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**APPENDIX 1 – SIGNED STATUTORY DECLARATION 18.07.25**

**STATUTORY DECLARATION**

**OF**

**ERIC JAMES LIDSTER**

**IN SUPPORT OF A PLANNING APPEAL**

**REGARDING EXISTING LAWFUL USE OF**

**WEST GREEN RECYCLING SITE, WEST GREEN WAY, MONK BRETTON, BARNSELY, S71 5SN**

## STATUTORY DECLARATION

In the matter of the Appeal against the Refusal of Planning Permission Reference: 2023/0758 (in relation to land at West Green Recycling, West Green Way, Monk Bretton, Barnsley, S71 5SN (the "Land"))

I, Mr Eric James Lidster of E J Lidster Sales Ltd and Sealquest Ltd, Arunden House, Lund Lane, Burton Grange, Barnsley, South Yorkshire, United Kingdom, S71 5PA

**HEREBY DO SOLEMNLY AND SINCERELY DECLARE** as follows:

1. I am the current freehold proprietor of the Land and am fully authorised to make this Supplementary Statutory Declaration. The facts and matters to which I refer are within my own knowledge or obtained from sources of information referred to herein and I am fully familiar with the Land, including the Appeal Site, and activities that have taken place throughout on it since my company purchased the Land in 1991. Appended to this Statutory Declaration are supporting documents contained in Exhibit EJL1.
2. The Land, part of which is subject to Appeal, is shown edged green on that attached plan appended to this Statutory Declaration as **Document 1** (Exhibit EJL1). The part of the Land consisting of the appeal site is shown edged on **Document 2** (Exhibit EJL 1) for identification purposes ("Appeal Site").
3. I purchased the Land on 27 March 1991 and have owned it since, first, through my company E J Lidster Construction Limited and, secondly, in my own name from 2013 onwards. At the time of purchase in 1991, part of the Land was in use for the purposes of storage and haulage and there was present spoil (the "historic spoil") located in the northwestern portion adjacent to the rail line.

### **Waste Recycling – Aggregates**

4. After purchasing the Land, I commenced waste recycling immediately on part of the Appeal Site. **Document 3** (Exhibit EJL1) appended to this Statutory Declaration contains historic mapping data identifying the distribution of uses within the Land over time which I explain in this Statutory Declaration. The Google Earth image dated December 1999 identifies an area (within the Appeal Site) put to use for the purposes of waste recycling that is

representative of the nature and extent of the waste recycling function I commenced in 1991. The use of this part of the Appeal Site during the period of approximately from March 1991 to December 1993 operated continuously and similar throughout this period.

5. On 31 January 1994 I moved mobile crushing and screening equipment onto the part of the Appeal Site.
6. The Environment Agency first granted an environmental permit for the processing of waste at the Land on 31 January 1994, under license no: 60546. I have held that license through my companies since. The operation name on the license holder was altered on 23 August 2013 to Sealquest Ltd. A copy of the License Entry is appended to this Statutory Declaration as **Document 4** (Exhibit EJL1).
7. E J Lidster Sales Ltd is a subsidiary/trading name of Sealquest Ltd. I am a Director of both E J Lidster Sales Ltd and Sealquest Ltd and have a controlling shareholding in E J Lidster Sales Ltd.
8. The current Environment Agency permit for the Land is 60546 and dated 31/01/1994. The permit describes a *Non-hazardous waste physical treatment facility*. It allows for the throughput of materials not exceeding 75,000 tonnes per annum. The permit extends to the area outlined in Green in the plan attached to **Document 5** (Exhibit EJL1).
9. The nature and extent of the waste recycling use and storage of part of the Appeal Site from approximately January 1994 to approximately 2004 is also illustrated by the attached annotated aerial image dated December 1999 (**Document 3**, Exhibit EJL1). The use of this part of the Appeal Site during the period of approximately January 1994 to approximately 2004 operated continuously and similar throughout this period.
10. Planning permission for use of part of the Appeal Site for the purposes of waste recycling was applied for retrospectively. The retrospective planning application was validated on 25 May 2001 and granted planning permission on 23 October 2001 under application number: B/01/0635 (the "2001 Planning Permission"). The 2001 Planning Permission is appended to this Statutory Declaration **Document 6** (Exhibit EJL1).
11. The nature and extent of the waste recycling use approved by the 2001 Planning Permission (the "2001 Application Site") is shown edged red on the plan at **Document 7** (Exhibit EJL1)

appended to this Statutory Declaration.

12. The nature and extent of the waste recycling use and storage on the Land from approximately 2004 to late 2008 is illustrated by the attached annotated aerial image dated September 2008 (**Document 3**, Exhibit EJL1). The use of the Land, including the Appeal Site, during the period 2004 to late 2008 operated continuously and similar throughout this period.
13. I recontoured the Land and submitted a planning application for the location of a motorcycle/quad bike track (the “track”) within the northwestern portion of the Land in 2003. This application was not determined. The track has never been used for motorcycles/quad bikes (or other bikes or vehicles).
14. In September 2008, spoil heaps (consisting of stockpiled, treated, and recycled material; and material awaiting recycling) reaching heights of between approximately 3m and 10m+ were contained within the Appeal Site and elsewhere on the Land. In addition, areas of the Land (including within the Appeal Site) were put to use for the purposes of storage. The storage function included the storage of material (incapable of being recycled) extracted from the waste aggregate ahead of recycling, so as to be removed to landfill.
15. The nature and extent of the waste recycling use and storage on the Land from approximately late 2008 to December 2010 (at the latest) is illustrated by the attached annotated aerial image referred to as December 2009 – December 2010 (**Document 3**, Exhibit EJL1). The use of the Land, including the Appeal Site, during the period of late 2008 to December 2010 (at the latest) operated continuously and similar throughout this period.
16. For a 2 year period during approximately 2008 to 2010, I rented part of the Land, as annotated on the aerial image referred to as December 2009 – December 2010 at **Document 3** (Exhibit EJL1) to the contractors VHE (contracted with Barnsley Metropolitan Borough Council to deliver a programme of highway/transport infrastructure works) for use as their construction and storage compound in association with work to construct West Green Way. I can’t recall the precise dates, however, a traffic regulation order decision made by the Council in 2018 confirms that West Green Way road opened in May 2010 as appended as **Document 8** (Exhibit EJL1). It is reasonable to assume that the

Council's contractor's compound for the construction of West Green Way ceased use by the end of 2010 (at the latest). We have reviewed our records of rental receipts and the last rental payment from the Council was in November 2010.

17. The position with reference to the use of the Land in association with the storage and construction compound is illustrated in the aerial image referred to as December 2009 – December 2010. The image is representative of the position on the ground that included this temporary activity and the waste recycling and other storage taking place on the Land for a 2 year period in late 2008 up to December 2010 (at the latest).
18. As part of the West Green Way construction programme, it was agreed with Barnsley Metropolitan Borough Council that an amount of construction spoil from the construction of West Green Way would be left on the Land to be processed. This material was processed by my company's waste recycling facility.
19. As part of the West Green Way construction, a new access to the Land taken directly off the West Green Way was provided (as per its current location) and the former access to the Land from Cudworth Parkway was terminated.
20. The nature and extent of the waste recycling and storage use of the Land from approximately December 2010 (at the latest) up to January 2023 (when the appeal proposal plant was installed) is illustrated by the attached annotated aerial images dated June 2016 up to May 2022 (**Document 3**, Exhibit EJL1). Excepting the temporary activity on part of the Land as a construction compound from late 2008 to December 2010 (at the latest), the use of the Land, including the Appeal Site, as a waste recycling facility, during the period of late 2008 up to January 2023 operated continuously and similar throughout this period, including the Land being used continuously and similar throughout from late December 2010 (at the latest) up to January 2023. The operations continued even during Covid where material was tipped by contracted parties throughout, including Morrison Utility Services (now part of the M Group and a leading provider of essential infrastructure services), and processed accordingly in line with Covid Regulations owing to Morrison's status as a provider of essential infrastructure services.
21. The Google Streetview elevational images from this period are appended at the end of **Document 3** (Exhibit EJL1) show spoil heaps, including stockpiled recycled material reaching heights in excess of approximately 3m and up to/above 10m visible from West Green Way.

22. During the period between January 2009 to January 2023, spoil heaps (consisting of stockpiled, treated, and recycled material; and material awaiting recycling) reaching heights of between 3m and 10+m were contained within the Appeal Site and elsewhere on the Land. Mobile plant, for the purposes of recycling waste, was operational, and machinery, including for the purposes of moving and loading waste material (onto transit vehicles - HGVs) was in place and in use. In addition, areas of the Land (including within the Appeal Site) were put to use for the purposes of storage. The storage function included the storage of material (incapable of being recycled) extracted from the waste aggregate ahead of recycling, so as to be removed to landfill, and including a stand-alone storage function. As stated, part of the Land was also given over to the construction and storage compound in connection with work to construct West Green Way for a 2 year period as noted above. I continued the waste recycling of aggregates throughout the period of the construction of West Green Way and the occupation of the site by the contractors undertaking work on behalf of Barnsley Metropolitan Borough Council. After those activities on part of the Land for the storage and construction compound ceased, the use of the Land continued continuously both for waste recycling and storage unrelated to the waste recycling activities throughout.
23. Aside from that material extracted from the aggregate ahead of recycling temporarily stored ahead of being transferred to landfill, I have elected to store other material, including scrap material, on the Land since approximately June 2009 until the date of this Statutory Declaration as referenced at **Document 3** (Exhibit EJL1).
24. The waste recycling facility at the Appeal Site has received and processed aggregate materials from external organisations unrelated to my businesses since 2003. By way of example only, on 24 February 2015, I entered into and remain bound by the terms of a framework agreement with Reconomy (UK) Ltd to manage and process, on behalf of their clients, the recycling of aggregate materials at the Appeal Site. A copy of extracts from the Framework Agreement is appended to this Statutory Declaration as **Document 9**, Exhibit EJL1. I signed up to the Yorkshire Highways and Utilities Committee Framework (YHAUC) on 18 February 2015 to manage and process recycling of aggregate materials at the Appeal Site as recorded in the documents appended to this Statutory Declaration as **Document 10**, Exhibit EJL. The waste recycling facility at the Appeal Site has received and processed aggregate materials from other external organisations (including SPIE and GMM Utilities Ltd

for example) as well since 2010.

25. The throughput of material approved by the existing Environment Permit is 75,000 tonnes per annum. The quantity of material processed between June 2009 to January 2023 has not exceeded 75,000 tonnes per annum.
26. Construction of the aggregate wash plant and machinery, including filter presses, commenced in January 2023.
27. The nature and extent of the waste recycling and storage use of the Land from approximately January 2023 to the date of this Statutory Declaration is illustrated by the attached annotated aerial images dated from May 2023 onwards (**Document 3**, Exhibit EJL1). The use of the Land, including the Appeal Site, from approximately January 2023 up to the date of this Statutory Declaration has operated continuously and similar throughout this period.
28. The Google Streetview elevational images from this period are appended at the end of **Document 3** (Exhibit EJL1); they show that the heights of the spoil heaps (including stockpiles) visible from West Green Way have remained in excess of at least 6m in height.
29. As per the images contained within Document 3 and since 2023, I have continued to process waste material, stockpiling recycled material for resale, using mobile plant and machinery on the Land supported by the provision of a storage function (for waste set to go to landfill) and including a stand-alone storage function. I have maintained spoil heaps in the range of approximately 3-10+m in height on the Land. By way of example only, I remain bound by the framework agreement with Reconomy (UK) Ltd and the YHAUC framework. I have not exceeded the throughput of 75,000 tonnes per annum of material approved by the Environment Permit to date.
30. In summary, the above demonstrates the following:
  - a. A waste recycling use has operated continuously on part of the Land since 1991.
  - b. The nature and extent of the waste recycling and storage use of the Land operated continuously and similar throughout for more than 10 years from approximately late 2008 up to January 2023 (when the appeal proposal plant was installed)

(including a 10 year period after the Council's contractor's storage and compound activity ceased in December 2010 at the latest) and the throughput of 75,000 tonnes per annum of material approved by the Environment Permit was not exceeded during late 2008 up to January 2023.

- c. from approximately January 2023 to the date of this Statutory Declaration, the waste recycling and storage use has continued in operation continuously with the appeal proposal plant installed and the throughput of 75,000 tonnes per annum of material approved by the Environment Permit has not been exceeded.

AND I make this solemn declaration conscientiously believe the same to be true and by virtue of the Statutory Declarations Act 1835.

Declared by Eric James Lister:



Signed: .....

At: 20 PRIMROSE LAVE, KIRKBURTON, HUORNSFIELD, H08 0QY

On this 18th day of JULY 2025

BEFORE ME:



Name: SARAH CREWE

Of: MOLS SOLICITORS LTD t/a LEGAL STUDIO, The Tannery, 11 Kirkstall Road, Leeds, LS3 1HS

A Commissioner for Oaths or Solicitor Empowered to Administer Oaths

Exhibit EJL1

Index to Exhibit EJL1

Document	Description
1	PLAN OF LAND OWNED BY ERIC LIDSTER
2	PLAN OF APPEAL SITE
3	MAPPING DATA IDENTIFYING THE DISTRIBUTION OF HISTORIC USES 1999-2025
4	ENVIRONMENT AGENCY (EA) PERMIT
5	LAND TO WHICH EA PERMIT RELATES
6	2001 PLANNING PERMISSION
7	PLAN APPROVED BY 2001 PLANNING PERMISSION
8	TRAFFIC REGULATION ORDER DECISION 2018
9	RECONOMY LTD FRAMEWORK EXTRACTS
10	YHAUC FRAMEWORK AGREEMENT DOCUMENTS

Exhibit declared and signed by Eric James Lidster:

Signed:  .....

At: 20 PRIMROSE LANE, KIRKBRURTON, HUDDERSFIELD, HD8 0QY

On this 18th day of July 2025

BEFORE ME:

 .....

