

Our Reference: 23\_0017\_West Green Recycling

Local Authority Reference: 2023/0758/INVALID

Date: 11 September 2023

Barnsley Metropolitan Borough Council

PO Box 634

Barnsley

South Yorkshire

S70 9GG

Sent via email to: [developmentmanagement@barnsley.gov.uk](mailto:developmentmanagement@barnsley.gov.uk)

To Whom it May Concern,

**Application No:** 2023/0758/INVALID

**Description:** Installation of aggregate wash plant, electricity substation, laying of concrete slab, construction of boundary treatment (retrospective); and proposed electricity substation, water pump house and cladding to exterior of structure housing filter presses.

**Location:** West Green Recycling, West Green Way, Monk Bretton, Barnsley, S71 5SN

With respect to the matter outlined, we are writing to Barnsley Metropolitan Borough Council (the “Local Authority”) on behalf of Mr E. J. Lidster (the “Applicant”) following the issuing of letter of invalidation (dated 16 August 2023).

The Local Authority lists a number of reasons as to why the application is considered invalid and cannot be processed as follows:

- *The proposal is sui generis a waste development for the processing of waste, and not a B2 use;*
- *Pleass (sic) provide an ecology survey as the site is adjacent to the Dearne Valley wetlands SSSI;*

- 
- *Please submit a tree survey as there are trees adjacent to the boundary that may be affected by the proposal;*
  - *Noise assessment and dust assessment and mitigation proposals is required;*
  - *The proposal is to increase the throughput from 75,000 tpa to approx. 150,000tpa so traffic movements must increase contrary to para 8.2.2 of the planning statement;*
  - *A transport statement is required identifying number and type of vehicles to be used in construction/operation, location and number of parking bays etc. shown on a plan;*
  - *Please submit Drainage proposals;*
  - *Height of any stockpiles both incoming and aggregate storage after washing; and*
  - *Hours of operation*

### ***Use Class***

The Applicant would remind the Local Authority that the site is in operation and has been since the mid 2000's, it is the Applicant's position that the use falls within Use Class B2, General Industrial.

They say this noting that Use Class B2 relates to industrial processes other than those falling within the uses described within Class E(g) (industrial processes that can be carried out within a residential area).

Furthermore, it excludes industrial processes for incineration purposes, chemical treatment, landfill or hazardous waste.

As described throughout the submission package, the site is used for the treatment and management of non-hazardous waste; as such, the Applicant considers it entirely appropriate to describe the existing use of the site as falling within the definition of Use Class B2.

Notwithstanding the above, the Applicant would like to clarify that the proposed development is not seeking a change in the use of the land, but instead proposes the installation of new plant to facilitate a more efficient process.

---

***All Other Matters***

It is worth noting that the Local Authority does not, currently, have any control over the site's operation with respect to matters of: noise and dust emissions; ecological impacts; drainage design; parking and traffic movements; stockpile heights; and hours of operation. Remembering that the Applicant is merely proposing to introduce new plant within an existing operation; then there are no grounds to justify requesting the additional information for validation.

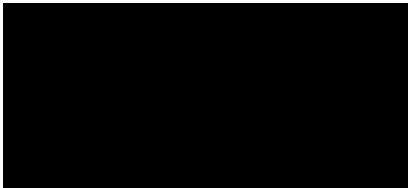
***Conclusion***

Notwithstanding all of the above, the Applicant would like to reassure the Local Authority that they are more than willing to provide any additional information to support the case officer's assessment, however, they repeat that they consider said information is simply not required for validation.

The Applicant respectfully requests that the Local Authority reconsiders its position and proceeds to validate the application without delay.

If the Local Authority does proceed to validate then we may end up in a dispute over validation, which of course benefits no party.

Yours faithfully,

A large black rectangular box redacting the signature of Charlie Taylor.

Charlie Taylor, BA (hons), MCD, MRTPI  
Planner