
Ref 2022/0017

Applicant: Mr Ron Sales

Description: The installation of plant and machinery to the exterior of Units 17 and 18 consisting of generator, condenser units, fuel tank and CCTV

Site Address: Units 17 and 18, Capitol Court, Dodworth, Barnsley, S75 3UD

Site Location & Description

The site has planning permission (Ref: 2019/0691) for the erection of 2 no. industrial units containing 2322sqm and 1626sqm of floorspace (use classes B1 – business, B2 – General Industrial and B8 – Storage and Distribution) and associated works including service yards and car parking areas. Those buildings are currently being built out and nearing completion and have had a further permission for a link extension so one user can occupy both buildings (Ref: 2021/1275). The site sits to South East of a recently constructed business park which contains 15no. of units. Vehicular access is taken from Capitol Court, through the business park.

The site is bordered by a train line to the South with a hotel beyond. To the East of the site is the M1 motorway and associated slip road from junction 37. To the West is Whinby Road and to the North is Nexus Business Park and Capitol Close office block.



Planning History

B/04/1998/DO – Outline employment development proposal comprising B1, B2 and B8 uses, Hotel, Park and Ride site and associated work. With Environmental Impact Statement.

Approved 23rd February 2005.

B/04/2272/DO - Phase 1 employment development site – Reserved Matters details. Erection of Class B1/B2 hi-tech units, spine road, landscaping and levelling. Approved 23rd February 2005.

2005/2073 – Erection of industrial unit with office space (Reserved Matters). Approved 23rd April 2006.

2006/0334 – Variation of condition 1 of planning consent B/04/1998/DO relating to expiry dates for the Reserved Matters application. Approved 5th April 2006.

2016/0713 - Outline planning application including means of access for general industrial (B2) use and storage and distribution (B8) use with ancillary office (B1) use. Approved 7th October 2016.

2017/0248 - Proposed 7,225 sqm (gross external area) industrial unit at Plot A for general industrial (B2) and storage and distribution use (B8) with ancillary office (B1)
(Reserved Matters pursuant to outline planning permission 2016/0713 - appearance, landscaping, layout and scale – Approved 20th April 2017.

2017/0987 – Erection of 7,200sqm NHS blood centre comprising laboratory and administrative/support functions – Approved at PRB on 24th October 2017.

2017/1109 – Reserved matters of 2016/0713 – erection of general industrial (B2) use and storage and distribution (B8) use with ancillary office (B1) use – Approved 25th October 2017.

2017/1002 - Erection of 15no. industrial units in 8 blocks (classes B1, B2 and B8) with associated car parking – 20th December 2017

2019/0691 - Erection of 2 no. industrial units containing 2322sqm and 1626sqm of floorspace (use classes B1 – business, B2 – General Industrial and B8 – Storage and Distribution) and associated works including service yards and car parking areas – Approved 17th Feb 2020

2019/1006 - Variation of conditions 15 (limitations on hours of use) and 16 (noise assessment) of planning permission 2019/0691 - Erection of 2 no. industrial units containing 2363sqm and 1804sqm of floorspace (Use classes B1 - Business, B2 - General Industrial and B8 - Storage and Distribution) and associated works including service yards and car parking areas

