

Premier Foods Plc

Installation of a solar farm of up to 2MW generating capacity, substation and associated infrastructure together with erection of 2.4m high perimeter fencing and CCTV posts.  
Amended documentation Jan 2024

Premier Foods Bakery, Fish Dam Lane, Carlton, Barnsley, S71 3HF

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### Site Location and Description

The application site comprises 2.87ha of land located west of the operational site of Premier Foods Carlton Bakery. The site is mainly laid to grass with field boundary hedges. There is no evidence that the site has been used for agriculture. Access to the site would be secured through the existing Premier Foods site. The site is bound to the north by Shaw Lane; to the east by a partially reclaimed colliery site; and to the south by further land in the ownership of Premier Foods.

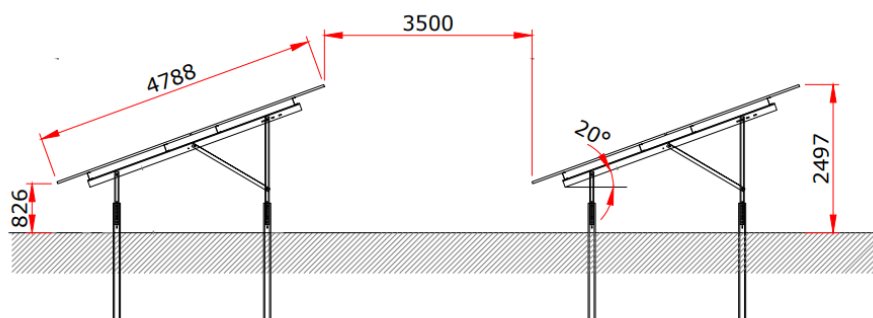
The nearest houses to the application site are located on Shaw Lane, both to the east and the west.

### Proposed Development

The applicant seeks permission to install a solar farm of up to 2MW generating capacity and associated infrastructure. The submission indicates that the solar farm would provide up to 50% of the Bakery's power needs. The Solar PV modules would be 2,974 in number and up to 2.5m in height and the associated infrastructure includes a substation, perimeter fencing and CCTV posts. The development is intended to be constructed in two phases, reflecting the need for Northern Power Grid infrastructure expansion upgrades before the second phase can proceed.

Mitigation and enhancement measures are proposed by way of additional planting around the site boundary. The application is supported by Ecological reports, a Planning Design and Access Statement, a Landscape Visual Appraisal, a Construction Environmental Method Plan, a Flood Risk Assessment, a Noise Assessment, an Arboricultural Impact Assessment, a Glint and Glare Study a Traffic Management Plan and a Transport Statement

Proposed elevations



Site location plan



Proposed layout plan and landscaping scheme



## 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. Council has also adopted a series of Supplementary Planning Documents which are other material considerations.

The Local Plan review was approved at the full Council meeting held on 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances require it.

The site is in an area allocated as part of the wider MU3 mixed use allocation on the Local Plan Proposals Maps, which states:

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 Wharnccliffe 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.

The following policies are also relevant:

**Policy SD1 Presumption in favour of Sustainable Development** – indicates that we will take a positive approach reflecting the presumption in favour of sustainable development in the National Planning Policy Framework and that we will work proactively with applicants to

find solutions to secure development that improves the economic, social and environmental conditions in the area

**Policy GD1 General Development** – sets a range of criteria to be applied to all proposals for development.

**Policy H3 – Uses on Allocated Housing Sites** – indicates that the allocated housing sites will be developed for residential purposes and other uses allowed only where they are small scale and ancillary; and provide a service/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 of cycles. Also sets criteria in relations to minimum levels of parking, provision of transport statements and of travel plan statements.

**Policy T4 New development and Transport Safety** – expects new development to be designed and built to provide safe secure and convenient access and to not cause or add to problems of highway safety or efficiency.

**Policy D1 High Quality Design and Place Making** – indicates that development is expected to be of high quality design and to reflect the distinctive, local character and features of Barnsley.

**Policy GS1 Green Space** – indicates that permission will not normally be allowed for development that would result in a loss of green space, unless one of a number of criteria are met.

**Policy GS2 Green Ways and Public Rights of Way** – indicates that we will protect green ways and public rights of way from development that may affect their character or function.

**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

**Policy CC4 – Sustainable Urban Drainage Systems** – all major development will be expected to use SuDS to manage surface water drainage unless it can be demonstrated that all types of SuDS are inappropriate. The council will also promote the use of SuDS on minor development. Planning applications must be supported by an appropriate drainage plan and SuDS design statement.

**RE1 - Low Carbon and Renewable Energy** – all developments will be expected to incorporate initially appropriate design measures and thereafter decentralised, renewable or low carbon energy sources in order to reduce carbon emissions and should at least achieve carbon compliance targets set out in Building Regulations. Also sets out criteria for consideration of renewable energy producing development.

