
2024/0973

Mr R Lowe (Fox Aluminium Systems Ltd)

Erection of commercial storage unit.

Park Works, Wentworth Way, Tankersley, Barnsley, S75 3DH

Summary

The proposal seeks permission for the erection of 625m storage building within the site of Fox Aluminium. The proposal is acceptable in policy terms being designated as Urban Fabric within the Local plan and is therefore considered to be an acceptable and sustainable form of development in line with paragraphs 7 and 8 of the National Planning Policy Framework (NPPF, 2024).

The report demonstrates that any harm generated by the proposal is outweighed by other material planning considerations. The development would not cause an unacceptable level of harm to neighbouring properties, the highway network, trees or the wider character of the area subject to conditions.

Recommendation: **GRANT Planning Permission**

Site Location and Description

The Fox Aluminium site is located along the north-eastern edge of Wentworth Way Industrial Estate and set back from the main access road running through wider industrial estate, which is characterised by a mix of industrial and commercial premises of varying construction materials. The estate is located to the south-west of Hoyland Common and junction 36 of the M1 Motorway and to the north-west of the A61, which links Barnsley and Sheffield.

The application relates to an aluminium fabrication company which supplies products used in construction. The site is currently occupied by an existing industrial building with a brick-built, wraparound flat roof, two storey, extension to the south-eastern corner. An open storage and parking area is located to the south-east of the building. The site is enclosed by 2m Palisade fencing with a band of trees located beyond the south-western boundary and a larger wooded area, known as the Potter Holes Plantation, is located beyond the northern boundary.

Planning History

B/77/1605/WO – Erection of 2 no. warehouse buildings; each of 85,000 sq. ft. gross floor area, together with associated car parking, service area and ancillary accommodation with 33% of building being utilised for retail – historic decision

B/81/0186/WO – Erection of 44,000 sq. ft. of industrial/warehousing units with access road and sewers – historic decision

B/85/0911/WO – Erection of offices – historic decision

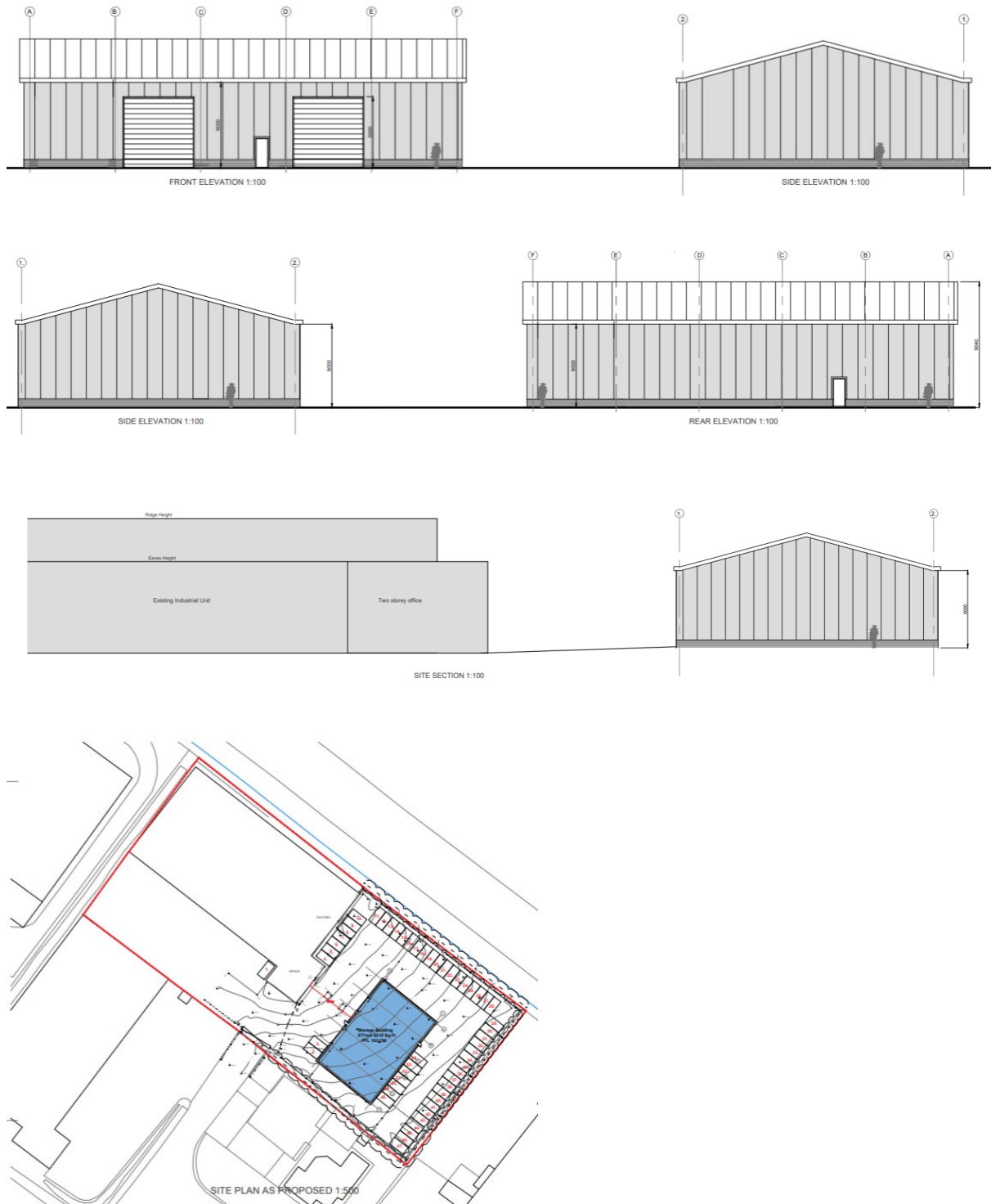
B/89/1916/WO – Formation of truck parking area – historic decision

