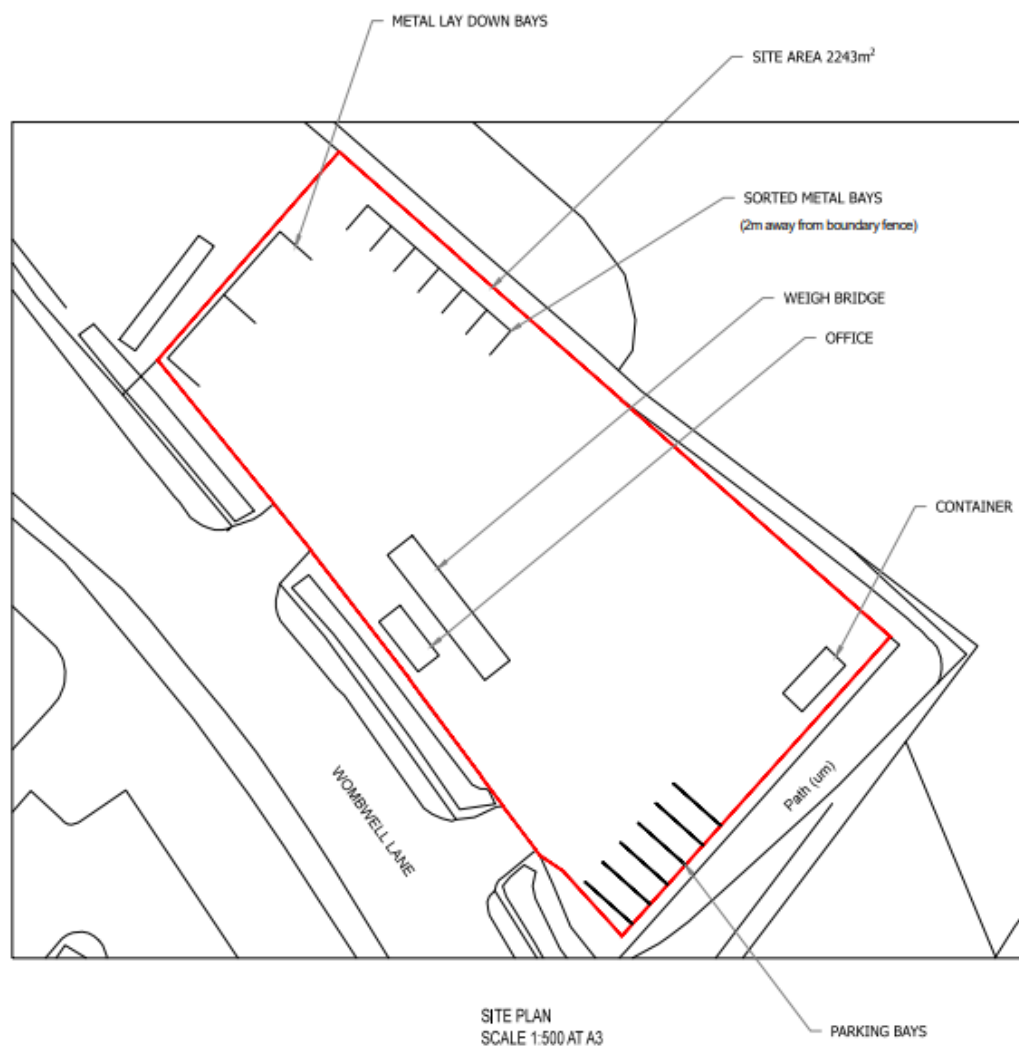
Standard ISO 20' 20-foot Container



Proposed 6 x 2.4 metre office block:



Proposed layout



Policy Context

Planning decision should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making.

Local Plan

The Local Plan was adopted by the Council in January 2019. Council has also adopted a series of Supplementary Planning Documents which are other material considerations.

The Local Plan review was approved at the full Council meeting held on 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances require it.

The site is in an area designated as Urban Fabric on the Local Plan Proposals Maps reflecting the location within a built-up area and the previously developed character of the site. The following policies are relevant:

Policy SD1 Presumption in favour of Sustainable Development – indicates that we will take a positive approach reflecting the presumption in favour of sustainable development in the National Planning Policy Framework and that we will work proactively with applicants to find solutions to secure development that improves the economic, social and environmental conditions in the area

Policy GD1 General Development – sets a range of criteria to be applied to all proposals for development.

Policy E3 Uses on employment land – indicates we will allow research and development, light and general industry and storage or distribution on allocated Employment Sites or land currently/last used for employment uses; appropriate scale ancillary uses; and other employment generating uses will be considered on their merits

Policy E4 Protecting Existing Employment Land – land or premises currently or last used for employment purposes will be retained. Non-employment uses will only take place if they would not result in significant loss of existing jobs or employment potential; there will still be an adequate supply of employment land/premises in the locality; and the land or premises can't support continue employment use.

Policy T3 New development and Sustainable Travel – expects new development to be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians of cycles. Also sets criteria in relations to minimum levels of parking, provision of transport statements and of travel plan statements.

Policy T4 New development and Transport Safety – expects new development to be designed and built to provide safe secure and convenient access and to not cause or add to problems of highway safety or efficiency.