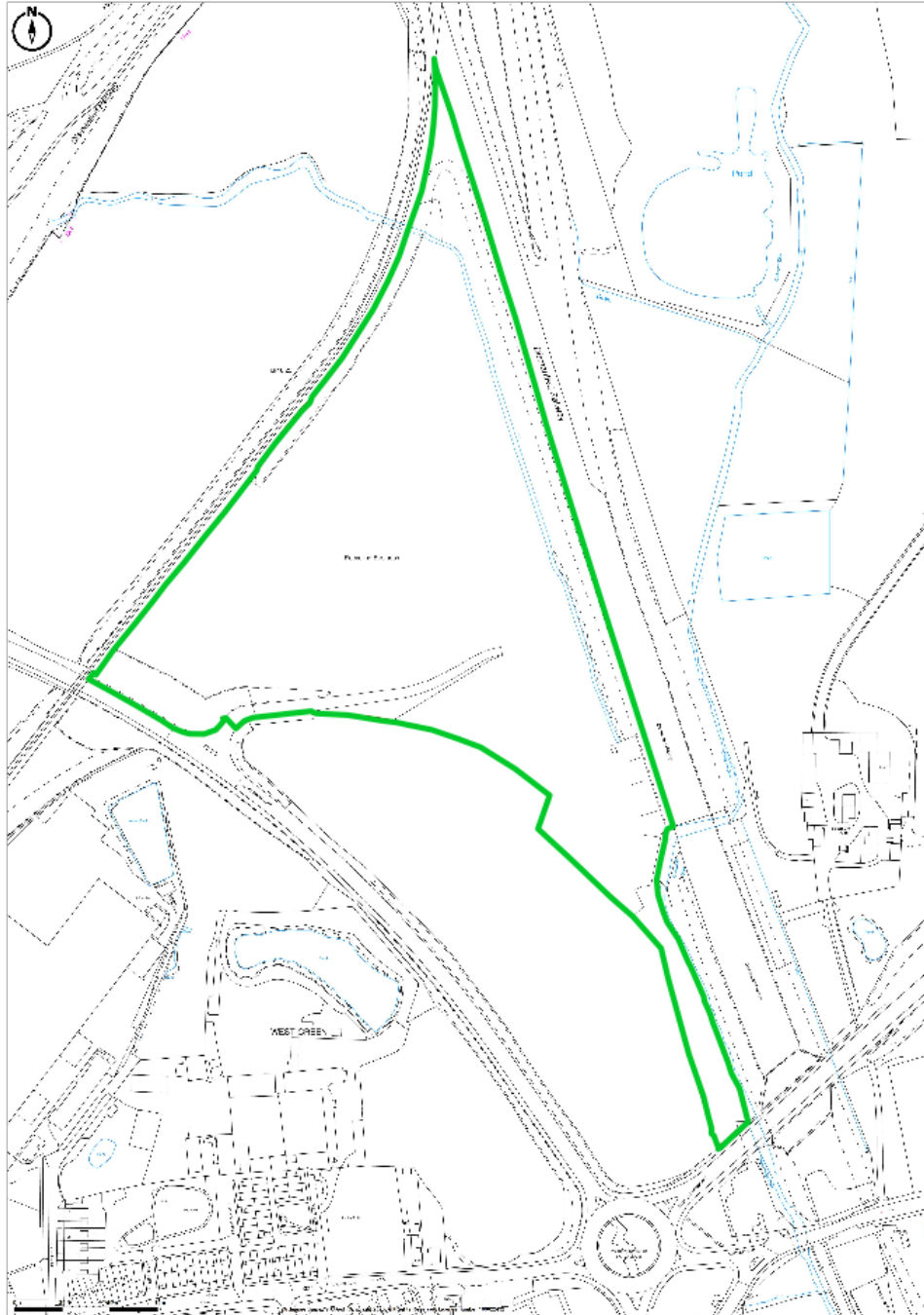
Name: SARAH CREWE

Of: MOLES SOLICITORS LTD t/a LEGAL STUDIO, THE TANNERY, 91 HEIMSKILL Road, Leeds, LS3 1HS

A Commissioner for Oaths or Solicitor Empowered to Administer Oaths

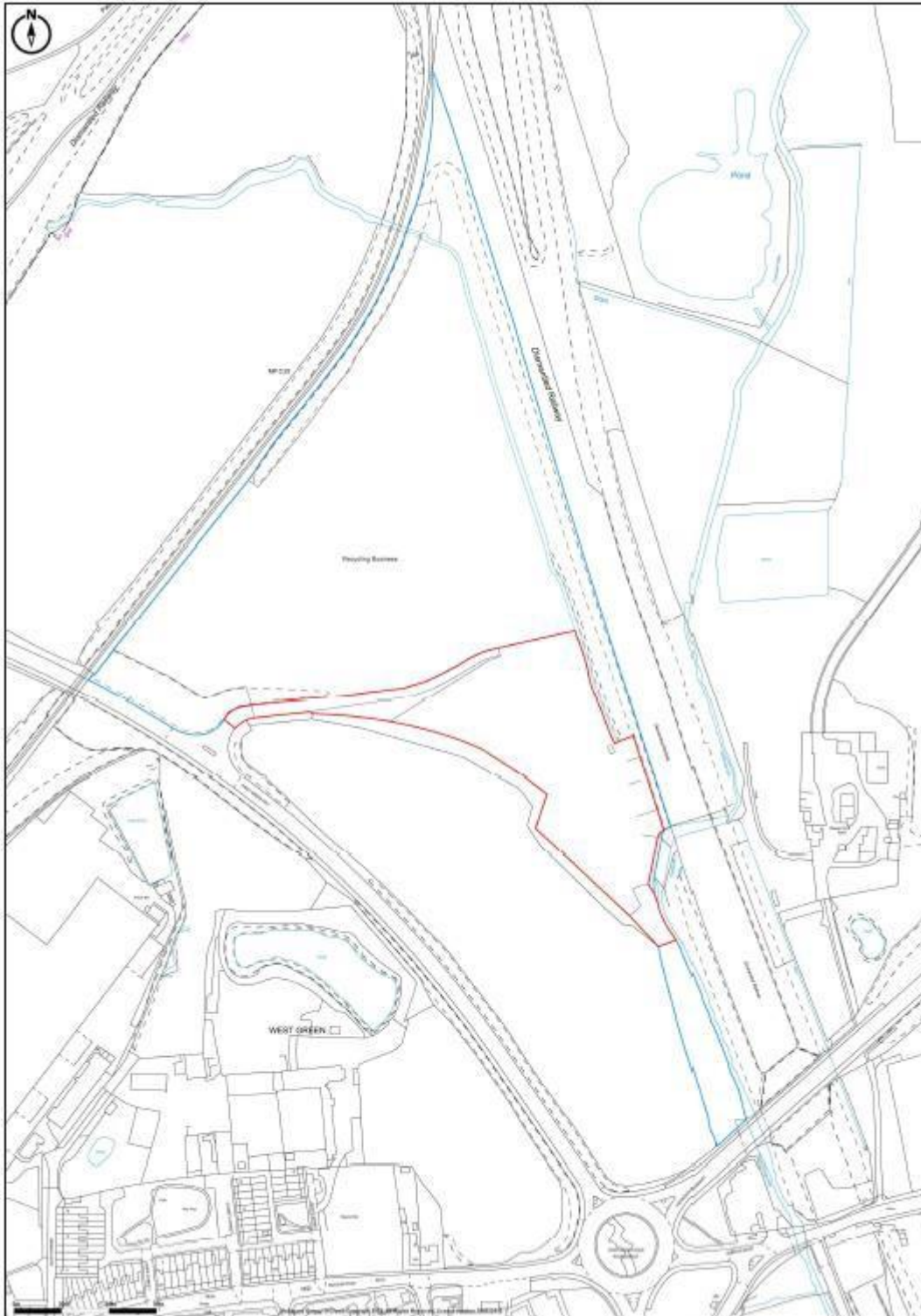
**DOCUMENT 1 (Exhibit EJL1)**

**PLAN OF LAND OWNED BY ERIC LIDSTER**



**DOCUMENT 2 (Exhibit EJL1)**

**PLAN OF APPEAL SITE**



**DOCUMENT 3 (Exhibit EJL1)**  
**HISTORIC MAPPING DATA SHOWING DISTRIBUTION OF USES**

**AERIAL DATA**

**December 1999**

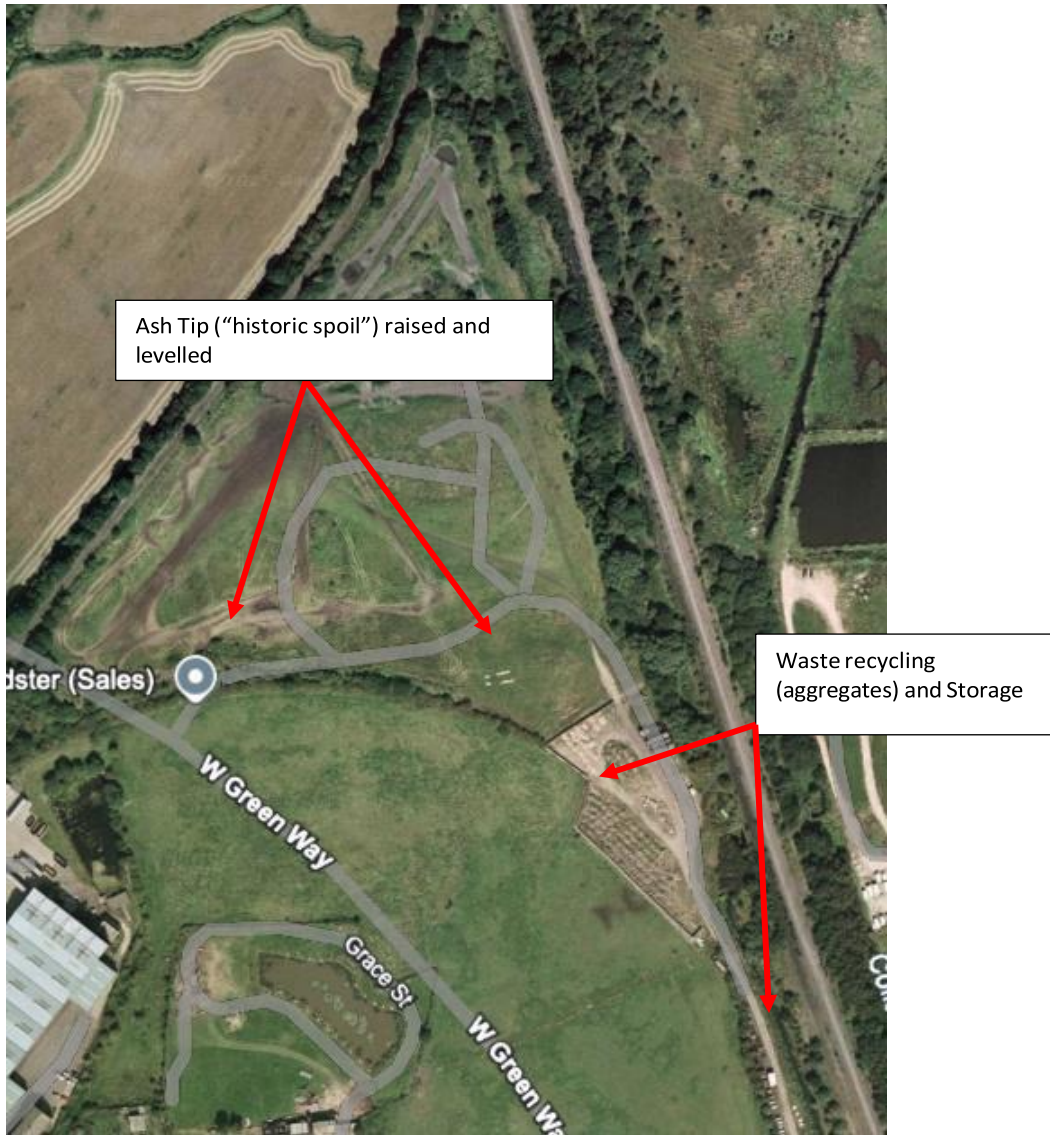


Figure 1 Aerial Mapping Data © Google Earth 1999

AERIAL DATA

September 2008

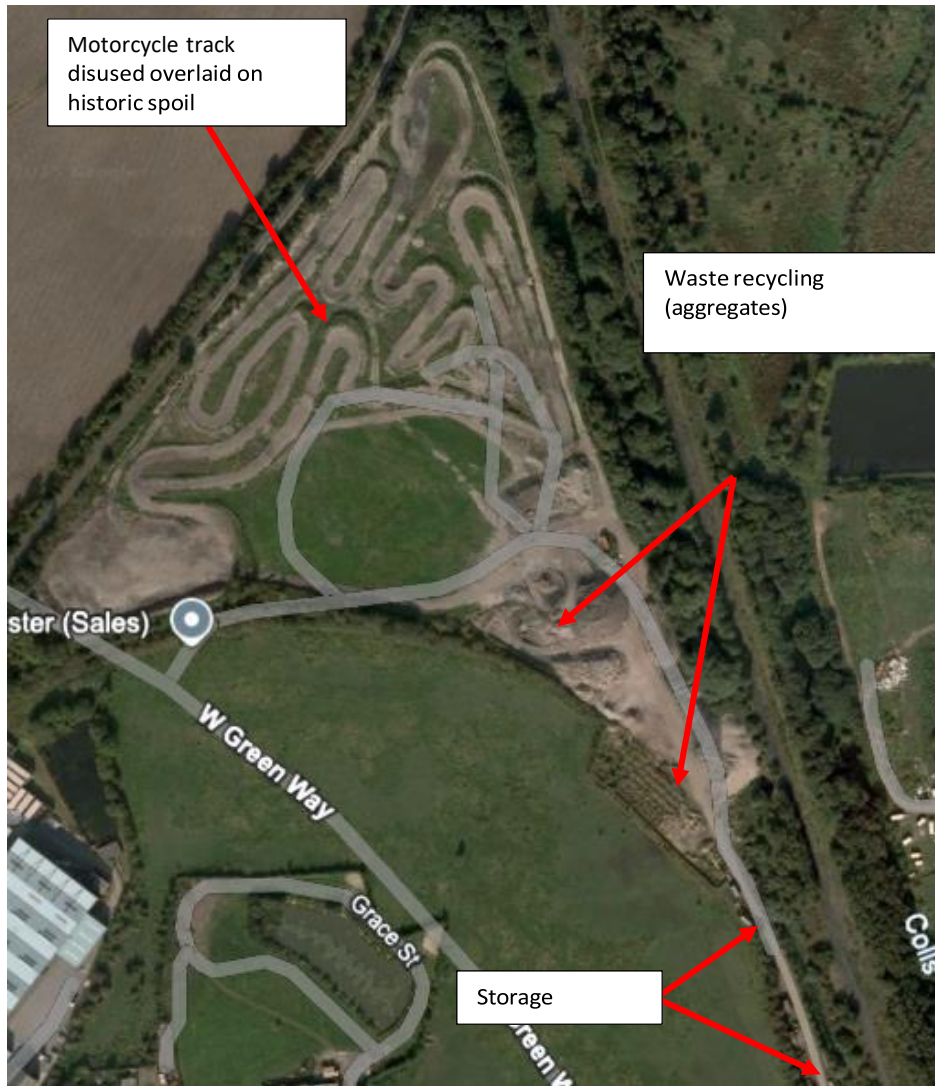


Figure 2 Aerial Mapping © Google Earth 2008

**AERIAL DATA**

**December 2009 – December 2010**

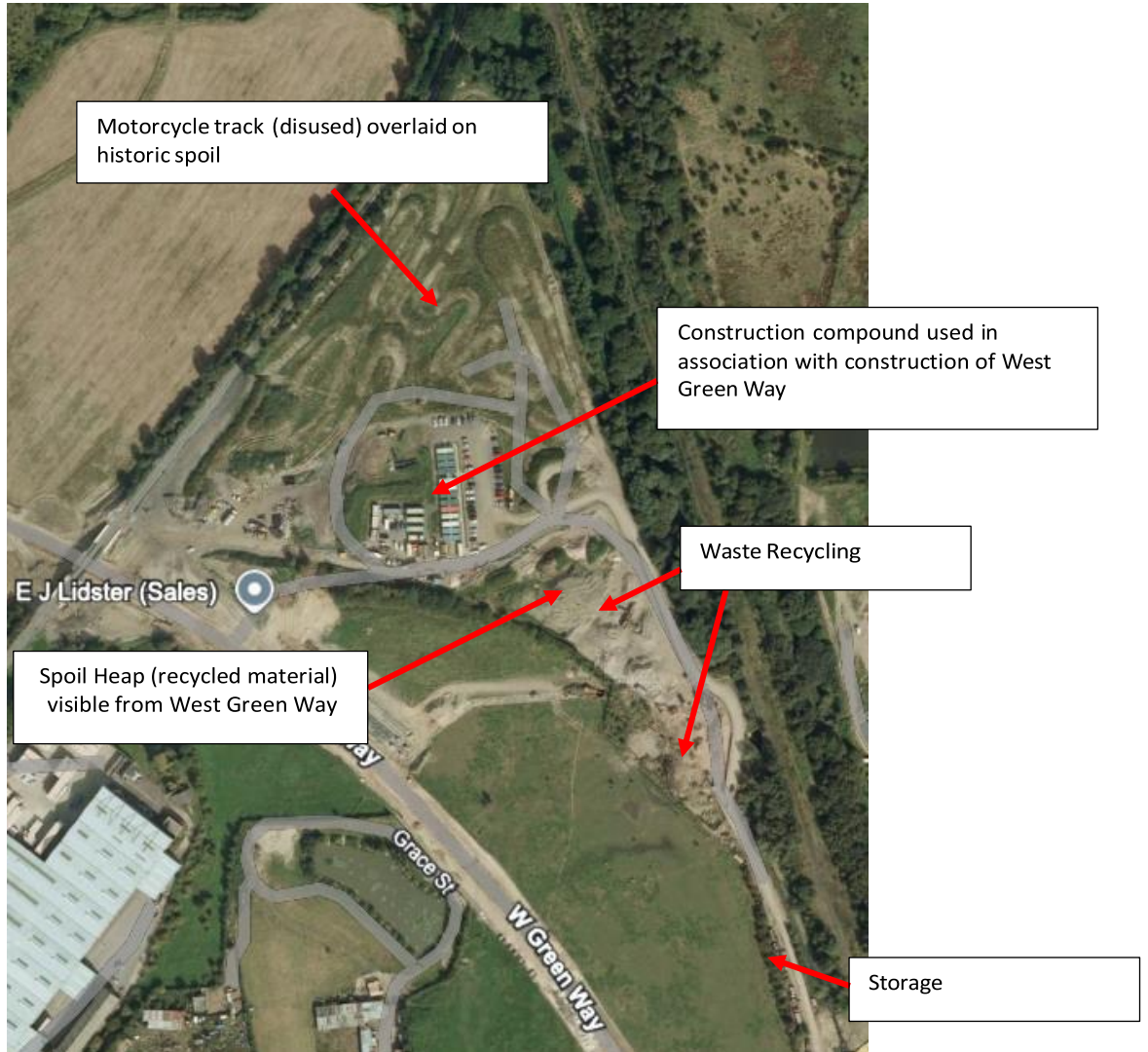


Figure 3 Aerial Mapping © Google Earth 2009-2011

**AERIAL DATA**

**June 2016**



Figure 4 Aerial Mapping © Google Earth 2016

AERIAL DATA

April 2018- April 2021



Figure 5 Aerial Mapping © Google Earth 2018-2021

AERIAL DATA

May 2022

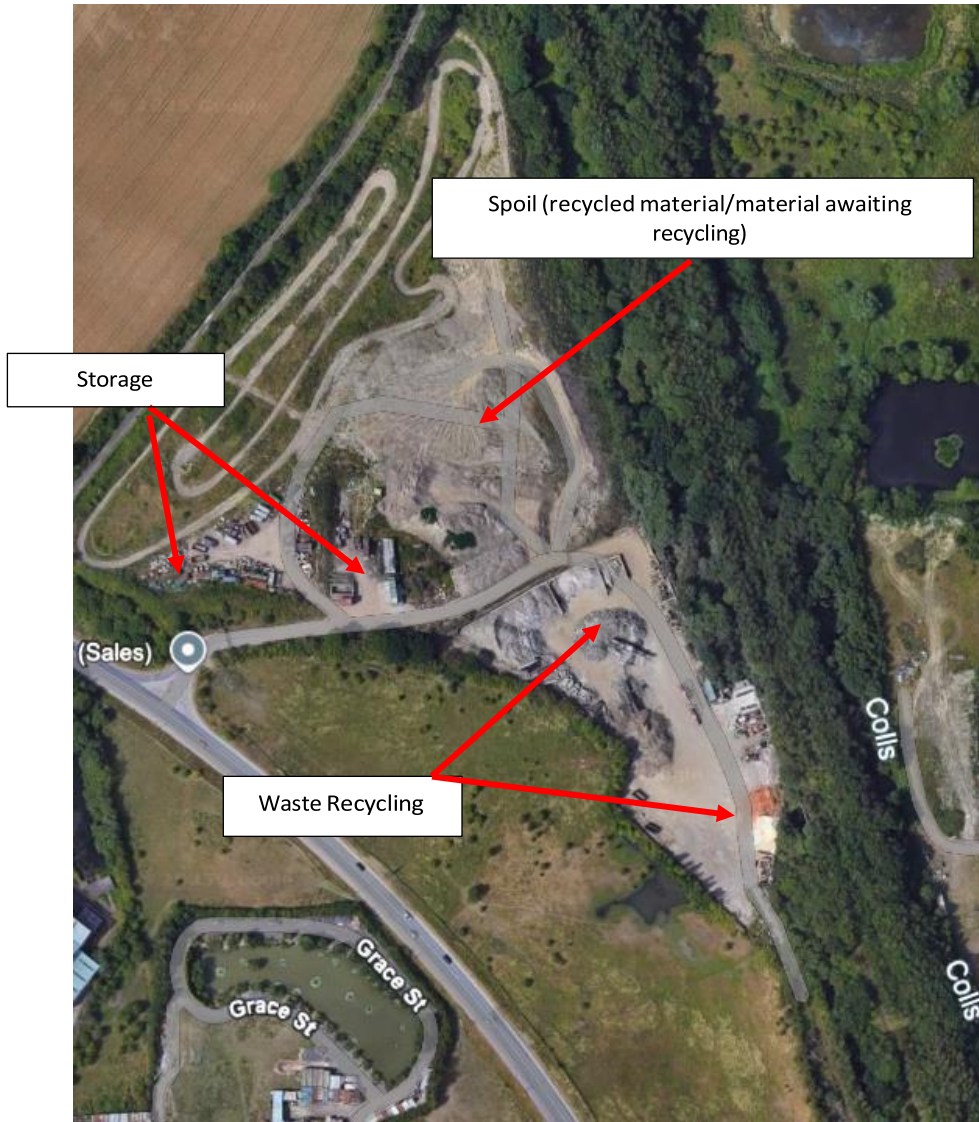


Figure 6 Aerial Mapping © Google Earth 2022

**AERIAL DATA**

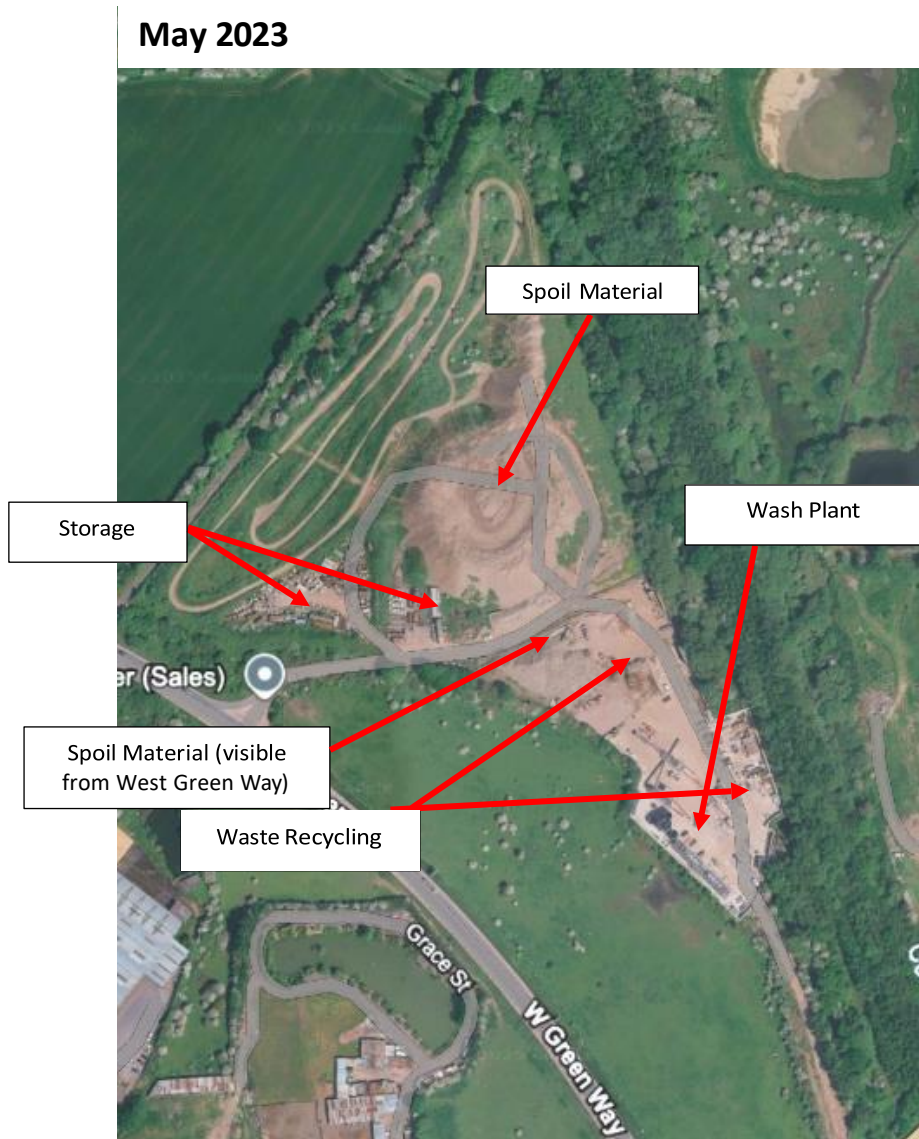


Figure 7 Aerial Mapping © Google Earth 2023

AERIAL DATA

June 2024



Figure 8 Aerial Mapping © Google Earth 2024

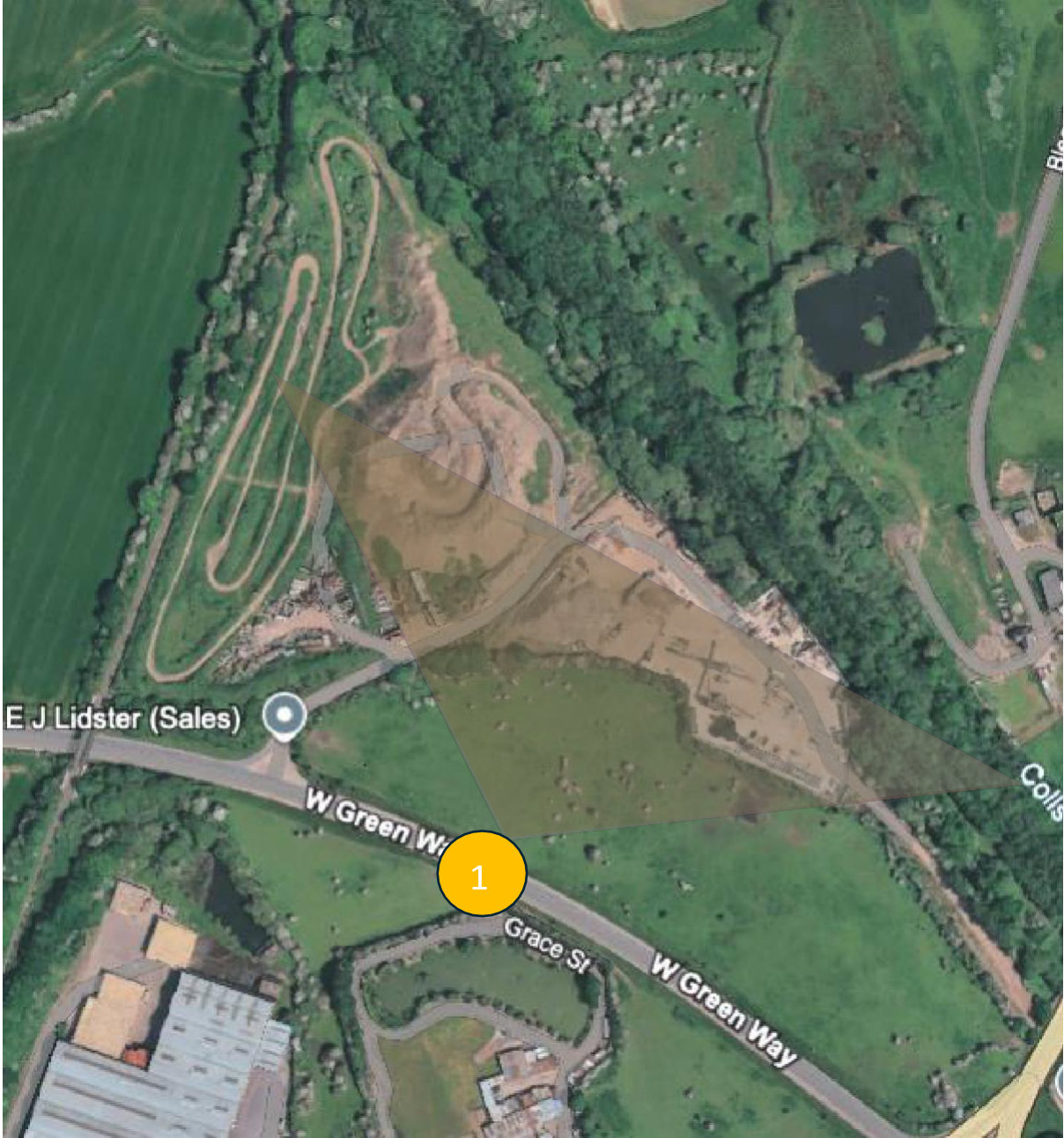
AERIAL DATA

April 2025

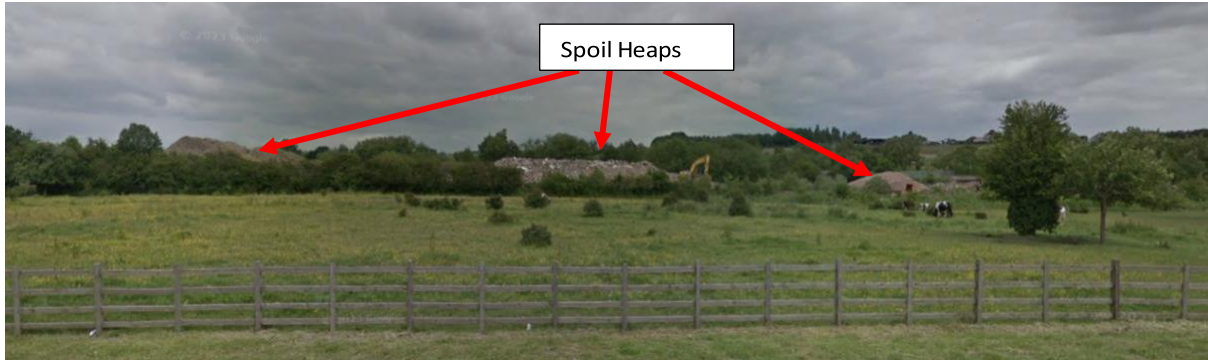


Figure 9 Aerial Mapping © Google Earth 2025

**STREET VIEW DATA - View 1** (approximate position) Looking north from West Green Way towards Wider Site



**View 1 - June 2012**



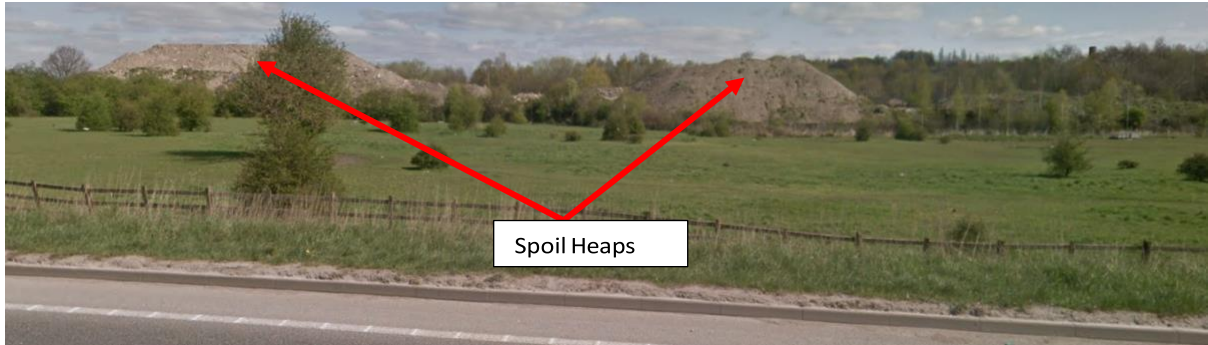
