2021/1403

Mr P Sherburn

Extension to existing factory and associated external works

Naylor Drainage, Clough Green, Cawthorne, Barnsley, S75 4AD

Background

The site has a long planning history, however the following applications are the most recent:-

2006/1369 – Erection of extensions to existing buildings and crane track and enclose crane track - Approved

2021/0205 – Installation of combined head and power unit, associated transformer and grp station – Approved

Description

The application relates to an existing industrial site located within the Green Belt, approximately 1 mile south west of Cawthorne Village. The site is occupied by Naylors, a manufacturer known for producing clay pipes and building/construction products. The site extends to 18.9 hectares and comprises a number of buildings, the largest of which extends to approx 19,000sqm and contains the clay pipe production and plastic extrusion operations. The existing plastic extrusion operation occupies 1,325sqm of the main factory building. The existing factory is a rectangular building which extends diagonally from the north west corner of the site eastwards to a central position on the site. A triangular corner of the site, to the north west of the existing building is currently vacant. Areas of external storage are located to the south and east of the main factory building. Further storage and a number of smaller buildings and car parking occupy the areas to the north of the main factory block.

The site is accessed just off the junction of Lane Head Road and North Lane and the existing access and parking areas are to be retained. The closest residential properties to the site are Rawling House, Rawling House Cottage and Rawling House Barn, situated approximately 50m to the west of the proposed extension.







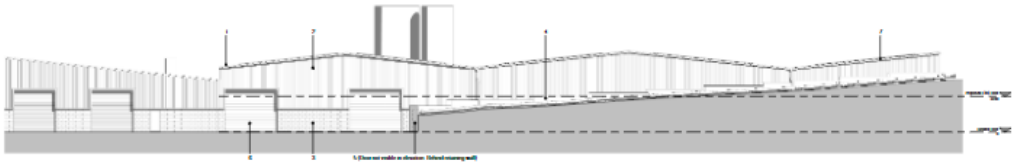
Proposed Development

The applicant seeks permission for the erection of an extension to the existing factory and associated external works. The scheme would extend the building to the north west, to occupy the currently underused north west corner of the site which appears to be used as an outdoor storage area. The proposed extension would be approx. 2162sqm in floor area and would be triangular in shape in order to provide additional space for the plastic intrusion element of the building. The extension would be constructed of matching materials and would utilise the existing access and parking facilities. The remaining areas would be surfaced with tarmac.

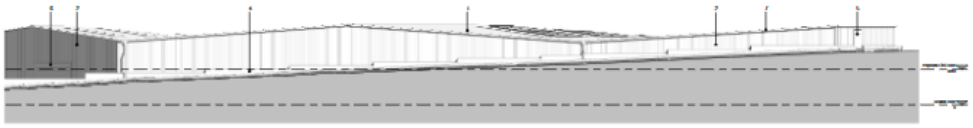
The supporting statement indicates that the extension would allow for the delivery of up to 30 new jobs on the site and secure the long term viability of the site. The applicant has also provided the following justification for the proposed extension:-

The plastic extrusion operation has been on site since 1999, (the manufacturing facility (clay pipes) has been on site since the 1950's). The proposed extension is necessary to expand the plastics operation and increase efficiencies. The proposed extension will facilitate the introduction of longer lines in the factory which increase speed and capacity of production to meet demand.

