2023 0835

Mr Wright

Erection of building for the storage of building materials

Archway House, Langdale Road, Barnsley, S71 1AQ

Site Location and Description

The application site is the site of an existing builders yard with offices. The existing buildings on the site comprise single storey brick built and tiled pitched roofed offices set at right angles to Langdale Road, a further similar building at the rear of the site which is used as a dance school, and a small storage building set against the north-east boundary wall that separates the yard from a small row of terraced houses which front onto Langdale Road. At the time of site visit, the part of the site where the proposed storage building would be sited was used for the storage of two skips. The wider area is in mixed residential and commercial use.

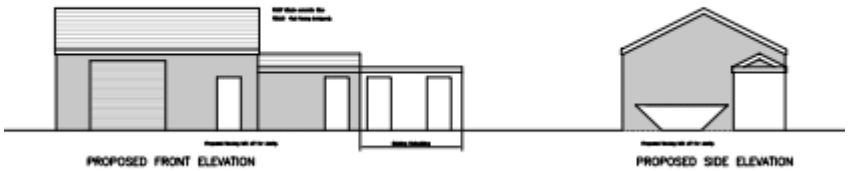
Site History

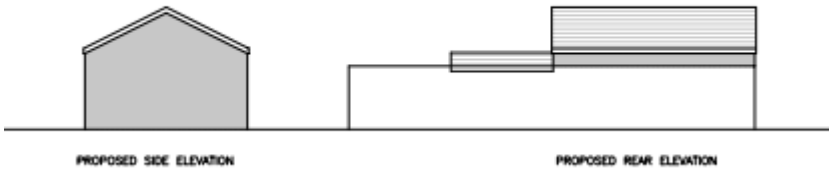
B/01/1031 – Change of use of builders workshop to offices
2016/1473 – Change of use to a D2 (limited by condition to dance classes, parent and toddler groups, holiday clubs and teacher training)

Proposed Development

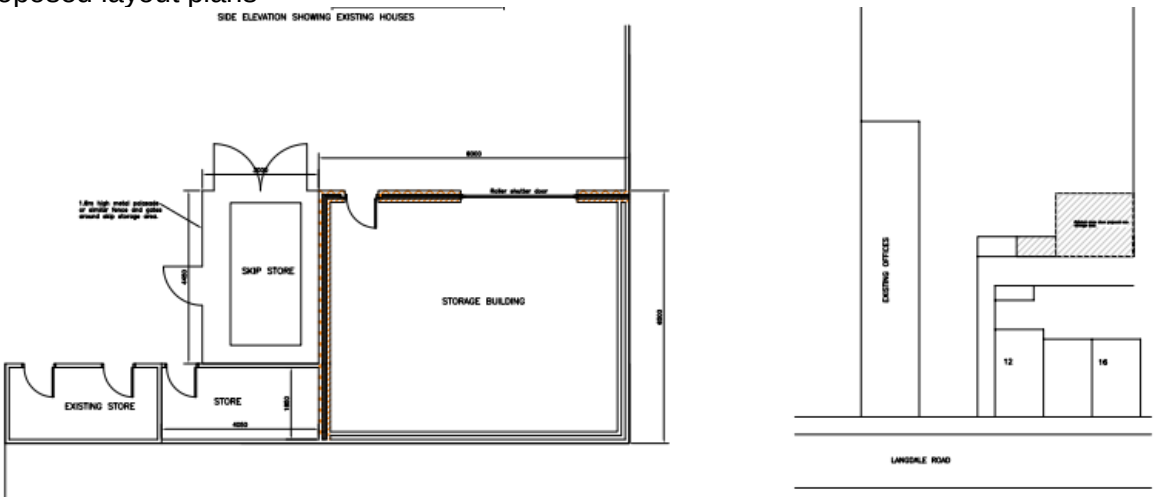
The applicant seeks permission for the erection of a brick and tile building in two parts, on the north-east boundary of the site, to be used for the storage of building materials. The main part of the building measure 8 metres by 6.5 metres by 3.4 metres to the eaves and 4.83 metres to the apex; and the second part measures 4.05 metres x 1.85 metres x 2.5 metres to the eaves and 3.04 metres to the apex (giving a total floor area of 60 $m^{2)}$. The submitted drawings have been amended to clarify the relationship with the adjacent terraced houses. The proposed building is sited 8.85m away from the main rear elevation of the adjacent terraced houses (there is a conservatory extension to the terraced house furthest from the main part of the proposed building) The proposed building is separated from those dwellings by outbuildings to the terraced houses that are 3 metres high.