*Figure 10 Photographic evidence of Spoil Heaps June 2012 © Google Earth*

**View 1 - May 2015**



*Figure 11 Photographic evidence of Spoil Heaps May 2015 © Google Earth*

**View 1 April 2019**



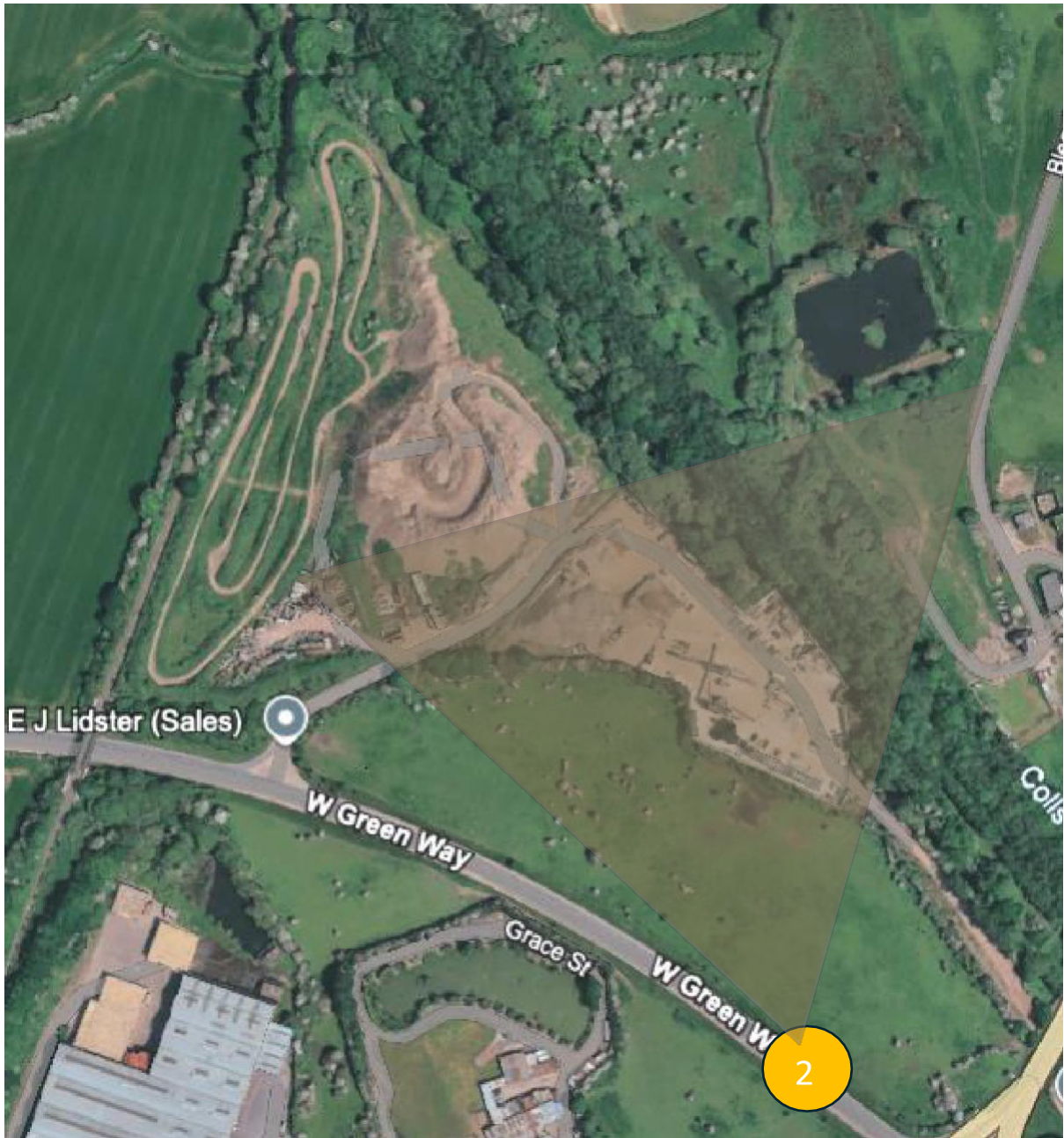
*Figure 12 Photographic evidence of Spoil Heaps May 2015 © Google Earth*

**View 1 August 2024**



*Figure 13 Photographic evidence of Spoil Heap August 2024 © Google Earth*

**STREET VIEW DATA - View 2 (approximate position) Looking north from West Green Way towards Wider Site**



©) Google Earth

**View 2 - June 2012**



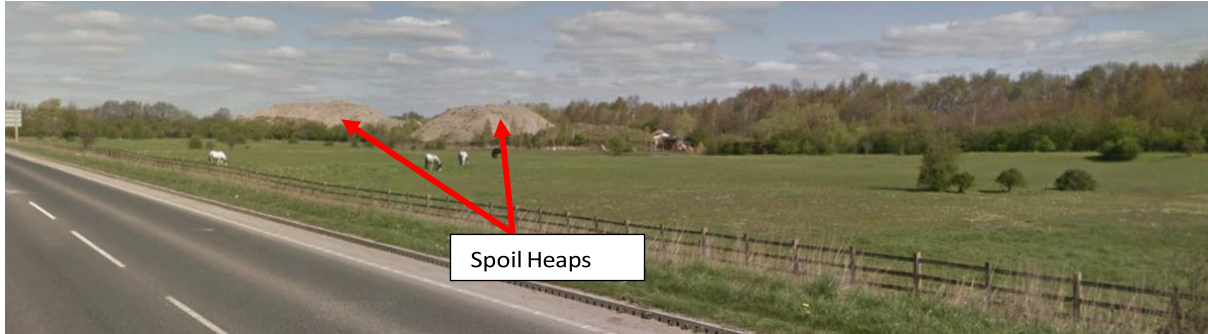
*Figure 14 Photographic evidence of Spoil Heap June 2012 © Google Earth*

**View 2 - May 2015**



*Figure 15 Photographic evidence of Spoil Heaps May 2015 © Google Earth*

**View 2 - April 2019**



*Figure 16 Photographic evidence of spoil heaps April 2019 © Google Earth*


**View 2 - August 2024**



*Figure 17 Photographic evidence of spoil heap August 2024 © Google Earth*


## DOCUMENT 4 (Exhibit EJL1)

### THE LICENSE ENTRY


Department for Environment Food & Rural Affairs

[Data Services Platform](#)

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Environment Agency

Public Registers

[Home](#)
[About public registers](#)
[API reference](#)

[Home](#) > [Search Waste Operations](#) > Result From Environmental Permitting Regulations – Waste Operations For England

## Permit BB3702UV

[Request documents](#)

<b>Permit number</b>	BB3702UV
<b>Waste Management Licence No.</b>	60546
<b>Pre-EA Permit Ref</b>	60546
<b>Licence Holder Name</b>	SEALQUEST LIMITED