2016/0473 – Erection of single storey and part two storey office extension including re-cladding of existing two storey offices and warehouse gable wall – approved June 2016

2021/0617 – Erection of two storey and single storey extensions to office including re-cladding of existing offices and warehouse gable wall – approved September 2021

Proposed Development

The applicant seeks permission of the erection of a commercial building for use as storage for Fox Aluminium. The building is to be located to the south-east of the existing building and is to have a footprint of 20.3m by 30.8m, a height to the eaves and ridge of 6m and 9m respectively.



Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 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.

Site Allocation/Designation

The site is allocated as Urban Fabric as defined in the adopted Local Plan.

National Planning Policy Framework (NPPF) December 2024

The National Planning Policy Framework sets out the Governments planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise.

Where the development plan is absent, silent, or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Paragraph 85 states that planning policies and decision should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local and business needs and wider opportunities of development.

Barnsley Local Plan 2019

The following Local Plan policies are relevant:

Policy GD1 General Development
Policy T3 New Development and Sustainable Travel
Policy T4 New Development and Transport Safety
Policy D1 High Quality Design and Place Making
Policy POLL1 Pollution Control and Protection
Policy BIO1 Biodiversity and Geodiversity
Policy SD1 Presumption in favour of Sustainable Development

Supplementary Planning Documents

Residential Amenity and the Siting of Buildings
Parking

Relevant Consultations

Drainage – No objections – details to be checked by Building Control
Enterprising Barnsley – fully support the application that will support the growth of the business.

Highways DC – no objections subject to conditions

Mining Remediation Authority – no objection subject to conditions

Superfast South Yorkshire – No objections subject to conditions

SYMAS – no objection subject to conditions

Yorkshire Water – no objections subject to conditions

Ward Councillors – no objections received

Representations

The proposal was advertised by way of a site notice and neighbour notification letters; no representations have been received.

Assessment

The main issues for consideration are as follows

- The acceptability of residential development
- The impact on the character of the area
- The impact on neighbouring residential properties
- The impact on the highway network and highway standards
- The impact on the ecology of the site
- Financial contributions

For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

Principle of development

The NPPF paragraph 85 states that ‘planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity’.

The site lies within Urban Barnsley where the majority of growth is expected to take place during the Local Plan period and is allocated in the Local Plan as Urban Fabric, which does not have any specific allocation.

Previous planning permissions have established the use of the site for commercial and industrial uses. The erection of commercial buildings on sites are considered to be an appropriate use subject to it being in compliance with other Local Plan policies and material considerations.

Visual Amenity

The proposed building is to be located adjacent to the existing building and on an area of existing hard standing currently used as a storage and parking area.

The storage building is of a substantial size but is located and designed to limit its impact on the surrounding area. The building is designed with an eaves and ridge height of 6m and 9m respectively and the site section shows that the building would be slightly lower in scale than the existing building. As mentioned previously, the site is set back from the main access road through the industrial estate and a band of trees is located along the south-western boundary, therefore providing some screening of the proposal from the wider area.

The application form indicates that the new building is to be constructed from profile cladding sheets, this material is considered acceptable given its use in the original building and the wider industrial estate. Whilst no indication of the colour has been given, current standards are moving away from the traditional Goosewing Grey or similar, towards greens, which are considered to subdue the appearance of industrial buildings when viewed from a distance. However, in this instance the inclusion of any colour other than that used in the existing building is considered to have a greater impact on the area and as such it is considered appropriate to include a condition to ensure a suitable colour is used.

It is therefore considered that the proposal would not have a detrimental impact on the character of the area and is acceptable and in accordance with Local Plan Policy D1, which carries significant weight in favour of the application.