**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.

### **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.

**Paragraph 85** - Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

**Para 131** – 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

**Para 136** – trees make an important contribution to the character and quality of urban environments. Planning policies and decision should ensure that opportunities are taken to incorporate trees in developments and that existing trees are retained wherever possible.

**Para 163** - Local planning authorities should approve applications for renewable and low carbon development if its impact are (or can be made) acceptable.

**Para 180** – Planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity

**Para 191** – 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.

### **Supplementary Planning Documents (SPD):**

**Biodiversity and Geodiversity SPD** – Sets out how Local Plan policy BIO1 and GI1 on green infrastructure will be applied. It also provides further specific detail about the Dearne Valley Nature Improvement Area.

**Trees and Hedgerows SPD** – offers guidance on how to deal with existing trees and hedgerows on development sites.

**Sustainable construction and climate change adaptation SPD** - Sets out our approach to planning decisions in respect of sustainable construction and adapting to climate change

### **Other**

**Carlton Masterplan Framework (MPF)** covers the local plan mixed use site allocations MU2 and MU3 and was adopted by the Council in 2021. The MPF recognises that the land in the ownership of Premier Foods is safeguarded for future employment uses and expansion of Premier Foods Bakery. The MPF requires amongst other things 10% biodiversity net gain and a high quality of design.

## Consultations

**Biodiversity Officer** – in response to consultation on updated ecology reports, confirms that subject to conditions, the proposal is acceptable

**British Horse Society** – no objection in principle but wants to ensure that there is no possible hazard from glare to horse riders using Shaw Lane; and notes that the development provides an opportunity to realign the TPT and provide a safer crossing over Shaw Lane.

**Canal and River Trust** – no comment on the amended details

**Enterprising Barnsley** – support the application

**Forestry Officer** – no comments received

**Drainage Engineer** – no comments

**Highways DC** – no objections subject to the approved documents being adhered to throughout the construction period.

**HSE** – no comments

**Natural England** – in response to consultation on updated ecology reports, confirm no objections as the proposed development will not have significant adverse impacts on designated (SSSI) sites. Welcomes the habitat enhancement for Willow Tit proposed by the applicant.

**Pollution control** – the development has the potential to have an adverse impact on health and the quality of life of those working in the location and conditions are recommended requiring the development to not exceed the noise levels set out in the submitted noise report and restricting hours of construction/demolition.

**South Yorkshire Archaeology Service** – archaeological scoping assessment prior to the allocation of the site in the local plan concluded that this part of the site held negligible significance. Thees conclusions remain valid and there are no comments.

**Sustainability** – no comments received

**Trans Pennine Trail** – in response to consultation on revised plans, a combined response on behalf of TPT and Sustrans objects to the failure of the developer to deliver the new alignment for the TPT as outlined in the Carlton MFP or to address the unsafe crossing of Shaw Lane and the glare of the site in terms of horses. However, following clarification of proposal, the objection has been lifted verbally.

**Yorkshire Water Services Limited** – no objection subject to a condition relating to piped discharge of surface water.

**Yorkshire Wildlife Trust** – registered a holding objection in relation to the original submission and did not respond to reconsultation on the updated ecology reports.

**Ward Councillors** – No response

## Representations

The application has been advertised by means of letters to nearby properties and a site notice posted near the site. No representations have been received.

## Assessment

### Principle of development

The application site is part of a wider mixed use (housing and greenspace) allocation in the Local Plan. However, the site allocation policy MU3 requires a masterplan framework to be produced covering the allocations MU2 and MU3. This is the Carlton Masterplan Framework which recognises that the land in the ownership of Premier Foods is safeguarded for future employment uses and expansion of Premier Foods Bakery. Accordingly it is concluded that the proposed development, which is intended to help the business secure operational efficiencies, is acceptable in principle.

### Visual appearance

The application is supported by a landscape and visual appraisal which demonstrates that given the existing boundary vegetation in the form of mature high hedgerows and trees there is limited intervisibility of the proposals in the wider study area and the magnitude of visual effect is largely negligible adverse. There will be a small adverse effect on the residential area of the houses on Royston Road in the Weetshaw Lane area (to the east of the application site, and called Upper Cudworth in the report) as there may be localised visibility. However, this and the limited views in the immediate vicinity will reduce over time as existing and new hedgerows and scrub mature. The application includes a fully detailed landscaping scheme. This proposes to retain most of the existing vegetation (hedgerow/scrub and trees) on the boundaries; and to add to this with hedgerow/scrub and tree planting. The effect will be to secure a minimum 10 metre buffer on the east boundary of the site. As such subject to conditions requiring the landscaping to be implemented and maintained it is concluded that the visual impact of the proposed development is acceptable and in compliance with Local Plan policies GD1, D1 and RE1.