## Site

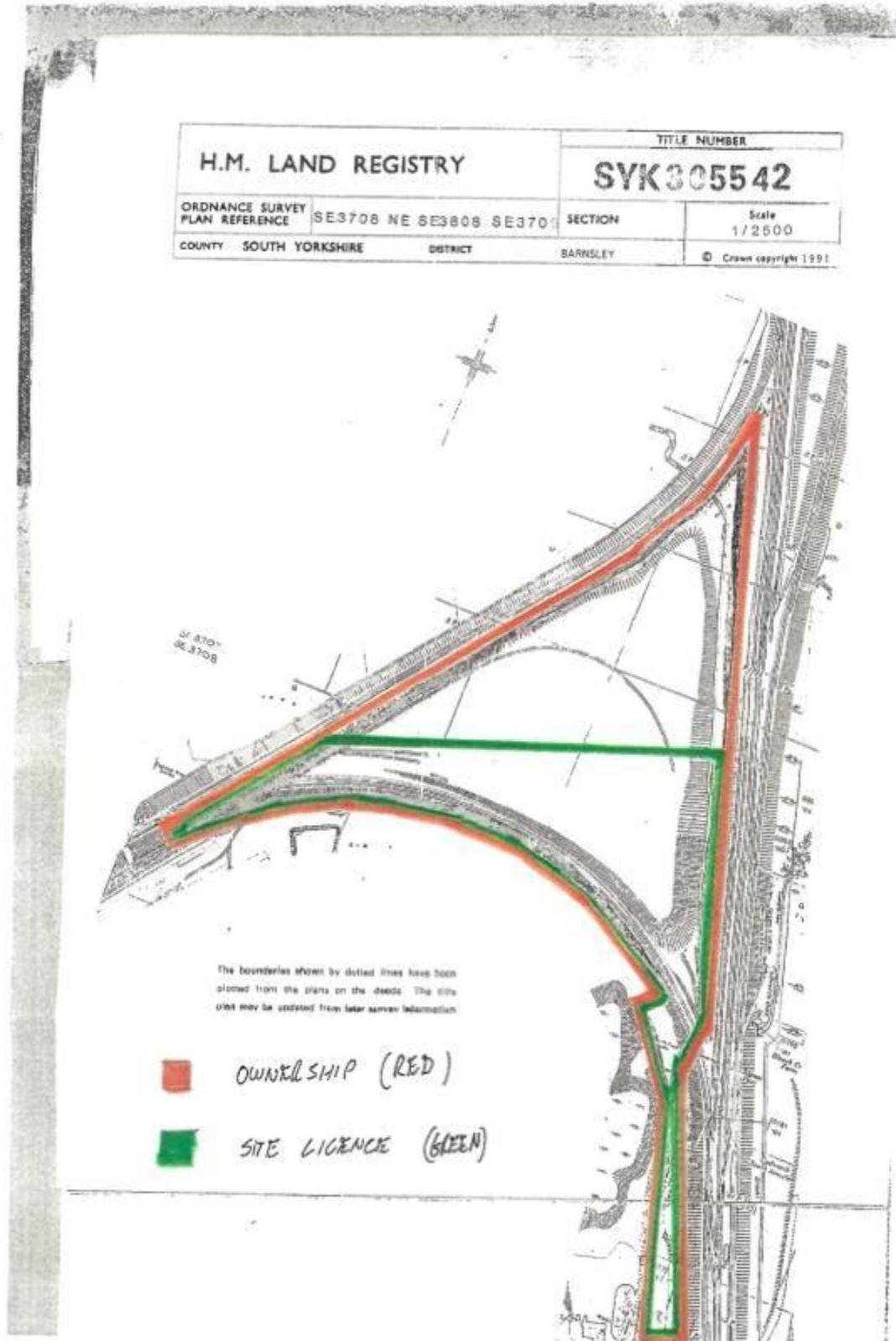
<b>Site name</b>	Land At Junction Of Pontefract Road And Burton Road
<b>Site type</b>	SR2022 No 1: Non-hazardous waste physical treatment facility
<b>Site Grid Reference</b>	SE3800008700
<b>Easting</b>	438000
<b>Northing</b>	408700

## Status

<b>Status Description</b>	Effective
<b>Issued Date</b>	31/01/1994
<b>Transfer Date</b>	31/01/1994
<b>Date Effective</b>	31/01/1994

## DOCUMENT 5 (Exhibit EJL1)

## PLAN UPON WHICH EA PERMIT RELIES



**DOCUMENT 6 (Exhibit EJL1)**  
**THE 2001 PLANNING PERMISSION B/01/0635/BA**



**BARNSELEY**  
 Metropolitan Borough Council

**GRANT OF PLANNING PERMISSION**

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. B/01/0635/BA

**To** E. J. Lidster Construction Ltd.,  
 c/o Alyn Nicholls & Associates,  
 140 Denby Lane,  
 Upper Denby,  
 Huddersfield, HD8 8UN

**Proposal** Use of land for siting of mobile soil screener & crusher/ ancillary processing of imported inert waste & storage of recycled products (Retrospective).

**At** Land off Burton Road, West Green, Barnsley.

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 25 May 2001 and described above.

The approval is subject on compliance with the following conditions:

1. The development shall be carried out in accordance with the submitted drawing No. R/232/2a except where stated otherwise in conditions attached below which shall in all cases take precedence.  
**For the avoidance of doubt.**
2. Prior to the commencement of the use of the site for the crushing and screening operations hereby approved the material storage bunkers shall be erected in strict accordance with approved drawing No. R/232/2a. The bunkers shall thereafter be maintained and retained for the duration of the use of the site hereby approved.  
**In the interests of the visual amenity of the locality and the proper management of the site.**
3. All material stored on the site shall be stored in the bunkers provided pursuant to the requirements of condition No. 2 above both prior to and after processing. At no time shall any material whatsoever be stored elsewhere on site.  
**In the interests of the visual amenity of the locality and the proper management of the site.**
4. The height of all material stored on site shall not exceed 2.5 metres in height at any time.  
**In the interests of the visual amenity of the locality.**

*Martin Kinder*

Signed  
 Assistant Director, Planning and Transportation

Dated 23 October 2001

*The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.*

Planning and Transportation Service  
 Central Offices, Kendray Street, Barnsley. S70 2TN

Telephone: 01226 - 772600  
 Fax: 01226 - 772599

5. The site shall only be used for the storage of hardcore, soil material, inert demolition and construction waste material arising from operations undertaken solely by E J Lidster Construction Limited and shall strictly not be used for the storage of any other material or any material arising from any third party operations.  
**In the interests of the residential and visual amenity of the locality and highway safety.**
6. No scrap vehicles, disused vehicles, component parts, scrap materials or waste materials of any description shall be stored or displayed on the site at any time.  
**In the interests of the residential and visual amenity of the locality.**
7. All loaded vehicles accessing and egressing the site shall be securely sheeted with a polypropylene net or similar.  
**In the interests of highway safety.**
8. Except with the prior written approval of the Local Planning Authority, working operations upon the site shall be limited to the hours between 08.30 hours and 18.00 hours on Monday to Friday, 08.30 hours and 13.00 hours on Saturdays, and not at all on Sundays and Bank Holidays. No importation or exportation of any material or any material processing operations shall occur outside of these hours.  
**In the interests of local amenity.**
9. No burning of materials of any description shall occur on any part of the site at any time.  
**In the interests of the residential and visual amenity of the locality.**
10. The crushing plant to be used on the site shall be the Megabite Crusher model manufactured by Extec only and the screening plant to be used on the site shall be the TurboTrac and Robotrac models manufactured by Extec only as indicated in the applicant's agent's letter dated 7th August 2001 and accompanying details. Only one such crushing plant and one of each such screening plant shall be stored and used on the site at any one time. No other crushing or screening plant shall be used on site except with the prior written approval of the Local Planning Authority.  
**In the interests of residential amenity.**
11. Prior to the commencement of the use of the site for the crushing and screening operations hereby approved, or in any case within three months of the date of this permission, the landscape bund shall be completely formed and graded in strict accordance with the details shown on drawing No. R/232/2a. The bund shall comprise only clean subsoil and soil material and no other material of any kind shall be used in its construction.  
**In the interests of the visual amenity of the locality.**
12. Prior to the commencement of the use of the site for the crushing and screening operations hereby approved a scheme shall be submitted to, and received the written approval of, the Local Planning Authority identifying measures to be taken to ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit slurry, mud, or any other material

from the site onto the highway. The development shall thereafter be undertaken in accordance with requirements of the approved scheme. The access track adjacent to Small Bridge Dyke shall be maintained in a clean condition for the duration of the development. Notwithstanding such arrangements, should any material nevertheless be accidentally deposited on the public highway, such material shall be immediately removed by the operator.

**In the interests of road safety.**

- 13 Prior to the commencement of the use of the site for the crushing and screening operations hereby approved the entire length of the eastern site boundary shall be provided with a 1.5 metre high post and wire fence comprising a minimum of two wire strands.

**To ensure the containment of site storage operations in the interests of the visual amenity of the locality and the proper management of the site.**

- 14 Prior to the commencement of the use of the site for the crushing and screening operations hereby approved the northern site boundary shall be fully provided with a two metre high concrete panel wall. Details of any gate to be inserted into the wall shall have been submitted to, and received the written approval of, the Local Planning Authority prior to its installation. Such wall and gate shall thereafter be retained and maintained for the duration of the use of the site hereby approved.

**In the interests of the visual amenity of the locality.**

- 15 Prior to the commencement of the use of the site for the crushing and screening operations hereby approved a scheme shall be submitted to and, approved in writing by, the Local Planning Authority describing the methodology to be employed to suppress dust arising from the operations. Such measures may include water bowsers; sprayers mobile and fixed; or similar equipment; regulating the speed of vehicles on the site; and such other steps as are appropriate. The operations shall thereafter be undertaken in complete accordance with the approved scheme.

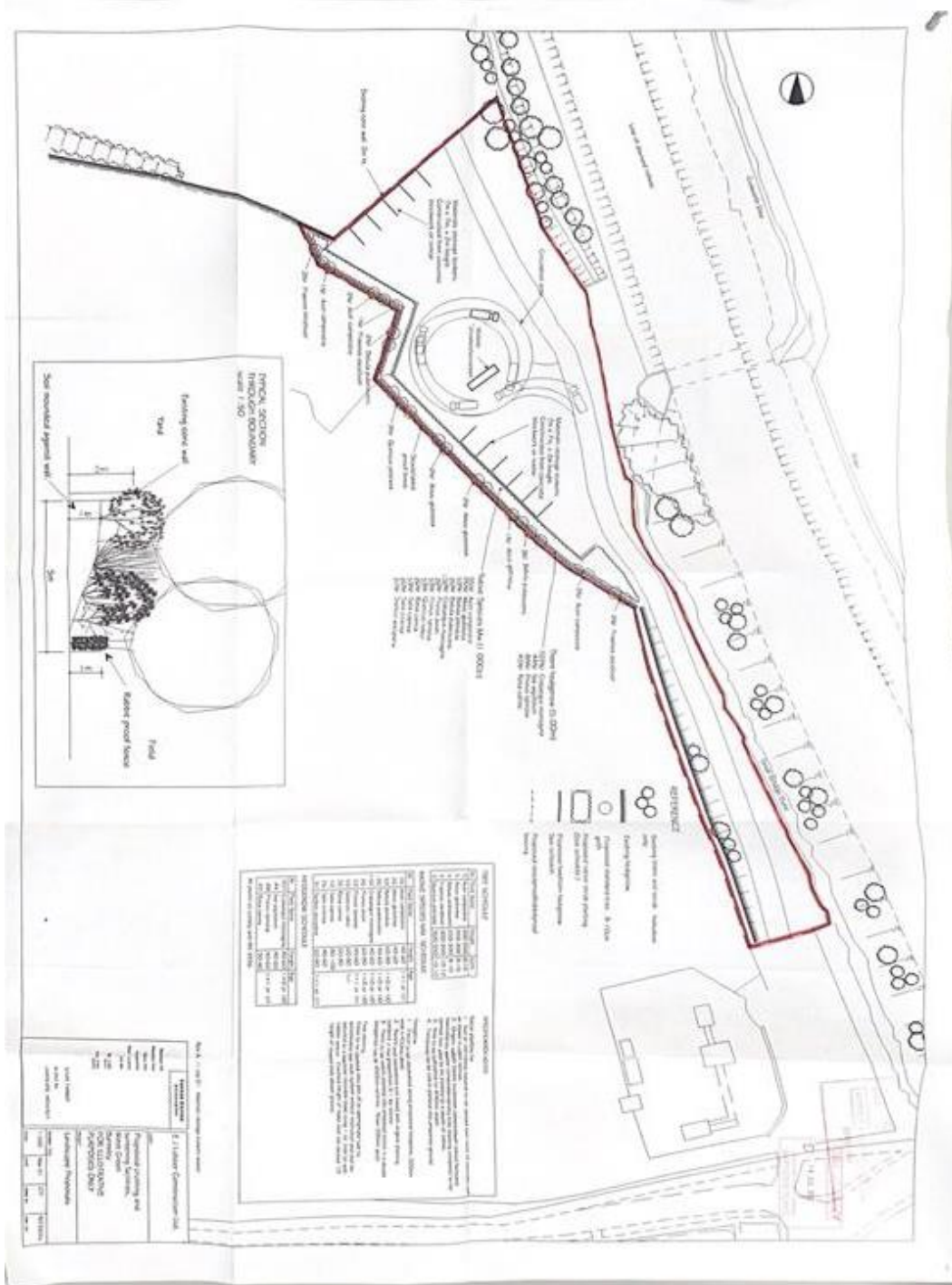
**In the interests of local amenity and to protect the environment.**

- 16 All planting comprised in the approved details of landscaping shown on approved drawing No. R/232/2a shall be carried out in the first planting and seeding seasons following the date of this planning permission; and any trees or plants which within a period of 5 years from the date of this permission die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority give written consent to any variation.

**In the interests of the visual amenities of the locality.**

DOCUMENT 7 (Exhibit EJL1)

PLAN APPROVED BY 2001 PERMISSION



**DOCUMENT 8 (Exhibit EJL1)**  
**TRAFFIC REGULATION ORDER 2018**

**ODD/25/2018**

Record of Decision of the Head of Highways and Engineering for;

**CUDWORTH BYPASS & SHAW LANE, CARLTON**  
**REVISIONS TO VARIOUS SPEED LIMIT RESTRICTIONS**

**Subject**

As part of the construction of the Cudworth Parkway and West Green Way (which opened in May 2010), a new Traffic Regulation Order was completed to set speed limits on the newly constructed Cudworth Parkway, West Green Way, and Weetshaw Lane link road.

A part of the post Bypass completion works was the introduction of street lighting along Shaw Lane. The presence of street lighting would automatically reduce the speed limit to 30mph.

Unfortunately, finance for the work was not available owing to the austerity measures. This has led to a discrepancy with requires a 30mph speed limit by order TRO to be implemented.

It was also identified that the current TRO for Cudworth Parkway leaves a 20 metre gap in 40 speed limit on the section of road south west of Weetshaw Lane roundabout. Additionally, a short section of Burton Road and Pontefract Road is missing from the national speed limit order. It is proposed to correct the TRO and include the missing sections.

Consultations have taken place with local Ward Members, the Area Council Manager and Emergency Services, no objections have been received. There is no Parish Council affected by the proposals.

**Authority**

*Part C Paragraph 19 (b) Delegations to Officers: After consultation with Local Members and the relevant Parish Council, to arrange for the publication of Traffic Regulation Orders requiring the enforcement of traffic control measures and, subject to no objections being received, to make the Orders and implement the restrictions.*

**Decision Taken**

The proposals to be advertised and any objections to be the subject of a report to Cabinet. If there are no objections the Head of Highways and Engineering and the Executive Director of Core Services and solicitor to the Council be authorised to make and implement the Order.

**Financial Implications:**

Signature: 

Date: 16 MAY 2018  
 (Budget Holder)

**Date of Decision:**

Signature: 

Date: 16/5/18  
 (Group Manager - Highways and Engineering)

**Date Approved:**

Signature: 

Date: 16/5/18  
 AP (Head of Highways and Engineering)

**DOCUMENT 9 (Exhibit EJL1)**  
**RECONOMY LTD FRAMEWORK AGREEMENT EXTRACT**

THIS AGREEMENT is made on the 24<sup>th</sup> February 2015

**BETWEEN**

- (1) **Reconomy (UK) Limited** (Registered in England No. 2951661) whose registered office is at Radford House, Stafford Park 7, Telford, Shropshire ("Reconomy"); and
- (2) **E.J. Lidster (Sales) Ltd** (Registered number 08443154) whose registered office is at Marland House, 13 Huddersfield Road, Barnsley, S70 2LW and their subsidiary or associated companies, collectively ("**the Supplier**")

**WHEREAS:**

- (A) The Supplier is engaged in the business of providing certain Services (the Services) as described in Clause 4 of this Agreement.
- (B) Reconomy wishes to appoint the Supplier to provide the Services and the Supplier is willing to provide the same and to accept such appointment upon the terms and conditions of this Agreement.

**NOW IT IS HEREBY AGREED AS FOLLOWS:**

**1.0 Purpose of this Agreement**

This Agreement sets out the terms under which the Supplier is considered a Preferred Supplier of Reconomy.

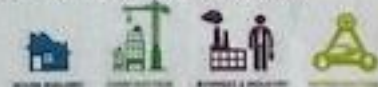
Preferred Supplier status will only continue if Supplier continues to meet the selection criteria which includes, but is not limited to, continued competitiveness of the prices given to Reconomy and Reconomy's satisfaction of the Service.

**2.0 Principles**

Reconomy has built a reputation for providing exceptional service to Reconomy's clients and our Preferred Suppliers play a key role in the delivery of this service. In the process to ensure that our preferred suppliers meet the needs of our growing business, we have rigorously sought suppliers that share our aim for the highest quality of service, health and safety, sustainability and exceptional value.

Reconomy is committed to developing long-term, mutually beneficial relationships with its Preferred Suppliers. To that end, the Supplier is expected to offer a market competitive, high quality and added value service that actively contributes to the success and growth of Reconomy.

In return, Reconomy undertakes to assist the Supplier to grow and develop its business with Reconomy. This will potentially result in the Supplier having additional opportunities, which the Supplier would otherwise not have had, by being introduced to various Reconomy sites.



Reconomy will appoint its own personnel or nominated third parties carry out the initial training for all relevant operatives in respect of the use of the Proprietary Binders and production of the **PRODUCTS**. All trained operatives will receive a training certificate from Reconomy and it is the responsibility of the Supplier to notify Reconomy of the personnel that require training.

If so required by the Supplier Reconomy can also be commissioned to assist in obtaining the following in the event that they do not exist or are required for new facilities:

- Obtaining an up-to-date Waste Management License/Permit
- Producing a Compliant Quality protocol to produce the **PRODUCTS**
- Auditing the Compliant Quality Protocol for producing the **PRODUCTS**

Reconomy reserves the right charge for these additional services on a job by job or project basis, any such charges will be agreed in writing by both parties.

### 3.0 Agreement Period

This Agreement shall come into force on 1<sup>st</sup> April 2015 and (subject to the provisions for termination set out in clause 15 of this Agreement) shall last for an initial period of 3 years (**the Initial Period**), followed concurrently, year on year, up to a maximum of 5 years and shall continue in force thereafter on a yearly basis, unless and until the Agreement is terminated in accordance with the provisions set out in clause 15

Following termination of the Agreement, both Parties will be bound by the confidentiality and non circumvention warranties entered into by the Parties which will remain in force following termination.

### 4.0 Services

The Services to be provided by the Supplier include, but are not limited to, the following:

- Provision of Hydraulically Bound Materials ( HBM)
- Provision of Structural Materials for Reinstatement ( SMR)
- Provision of Cement Bound Material (CBM)
- Stabilised Material for Fill (SMF)
- Tipping of waste
- Any other innovations that are introduced to the Supplier relative to the services described
- Reconomy will aim to utilise E J Lidster transport services for product deliveries and will provide alternative pricing on an "open book" basis.