Highway Safety

The proposals comprise the erection of a commercial storage unit (Class B2) within the existing parking and turning area of Fox Aluminium Systems. The existing unit on the site has a mix of Industrial and Office space (approx. 1900m² Industrial use and 300m² Office use) which, in accordance with the Barnsley Supplementary Planning Document (SPD) Parking (2019) Table 1, requires the provision of 42 parking spaces. The parking area does not currently have formally marked out parking bays but it is evident that the area can accommodate in excess of the required number of spaces.

The proposed unit would create an additional floor area of 625m² of B2 use and, as per the Barnsley Supplementary Planning Document (SPD) Parking (2019) Table 1, would require the provision of a further 11 car parking spaces, giving a total requirement for 53 spaces within the site. The initial plans were unclear whether sufficient space remained to suitably accommodate the level of parking provision required, given that the proposed unit would occupy a considerable portion of the existing car park.

An amended site plan has been submitted, which clearly includes a formalised car parking layout which shows that 54 parking spaces are to be provided within the site; this level of provision is in accordance with the Barnsley Supplementary Planning Document (SPD) Parking (2019) Table 1.

Highways Development Control have been consulted on the application and subsequent amended plans and do not wish to raise an objection from a highways development control perspective, subject to the inclusion of conditions. As such the proposal is considered acceptable in terms of its impact on the highway network in compliance with Local Plan Policy T4, which carries significant weight in favour of the application.

Residential Amenity

The proposal is located within a well-established industrial estate to the east of the A61 and is located approximately 400m from the nearest residential properties. The surrounding properties are screened from the proposal by the existing commercial premises within the industrial estate. Whilst Pollution Control have not been consulted on the proposals, it is not considered that the inclusion of the proposed storage unit for existing premises, would lead to a detrimental impact on residential amenity, and is in accordance with Local Plan Policies GD1 and POLL 1, which carries significant weight in favour of the application.

Coal Mining Impacts

NPPF Paragraph 196 states that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability. This includes risks arising from former activities such as mining and any proposals for land remediation. Planning decisions should ensure that adequate site investigations information is available to inform assessments.

The site is located within a high-risk area as per the Mining Remediation Authority mapping; both Mining Remediation Authority (formerly The Coal Authority) and South Yorkshire Mining Advisory Service have been consulted on the application.

Both consultees have noted the details within the Coal Mining Risk Assessment prepared by Egniol Consulting Ltd ref: ECL.8822.R06.001 dated July 2021. The report recommends that further phase 2 intrusive investigations are required to fully determine the coal mining legacy risks to the proposed development; namely in this instance associated with determining the depth and nature of opencast backfill material and to negate the presence of any shallow coal/mine workings below, and as such a condition is to be including requiring site investigations to be undertaken. This carries limited weight in favour of the proposal.

Biodiversity and Trees

National requirements have seen the introduction of Biodiversity Net Gain (BNG). In England; BNG is mandatory under the Town and Country Planning Act 1990, whereby developers must deliver a biodiversity net gain of 10%, resulting in more or better-quality habitat than before a development. These regulations were introduced on 12th February 2024 and applied to any application submitted after this date, except where one of the exemptions (as set out in the Planning Practice Guidance (PPG)) are met. Paragraph 003 of the PPG confirms that the development that does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m by 5m) of onsite habitat, and 5 metres of linear habitats such as hedgerows is subject to the de minimis exemption.

Local Plan Policy BIO1 states that development will be expected to conserve and enhance the biodiversity and geodiversity features by protecting and improving habitats; maximising biodiversity opportunities in and around new developments and encouraging provision of biodiversity enhancements.

The Biodiversity Officer is satisfied that the development meets the de minimis exemption for BNG. The BNG conditions therefore do not apply in this case.

It is acknowledged that there are substantial trees located along the south-western boundary, however these trees are located outside the boundary of the site and are protected by the existing boundary fencing. Whilst the Forestry officer was not formally consulted on the application, discussion have established that the existing boundary fencing and the existing hard surfacing of the site would provide adequate protection of the trees.

In light of the above, the protection of trees and no net loss of biodiversity will carry significant weight in favour of the proposal and as such it is considered that the development is acceptable and in compliance with Local Plan Policy BIO1.

Conclusion

In accordance with Paragraph 11 of the NPPF (2024) the proposal is considered in the context of the presumption in favour of sustainable development.

All other material planning considerations have been fully explored by the appropriate consultees who have raised no objections to the proposal subject to conditions and holistically this weighs moderately in favour of the application. As a consequence, the positive aspects of the proposal outlined above are not outweighed by any other material planning considerations.

The proposal is therefore, on balance, recommended for approval subject to conditions.

Recommendation

Grant subject to conditions