### Biodiversity

The biodiversity officer has advised that the updated ecology reports indicate that the Biodiversity Net Gain requirements of the Carlton MPF can be achieved with a gain of 2.59 habitat units and 0.09 hedgerow units anticipated. Noting that Natural England do not object to the proposal and welcome measures which aim to offer potential enhancements for willow tit, approval is recommended subject to conditions requiring a Biodiversity Enhancement Management Plan to secure appropriate biodiversity net gain; and a condition requiring the development to be undertaken in accordance with the submitted Construction Environmental Management Plan. The Yorkshire Wildlife Trust objected to the original submission but did not respond to reconsultation on the updated ecology reports. The proposal is supported by an Arboricultural Impact Assessment that concludes that in relation to a single Ash tree on the site where a six meter buffer is proposed, tree protective fencing will be required and a condition is recommended accordingly. Subject to the recommended conditions, it is concluded that the proposal is acceptable and in compliance with Local Plan policy BIO Biodiversity and Geodiversity and the associated SPDs

### Highways safety

Highways development control advise that once construction work is complete, there will be very few highway implications, with very little traffic generated. The submitted glint and glare study concludes that no significant impacts are predicted upon road safety and aviation activity associated with the YAA Nostell Helicopter Port and no mitigation is required. It is concluded that subject to a condition requiring the development to be completed in accordance with the submitted Construction Environmental Management Plan, there are no highway safety objections and the scheme is considered acceptable from a highways safety point of view and in compliance with Local Plan Policies T3 and T4.

### Public Rights of Way

To the north of Shaw Lane is the footpath along the former canal which forms part of the Trans Pennine Trail, which then runs along Shaw Lane and then to the south of Shaw Lane, runs alongside the railway line. The Carlton MPF includes a requirement that the TPT is realigned alongside and to the east of the application site, not within the application site. Accordingly it is concluded that an objection can't reasonably be sustained to the failure of the applicant to secure realignment of the TPT within the application site. It is also concluded that the proposed planting between the solar farm and both Shaw Lane and the 10m buffer planting to the east boundary of the application site will adequately protect the amenity and safety of users of the TPT both now and when it is realigned under the requirements of the

MPF. The scheme is considered acceptable from a public rights of way point of view and in compliance with Local Plan Policy GS2 Green Ways and Public Rights of Way and the Carlton MPF

### Residential amenity

The application is supported by a noise survey which notes that solar farms are not normally considered noisy but various electrical components such as inverters and transformers can emit low noise levels. The report considers noise impacts at the nearest dwellings and concludes that noise from the facility would be low in absolute terms and comply with all noise limits. Reflecting the advice of Pollution Control, conditions are recommended limiting noise levels as specified in the report and restricting hours of construction.

The application is also supported by a glint and glare study which concludes that no significant impacts are predicted upon residential amenity. Existing vegetation and/or buildings will significantly obstruct the geometrically possible views of reflecting panels in relation to most dwellings. For 13 dwellings, solar reflections are geometrically possible for more than three months of the year but for less than 60 minutes on any given day. Existing vegetation is predicted to significantly obstruct views of reflecting panels from the ground floor of those dwellings; with views being possible from above ground floor. Given the low impact upon residential amenity at these 13 dwellings, mitigation is not recommended and these conclusions are accepted.

It is concluded that the proposal is acceptable from a residential amenity perspective, subject to the recommended conditions and is in compliance with Local Plan policies GD1 and Poll1.

### Other

The Health and Safety Executive have confirmed that although the site is within the consultation zone for a major hazard, as the solar farm is not expected to have an on site presence apart from periodic maintenance, there is no need for a HSE consultation and they have no comments.

The proposed solar farm will make a significant contribution to the electricity needs of Premier Foods and is considered to be in accordance with national and local planning policy which indicate that development that produces renewable energy will be approved if their impacts are (or can be made) acceptable.

The application makes it clear that the typical operational life of a solar farm is 40 years, following which the solar farm may be removed and restored to its previous condition, or a new planning permission could be granted for a new installation. Accordingly a temporary permission of 40 years is recommended, subject to a condition requiring the solar farm to be removed at the end of that period.

### Conclusion

The proposal allows an existing major business to achieve increased operation efficiencies to support their business as well as their commitment to addressing the net zero agenda. Notwithstanding the mixed use (housing and greenspace) allocation of the site as part of the wider MU3 Local Plan allocation, it is clear from the Carlton MPF that it has been accepted that the land owned by Premier Foods is held for their employment use and will not be made available for housing development. It is concluded that the proposal complies with the development plan as a whole.



**Recommendation**

**Grant** subject to conditions