## 6.0 Policies, Procedures, Specifications and Standards

The Supplier will comply **at all times** with the requirements listed below and any other such requirements that from time to time Reconomy deem relevant:-

- The WRAP and UKAS Protocols for Recycled Aggregates;
- All other standards, approvals and testing regimes
- Reconomy Client Site Induction Procedures
- Specifications and standards referred to in specific call-off instructions, including those of Balfour Beatty Utilities Services (BBUS) and the Reconomy Client.
- The requirement to store the Propriety Binders/Product under cover and in a dry environment.
- The EC Health & Safety regulations stipulating that cement based products shall be used within 8 weeks of manufacture. This is to ensure the irritant retardant within the cement remains active when the product is used. It does not otherwise affect the performance of the Proprietary Binders

## 7.0 Geography / Territory

The following geographies/Territories are in the scope of this agreement: (indicate accordingly)

15 mile radius of West Green recycling including Sheffield, Rotherham, Doncaster, Wakefield	✓
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These being:- West Green Recycling West Green Way Barnsley S71 2RY

The defined geography/Territory is exclusive to the Supplier and Reconomy agrees not to promote or support any alternative facility within the geography

## 8.0 Opening Hours / Facility Operation

The Supplier will provide access to its facilities for tipping and collection during the hours of 0700 – 1700 on Weekdays- Monday to Friday.  
Weekend opening will depend on volume requirements and opening hours will be agreed at such time by both parties.

Reconomy may on occasions require the Supplier to provide access to its facilities outside of those detailed above and such requirements will be provided by the Supplier at no additional cost to Reconomy.

## APPENDIX 1

### PRICE SCHEDULE

The price(s) applicable to the Suppliers facilities at:-

West Green Recycling  
West Green Way  
Barnsley  
S71 2RY

#### Are:-

Tipping of waste code: 17 05 04 - £9.00 per tonne

#### Ex works collect prices

S.M.R - £12.00 per tonne  
Fill Sand - £10.00 per tonne  
Pipe Bedding - £15.00 per tonne

**DOCUMENT 10 (Exhibit EJL1)**  
**YHAUC FRAMEWORK AGREEMENT**

Attn: Mr. Anthony Lidster

E J Lidster  
Arunden House  
Lund Lane  
Barnsley  
S71 5PA

18<sup>th</sup> February 2015

**Mone Bros Excavations Ltd (MB) and all EJ Lidster Group of Companies (EJL)  
YHAUC Accreditation and Working Partnership Proposal**

Dear Anthony,

Further to MB and EJL meetings last week and telephone conversation today, please find the following:

**Proposal for SMR:**

1. MB will prepare the documentation required to Achieve YHAUC initial approval and attend all meetings regarding this.
2. All testing of materials will be carried out by a YHAUC approved Laboratory and invoiced direct to EJL.
3. MB will continue to support EJL once the accreditation is gained and for as long as it is held.

**Payment Proposal:**

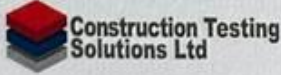
- EJL will pay MB an initial payment of £1000.00 + vat for works to commence.
- Upon YHAUC Approval for the SMR, EJL to pay MB a further payment of £4000.00 + vat.
- Every month after approval, a royalty payment of £1.25 + vat for every tonne of SMR sold by EJL will be paid to MB.

This agreement will stay in place whilst ever E J Lidster Ltd holds YHAUC accreditation or sells YHAUC accredited SMR.

I trust this meets with your approval Anthony and we are looking forward to working with you in the near future.

Yours sincerely,

Stephen Horsley  
Director

Issue No: 1	Revision No: 0	Issue Date: 18 Dec 2013	Issued By: J Hardcastle	 <b>Construction Testing Solutions Ltd</b>  Unit 8 & 9, Bootham Lane Industrial Estate Bootham Lane, Dunstcroft Doncaster, DN7 4JU
<h2>Service Level Agreement</h2> <p><b>E J Lidster Sales Ltd</b>  <b>SMR Enhanced – Westgreen Recycling</b>  YHAUC Quality Plan Framework Agreement 2013</p>				

### A1.0 INTRODUCTION

A1.1 **E J Lidster Sales Ltd** has confirmed their intentions to employ **Construction Testing Solutions Limited** as their Nominated Laboratory responsible for the sampling and testing of recycled aggregates in accordance with the YHAUC Framework Agreement 2013. This Service Level Agreement relates to the sampling and testing of materials from the following source:

- **Series 800 SHW MCHW**  
**SMR Enhanced**  
**Westgreen Recycling**

A1.2 The primary objective of this Service Level Agreement is to put in place effective mechanisms for ensuring that the sampling and testing, reporting and liaison throughout is carried out in accordance with the YHAUC Framework Agreement 2013.

A1.3 The second objective is to ensure that the approach and actions undertaken are well documented for the purposes of regulation, insurance and legal liability. Details of the companies insurances are enclosed in Appendix III of this document.

A1.4 This document has been prepared by Paul Nodder, Laboratory Director of Construction Testing Solutions Limited, who will oversee all works relating to this contract and be the first point of contact for **E J Lidster sales Ltd** and YHAUC.

**APPENDIX 2 – NOTICE OF DECISION FOR 2024/0329**



## **GRANT OF PLANNING PERMISSION**

TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION NO. 2024/0329**

**To** Crowley Associates  
24a St Andrews Road  
Sheffield  
S11 9AL

**DESCRIPTION** Erection of electricity substation for purposes ancillary to existing waste recycling facility (Retrospective)

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

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 29/04/2024 and described above.

The approval is subject on compliance with the following conditions:

- 1 The development hereby approved shall be carried out strictly in accordance with the plans (Nos) and specifications as approved unless required by any other conditions in this permission.  
Cable easement plan drawing number C1115011CF  
Location plan  
Proposed site plan  
Substation specification drawing number 2965

**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.**

## **Informative(s)**

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, and otherwise actively engaged with the applicant in dealing with the application in a positive and proactive manner.

Please be aware that the Council monitors construction sites and open land within the vicinity of such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- a fine of up to £50,000 and
- up to six months imprisonment on conviction.

Therefore, if necessary, please ensure that all demolition waste and waste associated with the construction of any development is disposed of via approved methods and that documents are retained to prove this.

Signed:

Dated: 20 June 2024

A handwritten signature in black ink, consisting of a stylized, cursive script that appears to read 'Garry Hildersley'. The signature is written over a horizontal line.

**Garry Hildersley**

Head of Planning, Policy & Building Control  
Growth & Sustainability Directorate

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

## **NOTES:-**

### **Appeals to the Secretary of State**

If you are aggrieved by the decision of the Council to grant permission for the proposed development subject to conditions then you can appeal to the Secretary of State for the Environment, Transport and Regions under Section 78 of the Town and Country Planning Act. If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

### **Purchase Notices**

If either the Local Planning Authority or the Secretary of State for the Environment, Transport and Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

### **Compensation**

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference to the application to him. These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.

**APPENDIX 2A – OFFICER’S REPORT FOR 2024/0329**

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**2024/0329**

Mr Eric Lidster

Erection of electricity substation for purposes ancillary to existing waste recycling facility (Retrospective)

West Green Recycling, West Green Way, Monk Bretton, Barnsley, S71 5SN

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### **Site Location and Description**

The application site is limited to an area only slightly bigger than the siting of the substation, which is in place. The substation sits on the west boundary of the wider waste recycling facility which is accessed off West Green Way. The wider site is roughly surfaced, and the new substation is adjacent to a recently erected/placed range of plant and machinery, subject to a current application. The siting of the substation is adjacent to a form of concrete block boundary treatment in excess of 2m high which screens the substation from wider views to a great extent, although it is not clear how long the boundary treatment has been there, and therefore whether or not it is authorised. The application site and its high mounds of material and the ongoing development of plant and machinery is otherwise very visible from West Green Way.

### **Planning History**

- 2023/0859 – retention of electricity substation for purposes ancillary to existing waste recycling facility – withdrawn
- B/01/0635 – Use of land for siting of mobile soil screener and crusher/ancillary processing of imported inert waste and storage of recycled products (Retrospective)  
The permission is subject to several conditions including that all material shall be stored in the approved bunkers; and shall not exceed 2.5 metres in height.

There is also an as yet undetermined application to retain

### **Proposal**

The application proposes to retain the recently constructed electricity substation which the application form indicates is 'for purposed ancillary to existing waste recycling facility'. The substation is clad in metal of a muted blue/grey colour and is approximately 3.8m x 3.8m by 2.5m high.

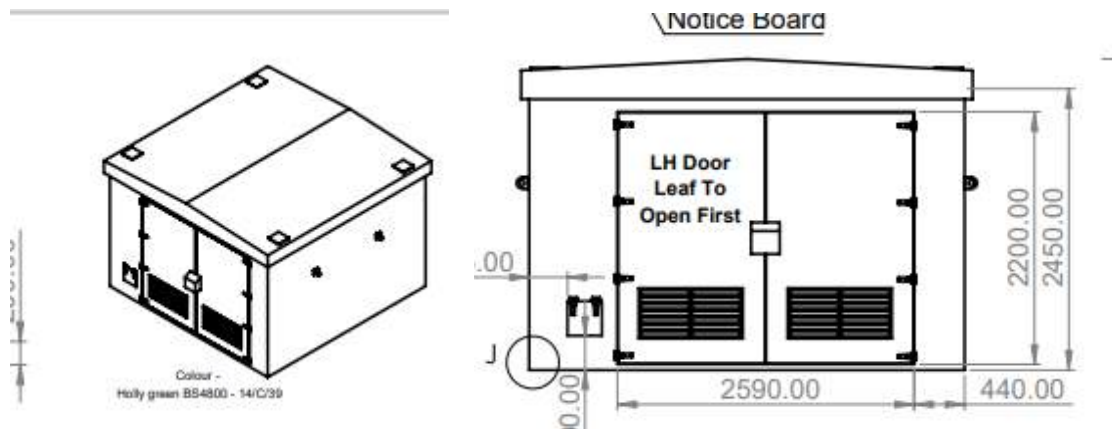
The application is supported by a Preliminary Ecological Appraisal (which is dealt with in the Ecologists comments and the analysis)

The applicant's agent submitted letters in support of the application clarifying a number of issues including that:

- The site does benefit from an existing electrical supply, but it is limited and only serving the on-site cabin. It is not sufficient to support electric vehicle charging or to power more modern equipment/machinery within the site.
- There is an active planning application seeking retrospective planning permission for additional infrastructure on the wider site. The substation is required to support the existing waste recycling operations, and examples of vehicles and machinery which need the improved electricity supply are provided – electric transit vans and chassis cab pickups; electric telehandlers; electric excavators.

- The provision of the substation will greatly reduce reliance upon diesel, including diesel generators and increase their sustainability credentials.

Extracts from proposed plans:



## Policy Context

Planning decisions 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 and the 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 within an area allocated for as a mixed use site where site specific policy MU3 states:

### **Site MU3 Land off Shaw Lane Carlton**

This site is proposed for mixed use for housing and green space. The indicative number of dwellings proposed for this site is 1683. These are included in the Housing figures for Urban Barnsley in the Housing chapter.

The development will be subject to the production of a phased Masterplan Framework covering the entire site to ensure that development is brought forward in a comprehensive manner.

The development will be expected to:

Retain areas of woodland, not affected by the road. Should any part of the existing Wharncliffe Woodmoor green space be developed, an area of compensatory biodiversity-value green space of equivalent size should be created on the land

within site MU3 to the east of the existing Wharnccliffe Woodmoor green space. Compensatory areas will need to be linked to Wharnccliffe Woodmoor by wildlife corridors;

Provide access from Far Field Lane roundabout;

Provide off site highway works;

Retain the higher ecological value habitats in the southern part of Wharnccliffe Woodmoor green space, together with the water courses in the centre of the site with a buffer;

Provide robust measures to mitigate ecological impact where the construction of the access road impacts upon the southern part of the site which has high ecological value and in particular woodland blocks;

Provide robust mitigation measures to mitigate against noise, odour and other potential impacts arising from the existing industrial operations at Manor Bakeries and Boulder Bridge;

Provide small scale convenience retail and community facilities in compliance with Local Plan policy TC5 Small Local Shops; and

Avoid locating built development in parts of the site within flood zone 2 and 3.

**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 GD2 Temporary Buildings and Uses** - temporary buildings will normally be allowed where it can be demonstrated that a permanent building is not suitable. On sites visible from highways and public areas, temporary building permissions will normally be limited to 5 years. Where vacant sites and buildings are not to be immediately developed, appropriate temporary uses may be permitted subject to other policies in the Plan.

**Policy H3 Uses on allocated housing sites** – indicates that the sites shown as housing sites on the Policies Map will be developed for residential purposes and other uses on these sites will only be allowed where: they are small scale and ancillary to the housing elements; and they provide a service or other facility for local residents.

**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 and cycles. Also sets criteria in relation to minimum levels of parking, provision of transport statements and of travel plans.

**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 T5 Reducing the Impact of Road Travel** – we will reduce the impact of road travel by developing and implementing air quality action plans; working to improve the efficiency of vehicles and goods delivery and implementing measures to ensure the current road system is used efficiently.

**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 HE1 The Historic Environment** – indicates that we will positively encourage developments which will help in the management, conservation, understanding and enjoyment of Barnsley's historic environment and will support proposals which conserve and enhance the significance and setting of the borough's heritage assets.

**Policy BIO1 Biodiversity and Geodiversity** - Indicates that development will be expected to conserve and enhance the biodiversity and geodiversity features of the borough and that harmful development will not be permitted unless effective mitigation and/or compensatory measures can be ensured.

**Policy CC3 – Flood Risk** – the extent and impact of flooding will be reduced by not permitting new development where it would be at unacceptable risk of flooding or would give rise to flooding elsewhere; ensure that only water compatible or essential infrastructure is allowed in functional floodplain (subject to the flood risk exception test) and provided that here is no harmful effect on the ability of the land to store floodwater; (etc etc) -sets a range of criteria in relation to development and flood risk, including expecting all development proposals on brownfield sites to reduce surface water run off by at least 30%; development on greenfield sites to maintain or reduce existing run off rates; and development proposals to use SuDS in accordance with policy CC4.

**CL1 Contaminated and Unstable Land** – requires the submission of a report where future users or 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.

**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.

### **SPDs**

**Biodiversity and Geodiversity SPD** - Sets out how Local Plan policy BIO1 and G11 on green infrastructure will be applied. It also provides further specific detail about the Dearne Valley Nature Improvement Area.

### **Other**

**Carlton MPF** covers the land allocated as MU2 and MU3, for mixed use development including housing, green space and a primary school. The MPF indicates amongst other things that the application site (and the wider waste recycling facility) is within phase 5, an area of 7.2 ha which is expected to deliver in the region of 288 homes

## **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.

Para 81. Planning 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 taking into account local business needs.

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.

Para 174 – planning decisions should contribute to and enhance the natural and local environment by protecting sites of biodiversity value and minimising impacts on and providing net gains for biodiversity

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 comments received (confirmed no objections on previous application).

**Conservation Officer** – no objections.

**Planning Ecologist** – no comments. The development is exempt from mandatory BNG.

**Pollution Control** – recommends approval

**Contaminated Land Officer** – no comments received

**Environment Agency** – no comments received

**Forestry** – no comments received

**Highways Drainage** – confirmed happy for the details to be checked by building control

**Ward Councillors** – No comments received

## **Representations**

The application has been advertised via a site notice displayed for the period 8 to 30 May 2024.

Comments from South Yorkshire Police have been received, providing advice about site security.

## **Principle of development**

The principle of the proposed development is complicated because this is an existing and longstanding waste recycling facility on a site which was in 2019 removed from the Green Belt and allocated for residential development in the Local Plan. There is no objection to the continued operation of the business. It also appears that development associated with ongoing operation of the business may not be contrary to Local Plan policies which identify the site for housing development and seek to protect the site from other uses.

The applicant has indicated his intention to invest in electric vehicles and equipment which cannot be operated on the current electricity supply and require the proposed electricity substation. The substation is needed to support the existing authorised waste recycling operations and will reduce reliance upon diesel, including diesel generators.

It is concluded that the principle of development is acceptable as it is required in connection with the existing authorised waste recycling operations (and not as previously indicated, solely a requirement for the proposals which are subject of an outstanding planning application which would secure a significant expansion of the business throughput).

### Residential and Visual Amenity

The application proposal does not of itself frustrate the future development of the wider residential phase of the mixed use allocation. It will enable the operation of the existing authorised business with new electric vehicles and machinery which in toto will have a neutral affect on the visual appearance of the wider area, the development of the wider residential phase and the living conditions of future residents.

The proposed development would not have a significantly adverse effect on and unacceptably affect the living conditions and residential amenity of future residents and is therefore not contrary to local plan policies GD1, D1 and Poll1.

### Highway Safety

Reflecting the advice of the Highway Engineer, it is considered that the proposal will not result in any highway safety concerns and is in accordance with Local Plan policies T3 and T4.

### Ecology

Reflecting the advice of the Planning Ecologist it is considered that the proposal will not result in any adverse impacts on biodiversity and is in accordance with Local Plan policy BIO1.

### Heritage

The Council's Conservation Officer advises that the proposal is unlikely to be harmful to the setting of the nearby listed chimney at Bleachcroft Farm, as the sites are separated by the disused railway and a distance of some 200m. Given the general encroachment of the site at Bleachcroft, including the Cudworth Parkway, this development of a very minor nature is unlikely to cause any cumulative harm.

### Other

There is an area of flood risk 3 within the wider waste recycling site, but at some distance from this application site and it is of no consequence for this proposal. The substation as constructed will not have any significant adverse impact on ground contamination or drainage conditions on the site.

## Conclusion

The proposed substation is required in connection with the existing authorised use of the site for waste recycling and is therefore not considered to be in conflict with the development plan allocation. Together with the benefits to the operator of reducing dependence on diesel and the neutral impact on issues including residential and visual amenity, highway safety, ecology and heritage, it is concluded that the proposal is acceptable. The only condition recommended is the approved plans condition since the development has already been concluded and therefore the standard time limit condition is not relevant, and no other conditions are considered to be necessary.