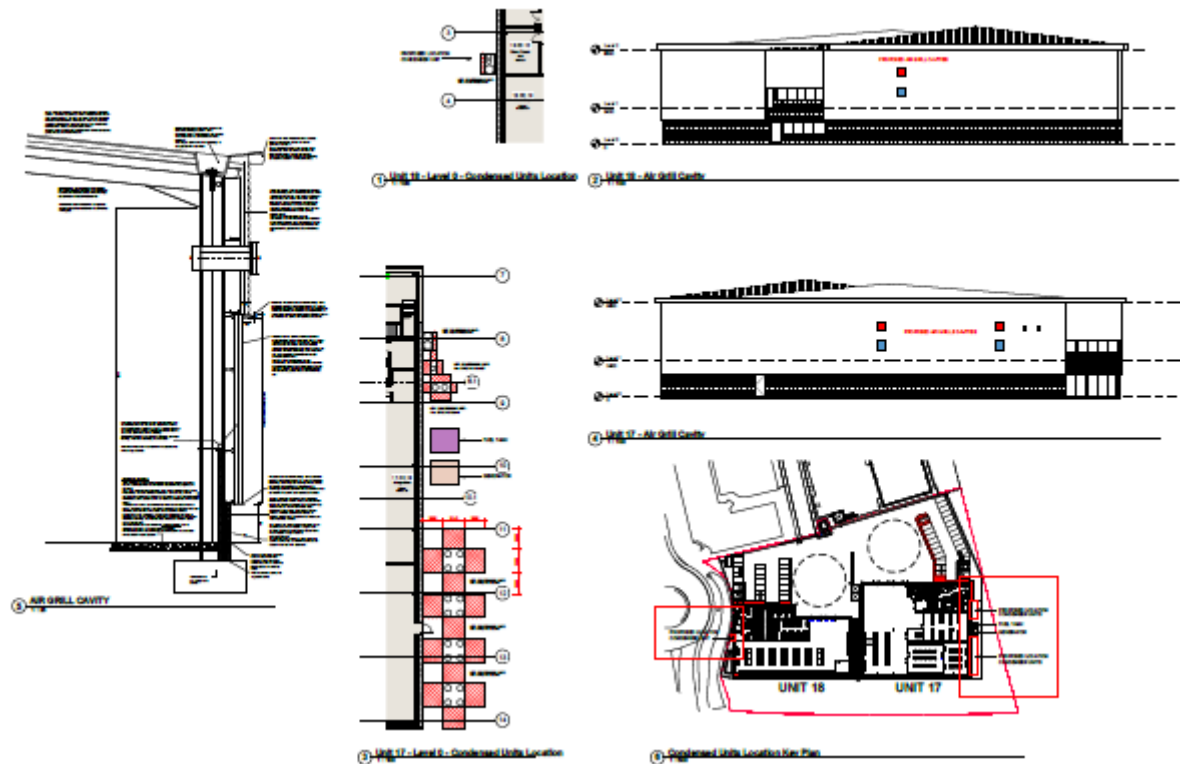
2021/1275 - Construction of link extension between two existing buildings - approved

Proposed Development

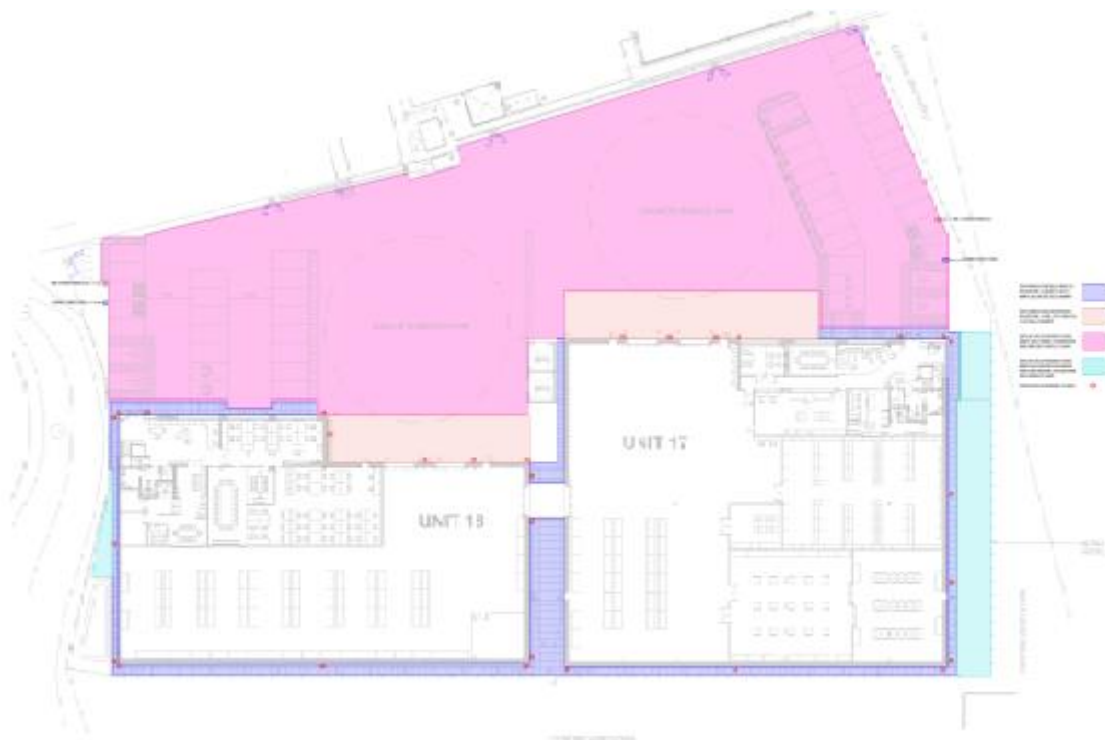
The applicant seeks permission for the installation of plant and machinery to the exterior of Units 17 and 18 consisting of generator, condenser units, fuel tank and CCTV.

Initially the plan incorporated enhanced external lighting, however, this has since been removed following on from concerns raised by the Biodiversity Officer.