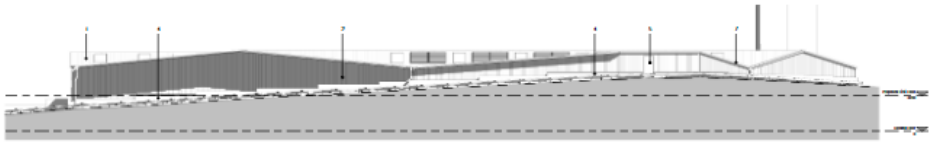




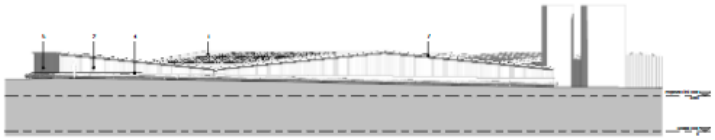
Proposed North East
1 : 100



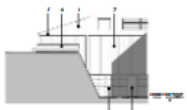
Proposed North
1 : 100



Proposed North West
1 : 100



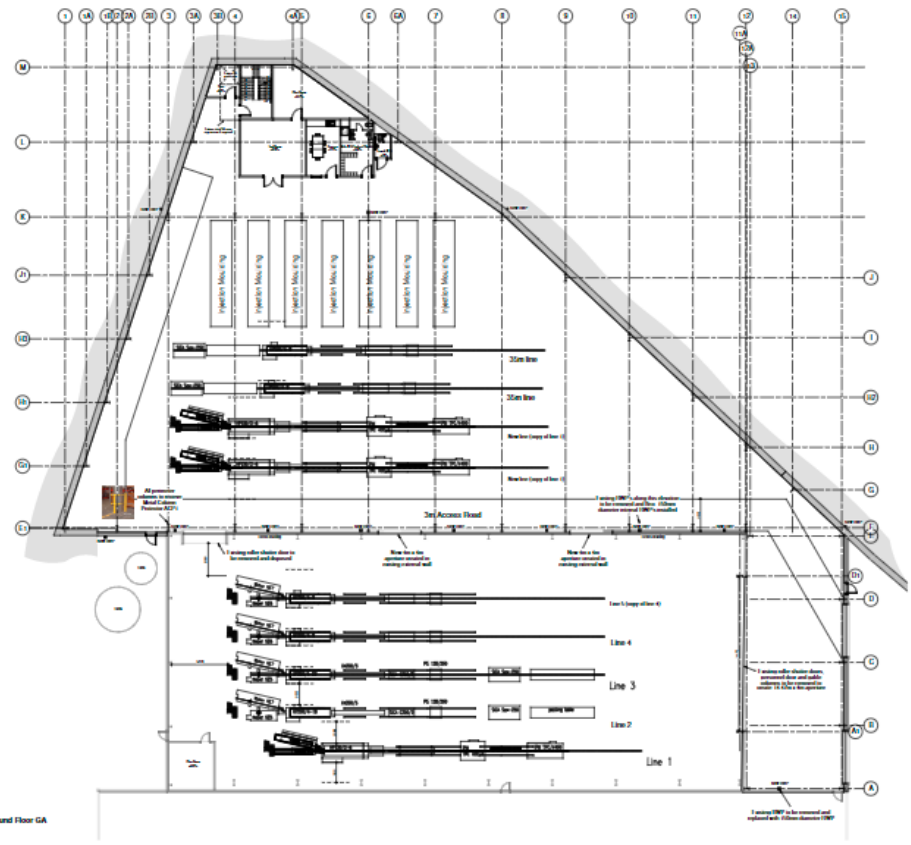
Proposed South West
1 : 100



Proposed South East
1 : 100

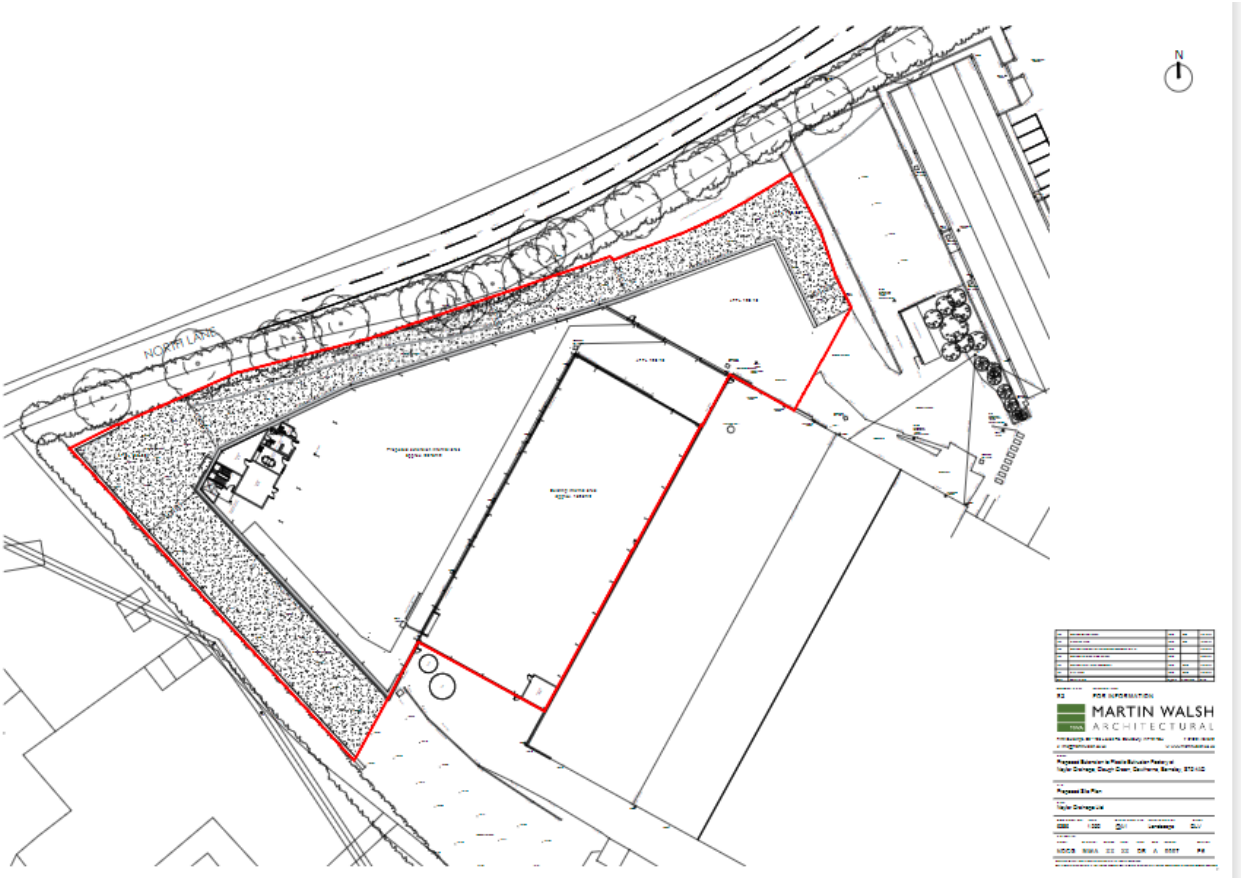






Proposed Ground Floor GA
1 : 100





Policy Context

Planning decision should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making.

The new Local Plan was adopted at the full Council meeting held 3rd January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

<u>Local Plan</u>

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

Policy GB1 Protection of Green Belt
Policy GB2 Replacement, extension and alteration of existing buildings in the Green Belt
Policy GD1 General Development
Policy Poll1 Pollution Control and Protection
Policy D1 High Quality Design and Place Making
Policy SD1 Presumption in favour of Sustainable Development
Policy BIO1 Biodiversity and Geodiversity
Policy T3 New Development and Sustainable Travel

Policy T4 New Development and Highway Improvement
Policy E3 Uses on Employment Sites
Policy E6 Rural Economy
Policy CC3 Flood Risk
Policy CC4 Sustainable Drainage Systems

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 there are no relevant development plan policies, or the polices which are most important for determining the application are out of date, unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.

Section 13: Protecting Green Belt Land – The government attaches great importance to Green Belts. The erection of new buildings within the green belt is classed as inappropriate in the Green Belt. Inappropriate development is, by definition, harmful to sites within the green belt and should not be approved unless very special circumstances can be shown.