Proposed elevations:

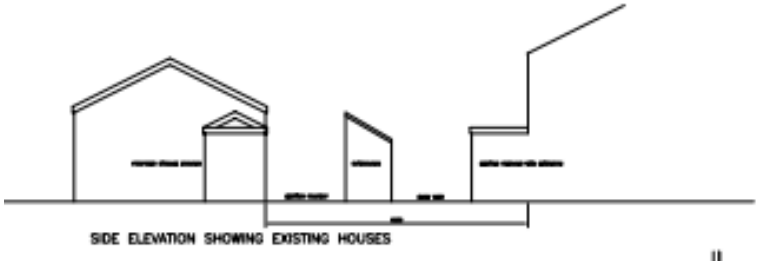




Proposed layout plans



Section showing relationship between existing terraced houses and proposed storage building



The proposal also indicates relocation of the skip storage behind the existing storage building and to be contained by a 1.8m high fence. These elements do not require planning permission.

A Coal Mining Risk Assessment and a Design and Access statement have been submitted in support of the application. The application also clarifies that the building will be used for storage of general building materials which will normally be accessed at the beginning and the end of the day, but there may be occasions when the store would be accessed during the day.

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. 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 land currently/last used for employment uses.

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 Poll1 Pollution Control and Protection – sets criteria to ensure that new development does not unacceptably affect or cause nuisance to the natural and built environment or to people; or suffer from unacceptable levels of pollution

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.

Supplementary Planning Documents

Residential amenity and the siting of buildings SPD – sets out the design principles that will apply to applications for non-residential buildings in proximity to existing residential properties.

Parking SPD – Gives guidance on parking standards, including giving an indicative figure of what will be considered acceptable but does not prescribe maximum or minimum figures.

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.

Paragraph 81 Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Para 111. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para 130 – planning decisions should ensure that developments function well, add to the overall quality of the area, are visually attractive, sympathetic to local character, establish a strong sense of place, optimise the potential of the site and create safe, inclusive and accessible places that promote health and well-being.

Paras 183 and 184 – Planning policies and decisions should take account of ground conditions and any risks arising from land instability and ensure that adequate site investigation information is available to inform assessment. Responsibility for securing a safe development rests with the developer and/or landowner.

Para 185 – Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment.

Consultations

Highways DC – No objections
The Coal Authority – the application site falls within the defined Development High Risk Area for coal mining. The submitted Coal Mining Risk Assessment concludes that further ground investigations are required. A pre commencement condition is recommended and subject to this condition there are no objections.
South Yorkshire Mining Advisory Service – noting the advice in the submitted Coal Mining Risk Assessment, SYMAS recommends a condition requiring further ground investigations

Pollution Control – no objections subject to a condition restricting the hours of construction/demolition.
Ward Councillors – No response

Representations

The application has been advertised by means of letters to nearby properties and a site notice (10 to 31 October); no representations have been received.

Assessment

Principle of development

The application site is within an area designated as urban fabric and currently in employment use. The principle of an ancillary storage building is acceptable subject to consideration of details.

Visual Amenity/Design

The siting of the proposed building will have limited if any visibility in views from the public highway. It is considered that the design of the building, with brick and tile finish, and impact on visual amenity are acceptable in this setting and in compliance with Local Plan Policy D1.

Highways safety

Reflecting the advice of the highways officer, it is concluded that the proposals will result in limited if any additional movements. While the storage building and the access arrangement to it will likely remove two parking spaces, all parking is informal with little if any marking of spaces. Any impact on parking, servicing and turning areas within the site will be minimal and there will be no impact on highway safety conditions outside the site. The proposals are considered to be acceptable from a highways safety perspective and in compliance with Local Plan Policy T3.

Contaminated and unstable land

The application site is in a high risk area for coal mining legacy. Both the Coal Authority and South Yorkshire Mining Advisory Service have advised that they agree with the submitted Coal Mining Risk Assessment that further ground investigations are required. A pre commencement condition is recommended which the agent has agreed to and an informative is recommended reflecting the advice of SYMAS about how the further ground investigations should be undertaken. Accordingly, it is concluded that subject to the imposition of the recommended condition the proposal is in compliance with Local Plan Policy CL1.

Residential amenity

The proposed storage building is required for the storage of building materials and is sited in a way that may help to limit any noise from the use of the existing builders yard and car park as experienced by the neighbouring houses. The impact on local residents of the siting of the proposed 4.83 metre high building is mitigated by the intervening presence of 3 metre high outbuildings to the neighbouring houses. Therefore, although the proposed building does not strictly accord with the provisions of the SPD Residential Amenity and the siting of building, it is concluded that the relationship is acceptable and that the proposed building will not unreasonably affect the outlook of or overshadow adjacent dwellings.

Reflecting the advice of pollution control, it is recommended that an hours of construction/demolition is imposed. The applicant has requested that this is amended to allow material collection to start at 7am which is how the yard currently operates. Subject to this condition, it is concluded that the proposal will be acceptable in relation to residential amenity and in compliance with Local Plan policies D1 and Poll1.

Conclusion

The proposal is considered acceptable in visual amenity, highway safety, residential amenity and site stability terms. Subject to the imposition of conditions in relation to the submitted plans, site stability, matching materials and hours of construction; and an informative reflecting the advice of the South Yorkshire Mining Advisory Service, it is concluded that the proposal is acceptable.

Recommendation
Grant subject to conditions