Policy D1 High Quality Design and Place Making – indicates that development is expected to be of high quality design and to reflect the distinctive, local character and features of Barnsley.

Policy GS2 Green Ways and Public Rights of Way – indicates that we will protect green ways and public rights of way from development that may affect their character or function.

CL1 Contaminated and Unstable Land – requires the submission of a report where future users of occupiers of development would be affected by contamination or stability issues, to establish the extent of the issues and set out measures to remove, treat or protect from contamination, or address land stability issues.

Joint Waste Plan

Policy WCS4: Waste Management Proposals on Non Allocated Sites – sets criteria to be applied to such applications including impact on character and amenity of the area; contribution towards sustainable waste management; reuse of vacant or brownfield land; and reuse of industrial sites.

NPPF

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

The NPPF establishes that within the three overarching objectives for achieving sustainable development (economic, social and environmental), the latter includes the requirement to minimise waste and pollution.

National Planning Policy for Waste

The Waste Management Plan for England sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management. It sets criteria for consideration of waste applications including the need for facilities to be well-designed so they contribute positively towards the character and quality of the area; traffic and access; emissions and odours; and potential land use conflict.

Supplementary Planning Documents (SPD):

SPD Parking – gives guidance on parking standards and indicates that the Council encourages the provision of electric vehicle charging infrastructure.

Consultations

Highways DC – Notes the right turn box marked on the highway and the previously employed one way in/ one way out system which should remain. The proposals are likely to generate fewer vehicle movements than the previous and recently approved uses. The

scheme is acceptable from a highway safety perspective, subject to a condition relating to signing the in/out layout.

Public Rights of Way – Note the existing public footpath around the south-east and north boundaries and advise an informative in relation to safe public access

Trans Pennine Trail – note that the site works should not impact on the adjacent public right of way; there is a small risk that noise, vibration and dust from the site may have an impact on Trail users; signage could be improved; the mobile grab device must be situated in a location that there is no risk of debris landing on the adjacent public footpath; there are no toilet facilities proposed; and the proposed concrete panels should not create a dense dark corridor for footpath users.

Yorkshire Water – recommend a condition in relation to piped discharge of surface water.

Drainage – recommends a pre-commencement condition in relation to foul and surface water drainage details.

Environment Agency – no objections, advise environmental permit will be required, as will registration as a waste carrier, and that the development is on or within 250m of number of landfill sites.

Pollution control – approval is recommended.

Enterprising Barnsley – support the proposal

Ward Councillors – No response

Representations

The application has been advertised by means of letters to nearby properties and a site notice (30 May to 20 June); no representations have been received.

Assessment

Principle of development

The application site, which has a designation of urban fabric in the Local Plan, was previously used as a concrete batching plant. Local Plan policies GD1 and E3, and Joint Waste Plan policy BCS4 set a range of criteria against which the application must be judged.

The proposal involves reuse of land last used for an employment purpose, although not a conventional B class employment use. Policy E3 allows proposals for other employment generating uses (on sites such as the application site that were last used for employment purposes) to be considered on their merits, particularly in terms of providing jobs, skills, and their contribution to the borough's GVA.

Assessment of the proposal against these policies, including the applicants submission that the proposal will mainly source metals from within a ten mile radius and despatch to end processors in Barnsley, Doncaster and Rotherham leads to the conclusion that the proposal is in compliance with these policies and the principle of development is acceptable subject to consideration of details.

Visual Amenity/Design

The application site is significantly surrounded by trees and shrubs which go some way to screen the site from public view. The proposed concrete fences which will also be part of the containment of the outside storage will help to reduce the visual impact of outside storage. The applicant has agreed to move the proposed 3 metre high concrete fences away from the existing palisade fences which will help to reduce the sense of enclosure of the adjacent public right of way; and has also agreed to reduce the height of outside storage to 3 metres.

It is considered that the design and impact on visual amenity and the character of the area are acceptable in this setting and in compliance with Local Plan Policy D1 and Joint Waste Plan policy BCS4.

Highways safety

Noting the advice of the highways officer that the proposal will result in fewer vehicle movements than the previous and recently approved uses, it is considered that the proposal will be acceptable from a highway safety perspective. Subject to imposition of the recommended condition relating to signing the in/out layout it is concluded that the proposals are considered acceptable from a highways safety perspective and in compliance with Local Plan Policy T3.

Public rights of way

The applicant has agreed to move the proposed concrete panels 2 metres away from the existing palisade boundary fence to reduce the impact on users of the adjacent public right of way; and has clarified that the mobile grab device will be used away from the public right of way, in a way intended to prevent any potential incidents. It is concluded that the impact on users of the public right of way will be acceptable and in compliance with Local Plan policy GS2; and the requested informative is recommended.

Drainage

Reflecting the advice of Yorkshire Water and the Drainage Engineer, it is considered that subject to the imposition of the recommended conditions, the proposal will be acceptable from a drainage perspective.

Other

The contaminated land officer has indicated verbally that there is not anticipated to be any issues of concern arising from the proximity of the application site to a nearby landfill site. Informatives are recommended dealing with the Environment Agency comments on the need for an environmental permit and the movement of waste.

Conclusion

The proposal is considered acceptable in visual amenity, drainage and highways safety terms subject to the recommended conditions

Recommendation

Grant subject to conditions