Para 149: A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
a) buildings for agriculture and forestry;
b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
e) limited infilling in villages;
f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Cawthorne Neighbourhood Development Plan

C1 Protecting Local Landscape Character
Policy C2 Protecting Local Wildlife

SPD's

Parking
Cawthorne Village Design Statement
Residential amenity and the siting of buildings

Consultations

Cawthorne Parish Council – No objection
Enterprising Barnsley – Support this application
Pollution Control – No objections subject to conditions
Biodiversity Officer – No objections
Tree Officer – No comments received
Drainage – No objection subject to condition
Air Quality Officer – No comments received
Environment Agency – No comments received
Highways – No objection subject to conditions
Ward Councillors – No comments received
SYMAS – An intrusive site investigation is required by condition
Yorkshire Water – no comments received
Coal Authority - An intrusive site investigation is required

Representations

The application has been advertised via site notice and neighbour notification letters.

3 objections have been received which raise the following concerns:

- Works have commenced on site
- Existing damage to trees
- Close proximity to dwellings
- Impact on visual amenity
- Further development and the impact on the environment is irreversible.
- Pollution/smells from existing factory
- Previous noise complaints and issues with the existing site
- Noise from fork lift trucks, whines from production lines 24/7, humming noises
- Impact on health
- We would like to see evidence of technical data to show calculations of toxicity levels
- Plastic use and damage to the environment
- Issues with existing lighting/floodlights
- Naylor's is a dusty site
- The state of the roads around the site are often dirty and muddy - creating a traffic hazard in wet weather
- The drains on the main roads regularly get blocked
- Naylor's efforts to keep the roads clean is insufficient.
- Impact on Highway Safety
- The entrance to the site is already compromised.
- Naylor themselves have expressed concerns regarding road layout, speed of traffic, and poor visibility.
- Pantechnicons park up on the slip road outside the plant and there is often congestion and poor access for motorists
- Impact upon the existing roadway condition

Assessment

Principle of development

This industrial site is occupied by Naylor's which is a well established local business. The site is located within an area of Green Belt countryside. Policy E6 Rural Economy of the Local Plan states that 'we will encourage a viable rural economy by allowing development in rural areas if it supports proposals that results in the growth of existing businesses.' The proposal would allow for the expansion of the existing long standing industrial business and would provide up to 30 new jobs which is supported by policy E6.

Within the Green Belt the erection of new buildings is classed as inappropriate development which, by definition, is harmful to the Green Belt and should not be approved except in very special circumstances. However, paragraph 149 of the NPPF allows for the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. Policy GB2 of the Local Plan also allows for the replacement, extension and alteration of existing buildings in the Green Belt:

'Provided it will not have a harmful impact on the appearance, or character and will preserve the openness of the Green Belt, we will allow the following development in the Green Belt:

- Extension or alteration of a building where the total size of the proposed and previous extensions does not exceed the size of the original building.'

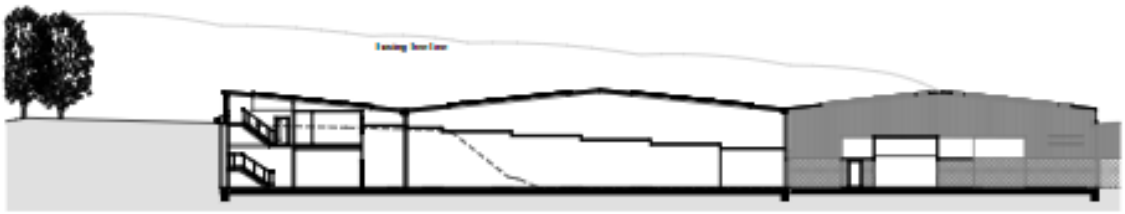
The proposed extension seeks to provide an extension of approximately 2162sqm in floor area. The original building comprised 17,456sqm and has a previous extension of 1,325sqm. The proposed extensions to the original building amount to an approximate 20% increase in the size of the building which in line with policy GB2 and is acceptable in principle.

Policy GB2 and Policy E6 also indicate that all such development will be expected to be of a high standard of design and respect the character of the existing building and its surroundings, in its footprint, scale and massing, elevation design and materials and have no adverse effect on the amenity of local residents, the visual amenity of the area, or highway safety. These aspects will be assessed below.