Location of condenser units, fuel tank and generator



CCTV Locations



Policy Context

The site is allocated as Employment Land within the Local Plan Proposals Maps and therefore the following policies are relevant:

Policy T4 New development and Transport Safety

Policy GD1 General Development

Policy D1 High Quality Design and Place Making

Policy Poll1 Pollution Control and Protection

Policy LG2 The Location of Growth

Policy E1 Providing strategic Employment Locations

Policy E4 Protecting Existing Employment Land

Policy CL1 Contaminated and Unstable Land

Policy BIO1 Biodiversity and Geodiversity

Policy RE1 Low Carbon and Renewable Energy

NPPF

The NPPF 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.

Paragraphs of particular relevance to this application include:

Para 81 - planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity

Para 92 - Planning policies and decisions should aim to achieve healthy, inclusive and safe places

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 126 - The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Consultations

Highways – No objections

Biodiversity – No objection following confirmation approved landscaping is to remain and lighting has been removed from scheme.

Air Quality Officer – no objections following confirmation that the generator would only be used for back up purposes.

Network Rail – No objections

The Coal Authority – No objections

SYMAS -No objections

SYP – Provided details of a recent diesel theft

Regulatory Services – No objections subject to a condition requiring a Noise Impact assessment

Ward Councillors – No comments

Representations

Letters were sent to 6no. neighbouring properties and a site notice was erected within close proximity to the site. 1no. objection letter has been received, the main points of concern are;

- Potential noise and disturbance from the condenser and generator

Assessment

Principle of Development

This is an important strategic employment land allocation site which is within the City Region Enterprise Zone. The site is allocated as an Employment Allocation in the Local Plan (ES5).

Local Plan Policy LG2 'The Location of Growth' states that priority will be given to development in Urban Barnsley. Urban Barnsley will be expected to accommodate significantly more growth than any individual Principle Town.

The NPPF paragraph 81 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 proposal is therefore fully supported in land use planning policy terms and permission has previously been granted for the 2no. units. This application simply relates to a relatively small 'link' extension between those 2 buildings to allow 1no. company to occupy both units.

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.

It should be noted that CCTV cameras are generally permitted development under Part 2, Class F of the General Permitted Development Order, however, the number of cameras and their spacing fail to meet the requirements of Class F, as such, permission is required in this instance.

Residential Amenity

The closest residential properties to the site are some 140m to the south on the outskirts of Dodworth. The site is separated from those properties by a railway line and Whinby Road, as well as a hotel and family pub. There is a large mixed-use allocation (MU1) in the Local Plan to the East of the site, however, the two sites are separated by the M1 and associated slip roads for junction 37.

The Majority of the condenser units and the generator are proposed adjacent to the Eastern elevation of unit 17, adjacent to an existing tree belt and the M1 motorway. There is a condenser unit proposed on the Western Elevation of unit 18 which would be adjacent to a landscape strip and the roundabout on Whinby Road. However, there is a hotel to the South of the site and neighbouring commercial units to the North and West of the building. As such, the Regulatory Officer has raised no objections to the proposal but subject to the submission of a noise impact assessment indicating existing background noise levels, expected noise emissions from proposed development, impacts on nearby receptors and proposed mitigation measures.

The position and size of the units means there would be no unreasonable overshadowing or overbearing impact on the neighbouring units or buildings.

Design & Visual Amenity

The majority of the units are proposed to the East of unit 17 in a non-prominent position with limited views from public vantage points. In addition, the units would be adjacent to an existing mature landscaping/wooded strip which reduces views further.

There is a condenser unit proposed adjacent to the Western elevation where there would be fleeting glimpses from public vantage points through the landscaping along Whinby Road. However, the unit would be located on the ground, relatively modest in size and viewed against the elevation of the building. Furthermore, condenser units are not unusual within the immediate area with a number of neighbouring buildings having similar units. As such, visual amenity would be maintained to a reasonable degree.

In terms of the CCTV units, there are more proposed than allowable under PD rights, however, they are modest in scale and a common feature within the area, as such, the visual amenity of the buildings or the wider area would not be detrimentally impacted on, in accordance with Local Plan Policy D1.

Highway Safety

There are no alterations proposed to the previously approved access, parking or manoeuvring arrangements.

Biodiversity

The biodiversity Officer had initial concerns that the units would have an impact on the landscaping areas approved on the previous approvals for units 17 and 18 and also that the lighting would have an impact on foraging/commuting area for bats. However, the applicants have confirmed that the proposals would not affect the previously approved landscaping areas and the enhanced external lighting scheme has been removed from the proposal and no longer forms part of the application.

Conclusions

Taking into account the relevant development plan policies and other material considerations, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission for the scheme. The proposal therefore complies with the development plan as a whole and the advice in the NPPF.

As such the scheme is considered to accord with policies and guidelines and is recommended for approval.

Recommendation

Approve subject to conditions