## **Recommendation**

**Grant**

**APPENDIX 3 – NOTICE OF DECISION FOR B/01/0635**



# BARNLSLEY

Metropolitan Borough Council

## GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. B/01/0635/BA

- To** E. J. Lidster Construction Ltd.,  
c/o Alyn Nicholls & Associates,  
140 Denby Lane,  
Upper Denby,  
Huddersfield, HD8 8UN
- Proposal** Use of land for siting of mobile soil screener & crusher/ ancillary processing of imported inert waste & storage of recycled products (Retrospective).
- At** Land off Burton Road, West Green, Barnsley.

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 25 May 2001 and described above.

The approval is subject on compliance with the following conditions:

1. The development shall be carried out in accordance with the submitted drawing No. R/232/2a except where stated otherwise in conditions attached below which shall in all cases take precedence.  
**For the avoidance of doubt.**
2. Prior to the commencement of the use of the site for the crushing and screening operations hereby approved the material storage bunkers shall be erected in strict accordance with approved drawing No. R/232/2a. The bunkers shall thereafter be maintained and retained for the duration of the use of the site hereby approved.  
**In the interests of the visual amenity of the locality and the proper management of the site.**
3. All material stored on the site shall be stored in the bunkers provided pursuant to the requirements of condition No. 2 above both prior to and after processing. At no time shall any material whatsoever be stored elsewhere on site.  
**In the interests of the visual amenity of the locality and the proper management of the site.**
4. The height of all material stored on site shall not exceed 2.5 metres in height at any time.  
**In the interests of the visual amenity of the locality.**

*The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.*

  
Signed  
Assistant Director, Planning and Transportation

Dated 23 October 2001

Planning and Transportation Service  
Central Offices, Kendray Street, Barnsley. S70 2TN

Telephone: 01226 - 772600  
Fax: 01226 - 772599

5. The site shall only be used for the storage of hardcore, soil material, inert demolition and construction waste material arising from operations undertaken solely by E J Lidster Construction Limited and shall strictly not be used for the storage of any other material or any material arising from any third party operations.  
**In the interests of the residential and visual amenity of the locality and highway safety.**
6. No scrap vehicles, disused vehicles, component parts, scrap materials or waste materials of any description shall be stored or displayed on the site at any time.  
**In the interests of the residential and visual amenity of the locality.**
7. All loaded vehicles accessing and egressing the site shall be securely sheeted with a polypropylene net or similar.  
**In the interests of highway safety.**
8. Except with the prior written approval of the Local Planning Authority, working operations upon the site shall be limited to the hours between 08.30 hours and 18.00 hours on Monday to Friday, 08.30 hours and 13.00 hours on Saturdays, and not at all on Sundays and Bank Holidays. No importation or exportation of any material or any material processing operations shall occur outside of these hours.  
**In the interests of local amenity.**
9. No burning of materials of any description shall occur on any part of the site at any time.  
**In the interests of the residential and visual amenity of the locality.**
10. The crushing plant to be used on the site shall be the Megabite Crusher model manufactured by Extec only and the screening plant to be used on the site shall be the TurboTrac and Robotrac models manufactured by Extec only as indicated in the applicant's agent's letter dated 7th August 2001 and accompanying details. Only one such crushing plant and one of each such screening plant shall be stored and used on the site at any one time. No other crushing or screening plant shall be used on site except with the prior written approval of the Local Planning Authority.  
**In the interests of residential amenity.**
11. Prior to the commencement of the use of the site for the crushing and screening operations hereby approved, or in any case within three months of the date of this permission, the landscape bund shall be completely formed and graded in strict accordance with the details shown on drawing No. R/232/2a. The bund shall comprise only clean subsoil and soil material and no other material of any kind shall be used in its construction.  
**In the interests of the visual amenity of the locality.**
12. Prior to the commencement of the use of the site for the crushing and screening operations hereby approved a scheme shall be submitted to , and received the written approval of, the Local Planning Authority identifying measures to be taken to ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit slurry, mud, or any other material

from the site onto the highway. The development shall thereafter be undertaken in accordance with requirements of the approved scheme. The access track adjacent to Small Bridge Dyke shall be maintained in a clean condition for the duration of the development. Notwithstanding such arrangements, should any material nevertheless be accidentally deposited on the public highway, such material shall be immediately removed by the operator.

**In the interests of road safety.**

- 13 Prior to the commencement of the use of the site for the crushing and screening operations hereby approved the entire length of the eastern site boundary shall be provided with a 1.5 metre high post and wire fence comprising a minimum of two wire strands.

**To ensure the containment of site storage operations in the interests of the visual amenity of the locality and the proper management of the site.**

- 14 Prior to the commencement of the use of the site for the crushing and screening operations hereby approved the northern site boundary shall be fully provided with a two metre high concrete panel wall. Details of any gate to be inserted into the wall shall have been submitted to, and received the written approval of, the Local Planning Authority prior to its installation. Such wall and gate shall thereafter be retained and maintained for the duration of the use of the site hereby approved.

**In the interests of the visual amenity of the locality.**

- 15 Prior to the commencement of the use of the site for the crushing and screening operations hereby approved a scheme shall be submitted to and, approved in writing by, the Local Planning Authority describing the methodology to be employed to suppress dust arising from the operations. Such measures may include water bowsers; sprayers mobile and fixed; or similar equipment; regulating the speed of vehicles on the site; and such other steps as are appropriate. The operations shall thereafter be undertaken in complete accordance with the approved scheme.

**In the interests of local amenity and to protect the environment.**

- 16 All planting comprised in the approved details of landscaping shown on approved drawing No. R/232/2a shall be carried out in the first planting and seeding seasons following the date of this planning permission; and any trees or plants which within a period of 5 years from the date of this permission die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority give written consent to any variation.

**In the interests of the visual amenities of the locality.**

**APPENDIX 4 – RED LINE FOR B/01/0635**



**APPENDIX 5 – LETTER FROM LOCAL AUTHORITY TO APPELLANT 3.08.07**

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**Planning and Transportation Service**  
Assistant Director : Ruth Middleton BA (Hons), MRTPI, Dip Surv  
**Development Control Section**  
PO BOX 604, S70 9FE  
Tel: (01226) 770770 Fax: (01226) 772599  
Email Address : matthewwoodward@barnsley.gov.uk

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My Ref. MW/02082007

Your Ref.

Date 3 August 2007

Enquiries to Matthew Woodward

Dial Direct (01226) 772589

Dear Sir/Madam

**STORAGE OF BUILDING/CONSTRUCTION WASTE MATERIAL**

**AND**

**DEPOSIT OF WASTE MATERIAL AND CHANGE OF LAND LEVELS TO FORM A  
MOTORCYCLE TRACK**

**LAND OFF BURTON ROAD, WEST GREEN, BARNSELY**

I write to you with regards to two issues, both of which require your immediate attention.

Firstly, I refer to the storage of waste material on land used for the siting of mobile soil screener and crusher/ancillary processing of imported inert waste and storage of recycled products. Following complaints and a recent site visit, I write to inform you are in breach of this planning permission granted on 23<sup>rd</sup> October 2001 (Ref – B/01/0635/BA).

I attach the decision notice and draw your attention to the planning conditions. Condition 2 requires material to be stored in the bunkers highlighted in the approved drawing and condition 4 the height of the material not to exceed 2.5 metres.

Further to this, I must emphasize that all operations on site are carried out in accordance with the planning permission; this means that all planning conditions must be adhered to. I would be grateful if you could arrange a convenient time, within 14 days, in order that the Council can visit the site to monitor adherence to this planning permission.

E.J. Lidster Construction Ltd  
Arunden House  
Lund Lane  
Burton Grange  
Barnsley  
S71 5PA

*Please address all correspondence to the Development Control Manager*



Awarded for excellence

I now refer to the Council's second concern which involves the deposit of waste materials and the changing of land levels to form a motorcycle track. This is unacceptable development and requires the benefit of planning permission. It is your right of course to submit a planning application but I must advise you that since a previous application was submitted on the same site and was subsequently refused (ref - B/03/0349/BA), the Council would be unlikely to support such an application. I would therefore advise you to restore the site to its original land level and ensure the site is appropriately planted and seeded in order to restore the land to its original condition.

Please be aware that your failure to comply with the granted planning permission (ref - B/01/0635/BA) and the restoration of the land in relation to the formation of a motorcycle track will result in Legal Action (Enforcement) being taken by the Council. However, the Council always tries to resolve these matters amicably and I look forward to your co-operation on both matters within 14 days of the date of this letter.

I appreciate that the planting/seeding on the land currently used as a motorcycle track may not take place within 14 days. However, I require written confirmation that this will take place within the next available planting season.

For assurance, I require written confirmation within 14 days of the date of this letter that you are to carry works in order to accord with the advice set out in this letter.

Yours faithfully,



for and on behalf of  
Martin Winnard, Development Control Manager



**APPENDIX 6 – LETTER FROM APPELLANT TO PLANNING INSPECTORATE 17.07.25**



**EJ LIDSTER**  
RECYCLED AGGREGATE SPECIALIST

## E J LIDSTER (SALES) LTD

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ARUNDEN HOUSE  
LUND LANE  
BURTON GRANGE  
BARNSELY  
S71 5PA

Telephone 01226 289859/298484  
Fax 01226 246500  
Email: [info@lidsters.co.uk](mailto:info@lidsters.co.uk)  
**VAT REG 160 9997 64**  
**Co Reg. No: 8443154**

**Planning Inspectorate  
Temple Quay House  
2, The Square  
Temple Quay  
Bristol  
BS1 6PN**

17/07/25

To Whom It May Concern:

**Appeal Site:** Site of West Green Recycling Ltd, West Green Way, Monk Bretton, Barnsley, S71 5SN

**Appeal Proposal:** Installation of aggregate wash plant, erection of store, erection of enclosure for external pipework, laying of concrete slab and construction of boundary treatment (retrospective); and cladding to exterior of structure for filter presses for treatment and management of non-hazardous waste

With reference to the matter outlined, I am writing to confirm that I have invested in my business at West Green Way, by installing additional plant and machinery, in order to support the performance and sustainability credentials of its waste recycling function to the best possible standards, specifically in the matter of producing recycled materials that are capable of being put back into use within the construction industry. These include aggregate, chippings, sand and silt/clay (capable of being used in topsoil).

Notwithstanding, in the event planning permission is refused, I can continue to operate a viable waste recycling business from the appeal site. Although the recycled material produced will not be to the best possible standards, it will be fit for purpose in line with industry standards, the terms of our Environment Agency permit; and our contractual obligations.

Yours Faithfully,

Eric Lidster

**APPENDIX 7 – 2023/ENQ/00122 CORRESPONDENCE**

EJ Lidster  
West Green Recycling  
West Green Way  
Barnsley  
S71 5SN

My Ref: 2023/ENQ/00122  
Your Ref: PlanningEnf  
Date: 30/03/2023  
Enquiries Planning Enforcement  
Direct (01226) 77 3555  
E-Mail: [planningenforcement@barnsley.gov.uk](mailto:planningenforcement@barnsley.gov.uk)

**RE: West Geen Recycling, West Green Way, Barnsley, S71 5SN**

Dear Mr Lidster,

I am writing to you following a visit I conducted regarding the new equipment which have has been installed at your property. The issue relates to the installation of the new wash plant..

Schedule 2, Part 7, Class L of the General Permitted Development Order, requires that you should submit a retrospective Planning application for consideration for this new machine, it states that;

(I) The height of Machinery if within 10 metres of a boundary of the curtilage of the site, should not exceed 5 metres,

The submission of a retrospective application should be made within the next **14 days** and will be subject to public consultation and determined in the normal way. The submission of a planning application does not imply approval will be automatically granted by the Council. Further information and guidance is available on the Councils website and through the planning portal at [www.planningportal.gov.uk](http://www.planningportal.gov.uk)

**I would advise you not to undertake any further activities in the absence of approved planning permission. Contravention of this would be entirely at your own risk and you may be subject to formal enforcement action if they are deemed unacceptable in planning terms.**

If you have any questions regarding the matter please make contact via the above *email address*.

Yours sincerely

*Development Management*

For and Behalf of  
Development Management  
Barnsley Metropolitan Borough Council

**APPENDIX 8 – DEVELOPMENT PLAN POLICIES WITH SUPPORTING TEXT**

# Local Plan

**Adopted January 2019**



## 6 . Policies and Proposals

- 6.6** Development proposals will be assessed against all relevant policies in the Local Plan and Joint Waste Plan. Policy GD1 below will be applied to all development. This policy will be the starting point for making decisions on all proposals including those shown on the Policies Map as Urban Fabric (shown as light grey areas with the notation of no specific allocation).

### Policy GD1 General Development

Proposals for development will be approved if:

There will be no significant adverse effect on the living conditions and residential amenity of existing and future residents;

They are compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land;

They will not adversely affect the potential development of a wider area of land which could otherwise be available for development and safeguards access to adjacent land;

They include landscaping to provide a high quality setting for buildings, incorporating existing landscape features and ensuring that plant species and the way they are planted, hard surfaces, boundary treatments and other features appropriately reflect, protect and improve the character of the local landscape;

Any adverse impact on the environment, natural resources, waste and pollution is minimised and mitigated;

Adequate access and internal road layouts are provided to allow the complete development of the entire site for residential purposes, and to provide appropriate vehicular and pedestrian links throughout the site and into adjacent areas;

Any drains, culverts and other surface water bodies that may cross the site are considered;

Appropriate landscaped boundaries are provided where sites are adjacent to open countryside;

Any pylons are considered in the layout; and

Existing trees that are to remain on site are considered in the layout in order to avoid overshadowing.

- 6.7** Further detail on some of these issues is set out in Policy D1 Design which sets the overarching design principles for the borough, and associated Supplementary Planning Documents on Residential Amenity and the Siting of Buildings, Designing New Housing Development and Advertisements.

## 6 . Policies and Proposals

### Living Conditions

**6.8** We want to make sure that the living conditions and residential amenity of people are protected, that development is set within high quality landscaping and that land is used efficiently by making sure that new development does not reduce development opportunities on neighbouring land.

**6.9** We will assess impact on living conditions and residential amenity in relation to:

Noise, smell, dust,vibration, light, air, surface water, groundwater or other pollution and disturbance from any proposed activity, including traffic related noise and the comings and goings of visitors to premises particularly when late evening activity is involved. Planning conditions will be used to control the construction process;

Overlooking and privacy;

Outlook from dwellings including consideration of whether structures in close proximity to windows are considered visually over dominant. However, consideration does not extend to the protection of a person's particular view from a property as this is not a material planning consideration;

Daylight/sunlight and overshadowing; and

Landscaping and boundary treatments.

### Landscaping and Boundary Treatments

**6.10** Landscaping should be encouraged in all schemes as it has other benefits including biodiversity provision, climate change resilience and carbon absorption. Any new planting should use a variety of native species which are of local provenance where possible as plants from local sources are better adapted to local conditions and using local sources reduces the risk of introducing diseases and pests. Nectar-rich plants and berry producing shrubs incorporated into planting schemes will be encouraged as they will provide valuable food sources for wildlife, and development of other habitats such as wildflower grassland and wetlands should also be considered.

**6.11** Planting should, where possible, be designed to link habitats to form corridors for wildlife with existing hedgerows included within developments. Where they have become patchy or overgrown, existing hedgerows should be restored as part of new developments wherever possible. Green walls within developments will be encouraged.

### Masterplan Frameworks

**6.12** Where Masterplan Frameworks are being sought, they shall contain the following:

Planning policy summary, site location and description, land ownership, a summary of the existing evidence, site evaluation (opportunities and constraints), land use framework, sustainable movement framework, protection of existing public rights of way routes and their incorporation within new development layouts, vehicular movement framework, green and blue infrastructure framework, place-making framework (including design

## 6 . Policies and Proposals

guides for character and neighbourhood areas where applicable), sustainability and energy use, health and wellbeing, design evolution, conceptual masterplan, infrastructure and delivery phasing.

Masterplan Frameworks shall be subject to public consultation and be approved by the Council prior to the determination of any planning applications on the affected sites. Each Masterplan will be bespoke and therefore will be considered on a case by case basis.

### Policy GD2 Temporary Buildings and Uses

Temporary buildings will normally be allowed where it can be demonstrated that a permanent building is either not suitable or that urgent accommodation is needed pending the completion of a permanent building.

On sites visible from highways and public areas, temporary buildings will normally be given a temporary permission not exceeding 5 years.

Where vacant sites and premises are not to be immediately developed, appropriate temporary uses may be permitted subject to other policies in the Plan.

- 6.13** Temporary buildings include portable and demountable buildings and structures and those built using short life materials.
- 6.14** Such buildings are often utilitarian in design and can detract from the appearance of the area. They may be acceptable when hidden from public view, for example on some parts of industrial estates. However temporary buildings and uses can also play an important role in the phased redevelopment of key locations such as Barnsley Town Centre. Policy BTC8 together with its supporting text covers this scenario. In other instances they will be allowed only exceptionally and for a limited period.
- 6.15** Renewal of temporary permission will only be permitted where it can be shown that exceptional circumstances exist and that measures to resolve the situation are outside the applicant's control. In such instances further temporary permission would be for a period not exceeding 5 years. Applicants must demonstrate that the situation is capable of being resolved within this period.
- 6.16** Temporary uses will be assessed having regard to the provisions of other policies in the plan and in particular Policy GD1 General Development Policy. Where proposals are acceptable temporary permission would be given for a period not exceeding 5 years.
- 6.17** There is an expectation that any temporary building on playing field land will need to meet policy GS1 and the playing field land be reinstated to the same or better quality once the building is removed.
- 6.18** Also for any temporary building located on a playing field there will be measures taken to protect any glazing from projectiles including balls, emanating from the playing field.

## 13 . Local Character

### Policy D1 High Quality Design and Place Making

#### Design Principles:

Development is expected to be of high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley, including:

Landscape character, topography, green infrastructure assets, important habitats, woodlands and other natural features;

Views and vistas to key buildings, landmarks, skylines and gateways; and

Heritage and townscape character including the scale, layout, building styles and materials of the built form in the locality.

Through its layout and design development should:

Contribute to place making and be of high quality, that contributes to a healthy, safe and sustainable environment;

Complement and enhance the character and setting of distinctive places, including Barnsley Town Centre, Penistone, rural villages and Conservation Areas;

Help to transform the character of physical environments that have become run down and are lacking in distinctiveness;

Provide an accessible and inclusive environment for the users of individual buildings and surrounding spaces;

Provide clear and obvious connections to the surrounding street and pedestrian network;

Ensure ease of movement and legibility for all users, ensure overlooking of streets, spaces and pedestrian routes through the arrangement and orientation of buildings and the location of entrances;

Promote safe, secure environments and access routes with priority for pedestrians and cyclists;

Create clear distinctions between public and private spaces;

Display architectural quality and express proposed uses through its composition, scale, form, proportions and arrangement of materials, colours and details;

Make the best use of high quality materials;

Include a comprehensive and high quality scheme for hard and soft landscaping; and

Provide high quality public realm.