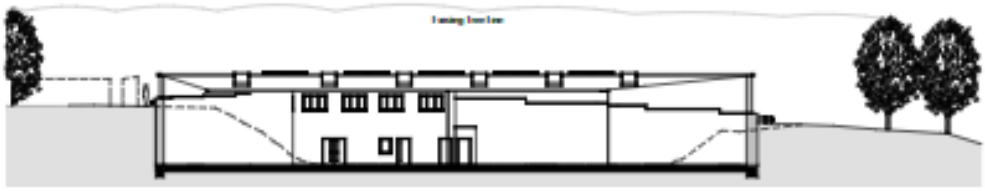
Visual Amenity

The extension is of a high quality design and would be constructed using matching materials. Whilst this is a large extension, when viewed against the existing building, it is proportionate in size and scale. It has been located on an area of land which is currently vacant and within the confines of the site, it would not extend any further into the open countryside than the existing site boundaries and would be considered as limited infilling. The site is well screened by existing trees along the boundary which will be retained as part of the development.

The proposed extension maintains the same finished ground floor level as the existing factory, achieved by excavating the existing land and creating a retaining wall. The majority of the external walls to the extension will be set below the ground level of the surrounding land to the north and west and will therefore reduce any impact upon the openness of the Green Belt, as demonstrated by the submitted cross section drawing below. The proposal is therefore considered acceptable when measured against policy GB1 and GB2 and would have a limited impact upon the openness of the Green Belt.



Proposed Site Section A-A
1 : 200



Proposed Site Section B-B
1 : 200

The design of the proposal is acceptable and would be in keeping with the existing buildings in terms of scale and materials, in accordance with policy D1 of the Local Plan and policy C1 Protecting Local Landscape Character of the Cawthorne Neighbourhood Development Plan.

Residential Amenity

The proposed extension would be set closer to properties to the west of the site known as Rawling House, Rawling House Cottage and Rawling House Barn. These dwellings are situated approximately 50m to the west of the proposed extension. Due to the design of the proposal, the extension would maintain the same finished ground floor level as the existing factory, achieved by excavating the existing land and creating a retaining wall. This would result in the viewable area of the building above ground level being a maximum of approx. 3.2m in height. The proposal would comply with the separation distances set out within the SPD, Residential amenity and the siting of buildings and would ensure that the proposal would not have any significant overshadowing or overbearing impact.

Concerns have been raised with regard to noise impacts, disturbance and smells from the existing works. The noise assessment submitted with the application indicates that 'Noise levels associated with internal operations within the proposed extension have been determined at the nearest NSR and assessed using BS4142. The assessment has determined that low impacts are expected during the day or night at the nearest NSR.' The building has been designed so that the north east of the building will have a principal entrance to the plastic extrusion factory facing the yard, with 2no. roller shutter doors and a personnel door, therefore external activity will be limited to this area of the building and away from the south western elevation which is closest to the neighbouring residential properties.

The proposal would also result in the removal of a large area of hardstanding which appears to be used as an outdoor storage area. The replacement of this area with a purpose built extension to the existing unit would reduce the amount of outdoor activity, such as the use of vehicles in this area and thus reducing the noise impact to the surrounding properties.

The Pollution Control Officer has been consulted and has no objections subject to conditions and has not raised any concerns with regard to smells from the unit. The Pollution Control Officer has assessed the objections received and has provided the following additional comments: 'I have been involved in the case for the past year. I have witnessed the noise and had meetings with Naylors. I believe that the construction of this development will reduce the noise currently being complained about.' The plans would result in the forklift truck movements at the boundary being significantly reduced following the completion of this development. The Pollution Control Officer has requested conditions are applied to any approval. The conditions include the submission of an assessment to be undertaken to determine the noise impact from any plant and equipment associated with the development within the first 6 months of commencement of operations within the proposed development. The applicant has agreed to this condition. A further condition will also be applied which would limit the construction working hours in order to further protect the amenity of the adjacent residents during construction of the proposed extension. The proposal is considered to be acceptable when measured against policy POLL1 of the Local Plan.