In terms of place making development should make a positive contribution to achieving qualities of a successful place such as character, legibility, permeability and vitality.

- 13.1** As set out in the National Planning Policy Framework, the Government attaches great importance to the design and quality of the built environment, stating that ‘it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.’
- 13.2** In terms of place making the quality of places has a major influence on the quality of life for people living and working in the borough. Through high quality and sustainable design developers should be able to create strong, locally-distinctive places that are safe, inclusive and accessible to all, that promote social interaction and a healthy and active lifestyle.
- 13.3** Inclusiveness and accessibility need to be considered from an early stage of design, preferably including consultation with a wide range of potential users.
- 13.4** The components of a development, including its integration with its surroundings and its mix, layout and form, will be assessed to ensure that development makes a positive contribution to achieving the qualities of a successful place.
- 13.5** Development should take account of the following design standards and guidance (and any future updates of these) which will be used (but not exclusively) to help assess the quality of design:
- Building for Life 12 (for residential developments of 10 or more dwellings).
  - Secured By Design/ Safer Places- the Planning System and Crime Prevention.
  - Manual for Streets (for residential developments).
  - Manual for Streets 2- Wider Application of the Principles (which takes this guidance beyond just residential developments).
  - The South Yorkshire Residential Design Guide.
- 13.6** The Public Spaces Strategy and the Building Heights Study provide additional evidence for design decisions in Barnsley Town Centre. Inset map 8 illustrates the strategy for tall buildings in Barnsley Town Centre.
- 13.7** Supplementary Planning Documents also provide guidance on specific design issues.

### Policy LC1 Landscape Character

Development will be expected to retain and enhance the character and distinctiveness of the individual Landscape Character area in which it is located (as set out in the Landscape Character Assessment of Barnsley Borough 2002 and any subsequent amendments).

Development which would be harmful to the special qualities of the Peak District National Park will not be allowed.

## 10 . Mixed Use Sites

- 10.1 The following sites are proposed for mixed use. The proposed mix of uses are set out in the site specific policies below.
- 10.2 Where there are specific issues site specific policies are provided. Where there are no site specific details any subsequent planning application will be determined in accordance with the Local Plan.
- 10.3 All developments will be expected to provide adequate access and internal road layouts to allow the complete development of the entire site, and to provide appropriate vehicular and pedestrian links throughout the site and into adjacent areas.
- 10.4 Consideration should be given to any drains and culverts on the sites.

### Site ES23 Land South of Park Springs 8.3 ha

Habitats at the north of the site comprising swamp, watercourse/banks and semi-improved neutral grassland to the north of the watercourse should be retained by any development, as should the deciduous woodland belt running down the east of the site, including the row of mature black poplars/lime trees and the large horse chestnut tree at the east of the disused bus turning circle.

- 8.17** Amongst the proposed allocations are some sites which we consider to be expansion land. As these are regarded as under the control of an existing/ neighbouring end user they may not be immediately available to the market. They are however new sites that are proposed, and therefore they are included as part of our employment land supply. These sites are unlikely to be brought forward in the short to medium term, or are sites whose owners intend to develop for their own purposes.
- 8.18** On those sites currently functioning as green space, compensation would be required for loss of this green space should the proposed allocations come forward.
- 8.19** Allocated employment sites are shown on the Policies Map. In terms of controlling development on them the following policy applies to all allocated employment sites. It will also be applied to areas currently in employment use, or where a previous employment use has now ceased.

### Policy E3 Uses on employment land

On allocated Employment Sites, or land currently or last used for employment purposes, we will allow the following uses:<sup>(4)</sup>

1. Research and development, and light industry;
2. General industrial; or
3. Storage or distribution.

Ancillary uses will be allowed where appropriate in scale.

Proposals for other employment generating uses may be considered on their merits, particularly in terms of providing jobs, skills and their contribution to the borough's GVA.

- 8.20** The provision of well located employment land is key to the borough's future economic growth. It is therefore essential that both new employment land, and land currently in use or last used for employment purposes, is protected and safeguarded from non employment uses.

<sup>4</sup> The uses in policy E3 are those set out in the Use Classes Order 1987 as amended (including any subsequent amendments), categories B1, B2 and B8 and therefore the exclusions set out in those categories apply. Offices are considered to be a Town Centre use.

## 8 . Economy

- 8.21** Non employment uses will only be considered where it can be demonstrated that they provide a significant contribution to the economic offer of the borough. Given the job growth targets that Barnsley aspires to close the job density gap it is imperative that the best use is made of employment land to contribute towards increasing the number of jobs in the borough.
- 8.22** Employment Sites are undeveloped land allocated for employment use. These allocations will provide a choice in places that meet the needs of businesses and their workforce in terms of accessibility and are accessible to communities that would benefit from greater access to job opportunities. Land currently or last used for employment purposes are areas of established employment use and represent the borough's employment land stock. These areas are sometimes interspersed with other 'employment generating' uses which may not strictly conform to the conventional B class employment uses, and may include some vacant land and premises. Due to their long established nature they comprise some of the borough's most sustainable and most valued employment areas and will be protected from non employment development as set out in policy E4 Protecting Existing Employment Land. It should be noted that 'Land currently or last used for employment purposes' does not contribute towards the available supply as it is already in existing use.
- 8.23** In order to encourage economic restructuring in accordance with the Jobs and Business Plan, provision is made on the majority of sites for a range of employment creating uses. These will mainly be uses falling within Parts B1, B2 or B8 of the Use Classes Order 1987. However, so that the process of widening the economic base and diversifying the local economy is not hindered, other job creating uses may be allowed. Proposals for waste management facilities may be acceptable subject to meeting the requirements set out in the Barnsley, Doncaster and Rotherham Joint Waste Plan 2012 and any updates to this document.

### Policy E4 Protecting Existing Employment Land

Land or premises currently or last used for employment purposes will be retained in order to safeguard existing or potential jobs. The development of employment land and premises for non-employment uses will only take place if:

- Development would not result in a significant loss of existing jobs or employment potential;
- There will still be an adequate supply of employment land or premises in the locality; and
- The land or premises cannot satisfactorily support continued employment use.

If the above criteria can be satisfied then redevelopment will be allowed.

- 8.24** Due to their long established nature, land or premises currently or last used for employment purposes, comprise some of the borough's most sustainable and most valued employment areas. These areas will be protected from non-employment use to maintain the range of land and premises.

- 8.25** It is important to retain existing employment sites in order to maintain a range of types of available premises. Losses have been as high as 8 ha per annum, but have significantly reduced in recent years. These losses have been to a variety of uses, but predominantly to housing. This Local Plan sets out the numbers of housing required and broadly where it will be located. We will seek to stop further losses of employment land to housing unless credible supporting evidence is provided to demonstrate that a proposal conforms with the above policy.

### Policy E5 Promoting Tourism and encouraging Cultural Provision

We will promote tourism and encourage the growth and development of cultural provision by:

- Encouraging the provision of a wide range of venues and opportunities for cultural activity;
- Safeguarding and sustaining existing cultural provision;
- Promoting the existing cultural provision and tourism offer (for example museums, theatres, accommodation and hospitality); and
- Encouraging the growth of the tourism business sector.

Major new tourist and cultural facilities will be focused within existing centres where possible.

Tourist related development in rural areas will be protected and encouraged to support and diversify the local economy, subject to the requirements of Policy E6 Rural Economy.

- 8.26** The Good Practice Guide on Planning for Tourism uses the World Tourism Organisation's (WTO) definition of tourism: 'the activities of persons travelling to and staying in places outside their usual environment for not more than one consecutive year for leisure, business and other purposes'. Tourism refers to all activities of visitors including both 'tourists' (overnight visitors) and 'same-day visitors' and can cover a very diverse range of activities.
- 8.27** Tourism can bring many broader benefits that will contribute to the economic and social well being of local communities as well as to individuals. It can:
- Be the focus of regeneration of urban and rural areas;
  - Provide a catalyst for growth in an area, raising its profile and stabilising out-migration;
  - Provide opportunities for retraining for the resident workforce and help to diversify over-specialised economies; and
  - Help maintain and expand under used sports and recreation facilities in urban areas.
- 8.28** The future development of tourism is an important issue in both urban and rural areas. Tourism has an important role to play in Barnsley's economy. We want to build on the existing tourism potential of current attractions and others close to our borders and to support and explore

## 10 . Mixed Use Sites

### Site MU3 Land off Shaw Lane Carlton

This site is proposed for mixed use for housing and green space. The indicative number of dwellings proposed for this site is 1683. These are included in the Housing figures for Urban Barnsley in the Housing chapter.

The development will be subject to the production of a phased Masterplan Framework covering the entire site to ensure that development is brought forward in a comprehensive manner.

The development will be expected to:

Retain areas of woodland, not affected by the road. Should any part of the existing Wharncliffe Woodmoor green space be developed, an area of compensatory biodiversity-value green space of equivalent size should be created on the land within site MU3 to the east of the existing Wharncliffe Woodmoor green space. Compensatory areas will need to be linked to Wharncliffe Woodmoor by wildlife corridors;

Provide access from Far Field Lane roundabout;

Provide off site highway works;

Retain the higher ecological value habitats in the southern part of Wharncliffe Woodmoor green space, together with the water courses in the centre of the site with a buffer;

Provide robust measures to mitigate ecological impact where the construction of the access road impacts upon the southern part of the site which has high ecological value and in particular woodland blocks;

Provide robust mitigation measures to mitigate against noise, odour and other potential impacts arising from the existing industrial operations at Manor Bakeries and Boulder Bridge;

Provide small scale convenience retail and community facilities in compliance with Local Plan policy TC5 Small Local Shops; and

Avoid locating built development in parts of the site within flood zone 2 and 3.

**10.6** The following areas of higher ecological value habitats are of particular importance and should be retained:

The grassland just South of Shaw Lane, near the centre of the site;

Boundary vegetation in the northern portion of the site;

Grassland in the very north east;

Retain a Wildlife corridor running down the eastern side of the site; and

Buffer and preserve the habitats of higher ecological value in the part of the site to the east of the existing Wharncliffe Woodmoor POS. These areas include:

- The western and eastern boundaries of this part of the site including the stream and woodland; and
- The stream corridor that crosses the north western section of this part of the site.

### Site MU4 Land off Broadway

This site is proposed for mixed use for housing and green space. The indicative number of dwellings proposed for this site is 150. These are included in the housing figures for Urban Barnsley in the Housing chapter.

The development will be expected to provide 3.25 ha of playing pitches; and

Any layout should take account of the relationship between the new development and existing buildings that are not available for redevelopment.

Archaeological remains may be present on this site therefore proposals must be accompanied by an appropriate archaeological assessment (including a field evaluation if necessary) that must include the following:

Information identifying the likely location and extent of the remains, and the nature of the remains;

An assessment of the significance of the remains; and

Consideration of how the remains would be affected by the proposed development.

## 23 . Contaminated Land and Pollution

- 23.2** Proposals for uses on land which is known or suspected to be contaminated, or for uses which would be particularly vulnerable in terms of exposure to contamination (such as housing with gardens) must be supported by sufficient information to enable the possible contamination risks to be fully assessed. It is then essential that measures are put in place which allow the development to go ahead safely.
- 23.3** We will prepare a Supplementary Planning Document to provide more information about how we will apply this policy.

### Policy Poll1 Pollution Control and Protection

Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people.

We will not allow development of new housing or other environmentally sensitive development where existing air pollution, noise, smell, dust, vibration, light or other pollution levels are unacceptable and there is no reasonable prospect that these can be mitigated against.

Developers will be expected to minimise the effects of any possible pollution and provide mitigation measures where appropriate.

- 23.4** An important consideration in the planning process is the precautionary principle. Where there is significant risk of damage to the environment planning and pollution controls will take into account the need to prevent or limit harm, even where there is no definite scientific knowledge.
- 23.5** Noise and vibration can be a serious cause of nuisance. Planning cannot control the noise or vibration from existing development. However it can try to make sure that new noise-sensitive development such as housing and schools is not close to existing sources of noise, including industrial uses and noise created by vehicles and other forms of transport. It can also make sure that potential noise creating uses, including industrial processes or some recreational activities, are not in places where they would be likely to cause nuisance. In particular we will prepare a Supplementary Planning Document to provide further guidance on how we will deal with hot food takeaways.
- 23.6** We will not allow development that could damage the quality of surface water and ground water. We will consult the Environment Agency on these issues.

# Barnsley, Doncaster and Rotherham Joint Waste Plan



**Adopted** March 2012



## CHAPTER 3 CORE APPROACH

### (1) Moving towards sustainable waste management: our shared vision to 2026

By 2026, Barnsley, Doncaster and Rotherham boroughs will be leading exponents of environmentally friendly and innovative waste management solutions to support a diverse local economy and future growth. By working together with our partners, we will have:

- managed the majority of our waste within our boundaries and diverted it from landfill;
- met and exceeded our recycling, composting and recovery targets;
- developed a range of high quality, state-of-the-art and integrated facilities that manage different waste streams mainly within accessible urban locations close to where they arise, addressing the overall shortfall and anticipated growth in the volume of waste;
- put in place appropriate safeguards to make sure that new waste facilities respect and enhance the character and quality of the surrounding area and assets; and
- taken into account likely cross-boundary movements.

3.1 Our shared vision and aims flow from national, regional and local policy objectives (see chapter 2) and the results of the consultation process.

### (2) The aims of the Joint Waste Plan

3.2 The Joint Waste Plan has eight aims. These set out the broad principles for bringing forward sites and assessing proposals for waste development.

**Aim A:** Encourage waste to move up the hierarchy (away from landfill towards greater reduction, re-use, recycling and recovery) to achieve the targets set out in our municipal waste management strategies and save energy and resources.

3.3 The overall aim of the Joint Waste Plan is to manage waste in the following order of priority: prevention (reduction), re-use, recycling, recovery and landfill disposal (see figure 2: the waste hierarchy). Hence, the Joint Waste Plan has an important role in making sure that:

- a range of sites are available across the plan area in accessible locations to manage or treat different waste streams and meet our capacity requirements and recycling, recovery and landfill diversion targets over the plan period (see chapters 2 and 4); and
- new developments such as homes, offices and shops facilitate the sorting, collection and recycling of waste (see policies WCS1 and WCS7).

3.4 However, it is vital that the desire to move waste up the hierarchy does not come at the expense of other important planning considerations, including the protection of environmental assets (notably those listed under aim G). Equally, it is important that waste facilities which are lower in the hierarchy (such as recovering energy to divert waste from landfill) do not override the incentive to drive waste further up the hierarchy in the longer term i.e. towards the end of the plan period and beyond. These principles will apply to all new development, including new buildings, refurbishments and conversions.

**Aim B:** Ensure the timely provision of good quality waste management facilities to help address the predicted shortfall of recycling, composting, treatment and recovery provision within South Yorkshire and meet future waste needs within Barnsley, Doncaster and Rotherham up to 2026.

3.5 The Joint Waste Plan has a key role in addressing future capacity needs across South Yorkshire and the two city regions of Leeds and Sheffield. Based on future growth assumptions, Barnsley, Doncaster and Rotherham face a shortfall of around 517,000 tonnes of recycling, composting, treatment and recovery capacity for municipal, commercial and industrial waste during the period to 2026 (see chapter 2). The three boroughs also have a shortage of suitable facilities to treat leftover waste as an alternative to landfill.

3.6 The Joint Waste Plan has identified a range of sites to make sure sufficient opportunities are available to develop waste management facilities in the right locations at the right time over the course of the plan period.

**Aim C: Deal with waste locally within accessible urban locations and maximise movements via rail and water where possible, so as to save resources and minimise transport costs, whilst allowing waste to be imported or exported where it represents the most sustainable option.**

3.7 As a joint planning document, it is vital that new waste facilities are accessible to the main transport network (including motorways and rail/canal freight routes where possible) as well as the sources of waste within existing urban areas, so as to reduce energy/transport costs and ensure that waste is kept as close as possible to its source (the proximity principle). This will encourage more effective on site management and localised treatment to reduce the volume of waste prior to transport. However, some of this waste could be imported or exported where it represents the most sustainable option (e.g. minimises the distance where waste is transported).

**Aim D: Maximise the local economic benefits of waste management activity, including using waste as a resource for industry.**

3.8 Most of our waste has value as a resource in that it can be used to produce energy (e.g. electricity or heat) and create new products (e.g. plastics) or green collar jobs. Some organic waste (e.g. wood and plastics) can be used as feedstock to produce biomass, energy crops and biofuels. For instance, developing waste recycling facilities (e.g. wood waste plants) and associated infrastructure to use feedstock can have significant economic benefits, especially in the agriculture and manufacturing sectors associated with increased self sufficiency and productivity, reduced energy costs and increased market demand for local products. In addition, there is potential to develop biomass facilities sourced from local woodland and energy crops as South Yorkshire is a leading exponent of this technology in the region.

**Aim E: Maximise the potential to co-locate and integrate facilities to manage different waste streams using a range of advanced technologies, including renewable energy generation (where possible).**

3.9 Benefits attributed to co-locating and integrating complementary waste facilities include: energy and transportation savings (e.g. fewer emissions), flexibility (e.g. ability to manage different waste streams), technological innovation (e.g. from waste collection through to final treatment), renewable energy generation and additional employment activities associated with waste management (preferably existing employment or industrial sites in accessible locations). This will reduce land take for infrastructure and waste management purposes, such as car parking and storage.

3.10 A wide range of proven waste technologies are available such as gasification, mechanical biological/heat treatment, pyrolysis and anaerobic digestion (explanations are given in the glossary in appendix A). These technologies have the potential to capture carbon and convert waste that cannot be re-used or recycled into renewable energy, such as electricity (via the national grid) and biogas (e.g. methane from landfill sites). Our approach is designed to be flexible rather than prescriptive to encourage innovation and support advances in technology over the plan period.

**Aim F: Make use of vacant and underused brownfield land within existing industrial or employment areas.**

- 3.11 In terms of location, preference will be given to employment and industrial areas or sites within existing waste management use that are accessible by a choice of means of transport within existing built-up-areas, preferably on underused brownfield or vacant land. This will make more efficient use of land/resources and reduce transportation costs. Most waste facilities are classed as employment uses (e.g. recycling facilities) and can be accommodated within existing employment sites.
- 3.12 Largely as a result of their industrial and mining heritage, Barnsley, Doncaster and Rotherham have a relatively dispersed settlement pattern of former mining communities with high levels of vacant and underused land relative to other parts of the region. National planning policy seeks to concentrate new development within or adjoining existing urban areas and make best use of brownfield land.

**Aim G: Waste management facilities should protect, maintain and, where possible, enhance the amenity, health and safety of local communities and the wider built and natural environment, especially in areas of sensitivity such as the green belt, floodplain, Thorne and Hatfield moors, ground water protection zones, rivers Don and Dearne, historic assets and the Peak District National Park.**

- 3.13 Despite being urbanised, the plan area contains a number of environmental assets of international and national importance, notably Special Protection Areas, Special Areas of Conservation (e.g. Thorne and Hatfield Moors - see key diagram: map 1), Sites of Special Scientific Interest (e.g. Potteric Carr), country parks, historic parks and gardens, high grade agricultural land and part of the Peak District National Park. There are also extensive flood risk areas, in particular around the Dearne Valley and north east of Doncaster borough near the rivers Dearne, Don and Trent. The statutory green belt covers the majority of the plan area.
- 3.14 Policies WCS5, 6 and 7 of the Joint Waste Plan require measures to avoid and mitigate potential adverse effects on the amenity, health and safety of the immediate locality and wider landscape. New waste facilities provide an opportunity to enhance green infrastructure assets and corridors such as cycle and footpath routes, tree cover, waterways and habitat creation (e.g. via restoration).

**Aim H: Reduce greenhouse gas emissions (especially carbon dioxide and methane) through energy efficient waste technologies and innovative transport solutions.**

- 3.15 The Joint Waste Plan provides a framework to reduce and mitigate the effects of climate change arising from waste management practices. New waste recycling, composting and recovery facilities will save energy (especially from transportation), reduce greenhouse gas emissions such as carbon dioxide and methane and the use of fossil fuels and materials that would otherwise be landfilled<sup>13</sup>. Policies WCS1 and 6 of the Joint Waste Plan seek to promote and encourage the use of cleaner and more energy efficient waste technologies (e.g. energy-from-waste schemes from biomass/combined heat and power and thermal treatment) and construction measures as part of the design and layout of new development.
- 3.16 Opportunities also exist to utilise existing transport infrastructure such as canal/river wharfs (e.g. Sheffield and South Yorkshire Navigation Canal), pipelines and railheads to transfer waste as an alternative to road.

### **(3) Barnsley, Doncaster and Rotherham's overall strategy for achieving sustainable waste management**

- 3.17 The Joint Waste Plan has seven policies. The justification for each policy is set out in the supporting text and a table is provided at the end of each policy setting out how it will be monitored and delivered. Each table includes a series of targets and indicators to assess and monitor the extent to which the policy is being achieved. The next section also describes the role of key partners (e.g. private operators, landowners, neighbouring councils and government bodies), phasing and delivery mechanisms to bring forward sites and associated infrastructure.
- 3.18 Policy WCS1 sets out the broad policy framework to reduce and better manage waste within Barnsley, Doncaster and Rotherham. It is based on the aims set out above and informs the more detailed policies set out in chapter 4.

#### **POLICY WCS1: BARNSELY, DONCASTER AND ROTHERHAM'S OVERALL STRATEGY FOR ACHIEVING SUSTAINABLE WASTE MANAGEMENT**

Provision will be made to maintain, improve and expand the network of waste management facilities throughout Barnsley, Doncaster and Rotherham to achieve sustainable waste management across all waste streams.

- A. To facilitate proposals to address the identified municipal, commercial and industrial waste management capacity gap:
- 1) existing strategic waste management facilities are safeguarded to maximise their efficiency;
  - 2) three sites are allocated for new strategic waste management facilities (and a fourth site is reserved); and
  - 3) new or replacement smaller-scale facilities will be supported where these are required to serve local catchment areas and communities.
- B. No capacity gaps are identified for construction, demolition and excavation waste, hazardous waste or agricultural waste and therefore specific sites are not safeguarded or allocated. Proposals for new facilities processing these waste streams will be assessed on a case by case basis.
- C. Existing landfill sites are safeguarded, and proposals to maximise their life and efficiency will be supported. Proposals for additional capacity must demonstrate why it is required.
- D. The key principles set out below will guide the assessment of waste proposals.
- 1) Large-scale waste management proposals will be directed towards the strategic site allocations where possible.
  - 2) Innovative waste technologies will be allowed and promoted where these support the vision and aims of the Joint Waste Plan.
  - 3) Proposals will be supported which enable Barnsley, Doncaster and Rotherham's waste to be managed locally, whilst allowing waste to be imported or exported where this represents the most sustainable option.
  - 4) Priority will be given to waste proposals which maximise the reuse of vacant or underused brownfield land, particularly within established employment areas and which provide opportunities for co-location and priority areas for regeneration.
  - 5) Waste proposals will be directed towards accessible locations with good transport links, particularly in and around urban areas.

<sup>13</sup> Research confirms that recycling in the UK saves the equivalent of 10-15 million tonnes of carbon dioxide emissions a year, which is equivalent to taking 3.5 million cars off the road (Waste Resources Action Programme).

- 6) Waste proposals will be directed away from the most sensitive locations so as to avoid adverse harm to ground water aquifers (especially the Sherwood Sandstone and Magnesian Limestone aquifers), Thorne and Hatfield moors, historic assets and the functional floodplain.
  - 7) Waste proposals will not be allowed (including on safeguarded or allocated sites under policies WCS2, WCS3 and WCS5) which may undermine the integrity of nature conservation sites of international importance (such as Thorne and Hatfield Moors Special Protection Area and Special Areas of Conservation).
- E. All development proposals (including non-waste uses such as housing) must:
- 1) promote high quality design and layouts that minimise waste and reduce resources (e.g. recycled materials and secondary aggregates), especially during the construction process; and
  - 2) ensure that they do not prevent or prejudice either the delivery or continued operation of waste facilities on safeguarded or allocated sites.

## Justification

- 3.19 Policy WCS1 provides the broad policy framework to achieve the vision and aims of the Joint Waste Plan, and applies to both allocated and non-allocated sites. It also sets out in broad terms where new waste facilities will be located within Barnsley, Doncaster and Rotherham, and how they will be delivered.
- 3.20 A well planned and integrated network of waste management facilities will be sought across the plan area to address future capacity needs (see tables in chapter 2) and contribute towards the predicted municipal, commercial and industrial waste recycling, composting, treatment and recovery capacity shortfall within Barnsley, Doncaster and Rotherham over the plan period. Meeting this shortfall will require a combination of different waste facilities and processes on both existing and new strategic sites (the glossary provides a brief summary of different waste facilities - see appendix A). This includes safeguarding of existing sites where they have a strategic role within the waste management network (see policy WCS2) and the provision of three additional large-scale waste recycling, composting, treatment and recovery facilities (see policy WCS3).

### FACT BOX: Strategic sites

By way of definition, strategic sites are:

- typically around 2 to 5 hectares in size<sup>14</sup>;
- critical to delivering the actions and targets for recycling, recovering and diverting waste from landfill from our municipal waste management strategies;
- near to areas of population (e.g. main urban areas);
- capable of serving a sub-regional or regional catchment area;
- able to accommodate a range of waste technologies and specialist facilities (i.e. co-location opportunities); and
- deemed to have the capacity to manage significant volumes of waste.

- 3.21 The Joint Waste Plan does not safeguard existing or allocate new small-scale facilities because their use and suitability may change over the plan period and because their overall capacity is limited to a predominately local catchment area (e.g. household waste recycling centres are located within close proximity to existing communities to allow easy access to recycling and disposal services). These facilities are designed to separate, bulk up, transfer and recycle waste before it is transported to the network of strategic waste facilities to facilitate the delivery of our recycling, recovery and landfill diversion targets. Future proposals for these types of facilities will be assessed on an individual basis (see policy WCS4).

## **POLICY WCS4: WASTE MANAGEMENT PROPOSALS ON NON ALLOCATED SITES**

- A. Proposals for waste development on non-allocated sites will be permitted provided they demonstrate how they:
- 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).
- B. Subject to meeting these criteria, the types of location where waste proposals may be acceptable in principle include:
- 1) existing waste transfer recycling, composting, treatment and recovery sites;
  - 2) designated employment and industrial areas/sites;
  - 3) agricultural buildings;
  - 4) waste water treatment and sewage works;
  - 5) active mineral workings (including collieries); and
  - 6) landfill sites.

### **Justification**

- 4.17 Policy WCS4 provides a positive framework to facilitate the development of waste management facilities on sites that are not allocated in the Joint Waste Plan but which may come forward in the future.
- 4.18 The above policy lists the types of location where waste facilities could be accommodated. Employment areas, such as industrial estates, are well-suited to waste facilities because they usually have good links to the main transport network (including primary roads and alternative routes, such as rail and waterways) and existing built-up-areas<sup>18</sup>. Where waste processing activities take place within a sealed building and there is no external treatment or waste storage, they are similar in character to an industrial process. These proposals will be acceptable in principle within employment or industrial areas subject to meeting other policy requirements.
- 4.19 In addition, some waste facilities (e.g. temporary or small-scale recycling, energy recovery and in-vessel composting facilities) can be accommodated at existing landfill sites, operational quarries and sewage works provided they are tied to the life of existing operations or the future reclamation of the site. Opportunities may exist to treat agricultural waste on or close to the farm where it is generated, preferably where it re-uses existing holdings or redundant buildings.
- 4.20 Future waste proposals on non-allocated sites will be assessed against policies WCS4, 5, 6 and 7 of the Joint Waste Plan and other relevant policies within each borough's Local Development Framework, including general principles relating to layout, design, energy efficiency and sustainable construction as well as detailed requirements relating to green infrastructure, landscape, biodiversity and flood prevention.

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<sup>18</sup> Recycling and composting waste operations are generally compatible with B2 uses (general industrial) as defined under the Town and Country Use Classes Order (see glossary for definition). It means that waste recycling proposals within existing industrial units may not always require a specific planning permission (as there might not be a change of use).

- 4.23 A review of this policy will take place if changes occur to existing landfill sites (e.g. increased fill rates or closures) and the regular reviews of capacity requirement and levels of provision show that additional landfill will be required before the end of the plan period. In demonstrating a need for additional landfill, applicant and developers will be required to assess the viability of extending the capacity and life of the existing landfill site subject to the requirements set out above and other policies in the Joint Waste Plan. No physical extension will be permitted unless it is evident that existing landfill capacity will run out before the end of the plan period and there are no other alternative residual waste treatment options available. However, new landfill sites will only be permitted if there is a shortfall. Safeguarding existing landfill sites also provides flexibility in the event of delays in the delivery of new waste management facilities.
- 4.24 The key diagram (map 1) shows the location and distribution of existing inert and non-inert landfill sites across the three boroughs that are safeguarded under policy WCS5. These sites will also be shown on each borough's proposals map. In some cases, landfill can provide opportunities to restore and recreate new landscapes and habitats at former quarries and spoil heaps, such as golf courses and country parks. However, inert construction, demolition and excavation waste cannot be landfilled unless it is the only viable means of restoring mineral workings and/or is incidental to engineering operations which are necessary to allow the development to go ahead. In considering such proposals, particular regard will be given to the duration of the operation and the business case for the wider development. In these circumstances, waste facilities or landfill restoration schemes should be complementary to existing activities.
- 4.25 Proposals relating to closed or remediated landfill sites will be assessed against relevant policies within our general core strategies.

### **POLICY WCS6: GENERAL CONSIDERATIONS FOR ALL WASTE MANAGEMENT PROPOSALS**

- A. Proposals for waste development will only be permitted within Barnsley, Doncaster and Rotherham provided they can demonstrate how they:
- 1) support the vision, aims and overall strategy of the Joint Waste Plan and, where relevant, the delivery of our municipal waste management strategies;
  - 2) provide access (which is appropriate to the scale and nature of the development) to and from the main transport network - including, where possible, rail and canal/river links that offer the potential to transport waste;
  - 3) ensure there is adequate highway capacity to accommodate any additional vehicles generated;
  - 4) ensure there is adequate space on site for vehicles to enter, wait, unload and leave safely;
  - 5) propose technology which is suitable for the location and nature of the site;
  - 6) provide high quality design and architecture, sympathetic to its context and surroundings using sustainable construction, water and energy saving measures to maximise efficiency and recover energy, where practicable;
  - 7) provide effective on-site waste management measures to ensure safety and security;
  - 8) mitigate any constraints that may reduce the potential to redevelop the site and adjoining areas in the future;
  - 9) provide adequate means of controlling noise, vibration, glare, dust, litter, odour and vermin and other emissions (e.g. greenhouse gases and leachate) so as to avoid adverse effects on the amenity of the immediate and surrounding environment and human health, both during and after operations;
  - 10) will not result in loss or damage to the diversity of wildlife and habitats at the site or adjoining land, including linear or other features that facilitate the dispersal of species;
  - 11) will not have an adverse impact upon the quality of ground and surface water or drainage, especially ground water aquifers and flood risk areas;

- 12) will not have an adverse impact upon the integrity of conservation sites of national and international importance, particularly Thorne and Hatfield moors;
  - 13) will not have an adverse impact upon the significance of heritage assets and features;
  - 14) maintain, safeguard and enhance green infrastructure corridors and assets, particularly within areas of sensitivity such as the greenbelt, air quality management areas, country parks, river and wildlife corridors;
  - 15) will not reduce the safety of air travel (i.e. will provide effective management of bird-strike risk);
  - 16) will not increase the risk of flooding elsewhere in the catchment area and will, where possible, improve the existing flood risk situation; and
  - 17) will maximise any training and educational opportunities arising from the development.
- B. Proposals must include sufficient information with the planning application to demonstrate how they comply with the above criteria. This will include:
- 1) the type of process;
  - 2) the amount and type of waste to be handled or treated at the site (together with any residues) and how they will be addressed (including estimated annual throughput);
  - 3) details of proposed hours of working, expected number of existing and proposed employees and the anticipated number and type of vehicle movements per day both in and out of the site;
  - 4) the estimated life of the operation;
  - 5) the origins of the waste and where it is going;
  - 6) the location of storage facilities within the site; and
  - 7) access and travel arrangements for both employees and customers, including alternative modes of travel to the private car, such as public transport, cycling and walking.

## Justification

- 4.26 Policy WCS6 sets out the criteria against which all waste development proposals (on both allocated and unallocated sites) will be assessed. In all cases, the onus will be on the applicant or developer to demonstrate that the site is in a suitable and sustainable location to deal with waste close to its source. Individual proposals will also be assessed against other policies in each borough's Local Development Framework.
- 4.27 The types of waste technology that will be suitable will depend on the nature and scale of the proposed scheme and the characteristics of the site and its surroundings. The locations with the greatest potential for recycling and treatment are concentrated on existing industrial estates and employment areas within or adjoining the main urban areas of the three boroughs (including sub-regional centres and principal towns). In addition, other suitable locations may include vacant brownfield land and sites adjacent to an existing waste management use (e.g. a waste transfer station). New recovery technologies (e.g. energy from waste) will particularly suit locations that have access to gas, electricity and freight networks. However, small-scale anaerobic digestion and major windrow composting plants are more suited to rural or semi-rural settings (e.g. existing farms) and are normally not compatible with hi-tech office or business parks. Landfill sites, quarries, collieries and sewage works will be potentially suitable locations to build leachate treatment, landfill gas plants and composting schemes (especially if linked to reclamation). Construction, excavation and demolition waste could potentially be re-used or recycled at existing mineral and landfill sites as part of a reclamation scheme. Small-scale facilities in enclosed buildings will be suitable in most locations.

## Access and safety

- 4.37 New waste facilities will require access which is appropriate to the scale and nature of the development to transport waste, and should be well connected to sustainable transport links, such as cycle, footpath and bus routes to facilitate employee access by non-car modes. The key diagram (map 1) shows the location of the main transport links across the three boroughs. Where possible lorries should transport waste along the main road network so as to avoid sensitive locations (e.g. residential areas and narrow roads) in the interests of protecting local amenity, highway safety and the efficiency of the wider network.
- 4.38 Early in the development process, applicants and developers should explore opportunities to transport waste from the site via rail, canal and pipeline (including shared facilities at existing railheads, depots and wharves) as a means to reduce congestion and lorry movements on the road network. In cases where waste uses would create or add highway safety problems due to inadequate capacity or access, particularly within less accessible locations, applicants and developers will be required to implement measures or provide a contribution to ensure that necessary improvements go ahead. In addition, planning conditions and other measures may be used to protect the amenity of the surroundings or to ensure the surrounding highway has sufficient capacity. This may involve restricting the routes that vehicles can take, their size and weighting and the hours that they can enter and exit the site, especially during peak morning and evening periods. It is also important to ensure clear separation between pedestrians and vehicles within the site.

## Flood risk

- 4.39 Where waste facilities are proposed within areas of flood risk, planning applications must provide<sup>19</sup>:
- the sequential test (to provide evidence that all other reasonable alternative sites have been considered);
  - a detailed site specific flood risk assessment (to ensure development will be safe and not cause flooding elsewhere)<sup>20</sup>; and
  - the exception test (to provide further justification for development in flood risk areas) where appropriate.
- 4.40 The new waste sites (see policy WCS3) have been subject to and passed the sequential test. Proposals on these sites must still apply a sequential approach to site layout and design whereby more vulnerable uses are located within the parts of the site at lowest probability of flooding. However, proposals involving alternative uses on these sites and other waste proposals within medium to high risk flood areas will normally require a sequential test in line with government guidance. No waste proposals (apart from waste water and sewage treatment works) will be permitted on the functional floodplain as shown on each borough's proposals map.

## Other detailed policy considerations

- 4.41 The criteria listed under policy WCS6 is not exhaustive and other factors will be taken into account in the decision making process, as set out in table 10. New waste proposals will also be considered against relevant policies from other Local Development Framework documents, such as the general Core Strategy. These policies will apply to all developments, including waste facilities.

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<sup>19</sup> New developments are classified in terms of their vulnerability to flood risk (see government guidance). Waste facilities are classified as 'less vulnerable' to flood risk, while landfill and hazardous waste sites are defined as 'more vulnerable'. This means that waste recycling, composting, treatment and recovery facilities that are located on sites within high risk areas will not require an exception test.

<sup>20</sup> Flood risk assessments apply to sites over one hectare in size or sites located within medium or high risk flood areas.