Highway safety

Concerns have been raised by neighbouring residents with regard to the highway impacts of the proposal put forward. The Highways Officer has been consulted and has no objection to the proposal subject to conditions.

The development will be accessed from the existing access off Lane Head road / North Lane and the proposal does not seek to increase the number of car parking spaces on site. Accompanying the application is a Transport Statement which identifies the likely vehicular trip generation as 15, two way movements in the am peak period and 12, two way movements in the pm period. In addition, as the proposal includes the re-location of an injection moulding department from Wombwell, the statement states that number of HGV movements to and from the site will be reduced by around 6 per week. The report includes a section relating to Transport Sustainability concluding that the site is in a sustainable location being within proximity to local bus services proving connections to Barnsley Town Centre, neighbouring settlements and Denby Dale railway station. The Highways Officer has states that whilst there may be some merit in this statement and whilst the proposal alone falls below the guideline threshold normally requiring a travel plan, it is considered that in the context of the wider site, it is prudent that a site wide travel plan be conditioned in order to maximise sustainable travel opportunities. In addition to this condition, the Highways Officer has also requested a Construction Method Statement which should reduce any impacts during construction.

The Highways Officer considers that the proposal would not have an unacceptable impact on highway safety nor would the cumulative impacts be severe. Therefore, it is considered to meet the 'tests' of NPPF para 111 in this regard and therefore complies with policy T4 of the Local Plan.

Biodiversity/Impact on Trees

The site is surrounded by trees which screen the site from the road and neighbouring properties. The Tree Officer has been consulted and has not objected or commented on the scheme. A tree survey has been submitted with the application which includes 5 trees and/or groups of trees of Category B and C Trees. No trees are to be removed or planted as part of the proposal. Many of the trees form part of a site boundary feature and will not be significantly impacted by the proposal as they are set a significant distance between 6m and 10m from the proposed extension. It is recommended that Tree Protection Measures are implemented prior to the commencement of development to prevent any damage to them during construction.

The Preliminary Ecological Appraisal Report (Brooks Ecological 13/9/21) has been submitted with the application and the Biodiversity Officer states that it is satisfactory in terms of its evaluation of the site. The report indicates that the site is of negligible ecological value. The applicants have submitted the following justification in terms of the biodiversity off-setting proposals at the site, 'As the proposed development is relatively small and has a No Net Loss of biodiversity the additional measurements required are minimal. Naylors' contribute to biodiversity in Cawthorne in numerous unique ecosystems on site. For the proposed extension Naylors' biodiversity off-setting proposal includes the implementation of bee hives to the north of the site where Naylors' allow a local beekeeper to store them here. The beekeepers bees benefit from the rich variety of plant species on site and as such the honey produced from these hives is truly delicious. The honey can be purchased from Naylors' on site flower-pot shop. Naylors' take great care to preserve and encourage wildlife on their site and endeavour to maximise biodiversity on site.' The information put forward is satisfactory in terms of Biodiversity.

The proposal is therefore considered acceptable in terms of impact upon trees and biodiversity in accordance with policy BIO1 of the Local Plan.

Drainage/Flood Risk

The Council's Drainage Officer has no objection to the proposal subject to a condition. Yorkshire Water have not commented nor raised objections. The Flood Risk Assessment submitted with the application indicates that the site currently falls within flood zone 1: which is designated as low probability of flooding from sea or rivers less than 0.1% (ie 1 in 1000 year) probability of flooding. The Environment Agency have not commented on the application.

The proposal is therefore considered acceptable subject to a drainage condition to ensure that further drainage details are provided prior to the commencement of development.

Coal Mining

The application site falls within the defined Development High Risk Area. The Coal Authority records indicate that within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application, specifically probable shallow coal workings. SYMAS and the Coal Authority have stated that an intrusive site investigation is required by condition.

Recommendation

Grant subject to conditions