2023 0870

Mr Nigel Boothby

5 no. single storey cabins, 1 no. tent storage unit and erection of 1 no. two storey cabin (Part Retrospective)

Distinction Doors, Wentworth Way, Tankersley, Barnsley, S75 3DH.

Site Location and Description

The application site is the site of an existing industrial unit off Wentworth Way. The existing buildings on the site comprise single storey brick built flat roofed offices on the frontage and taller metal clad industrial buildings to the rear and a variety of plant and machinery. The site frontage has a wide grass verge with mature trees, all clearly planned as part of the original layout of the estate.

At the time of the site visit (reflected in the part retrospective application description), the single storey cabins and tent storage unit were in place.

Site History

A range of applications since the 1980s relating to minor works to the industrial unit on the site.

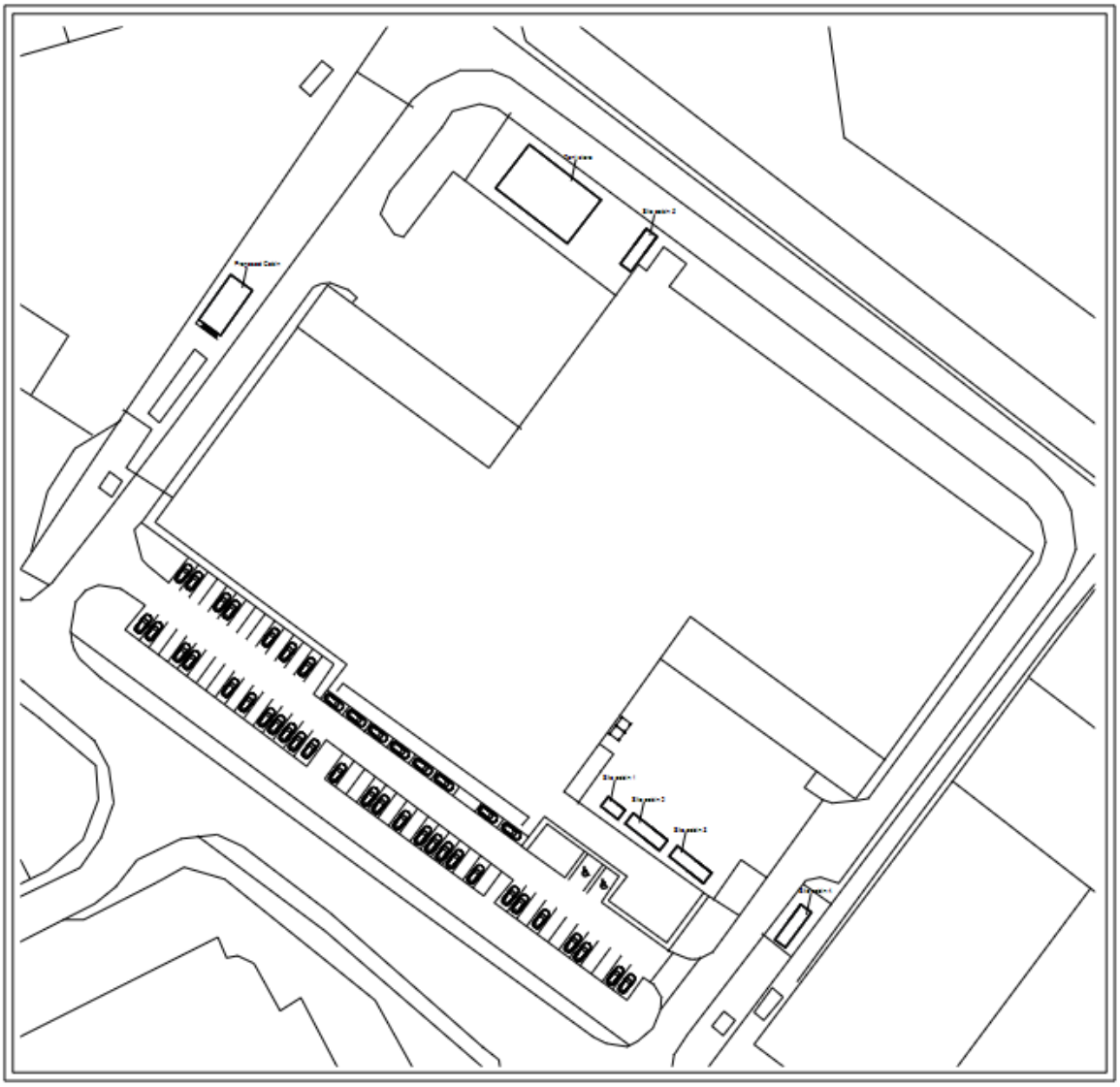
Proposed Development

The applicant seeks permission for the erection of 5 single storey cabins, 1 tent storage unit and 1 two storey cabin.

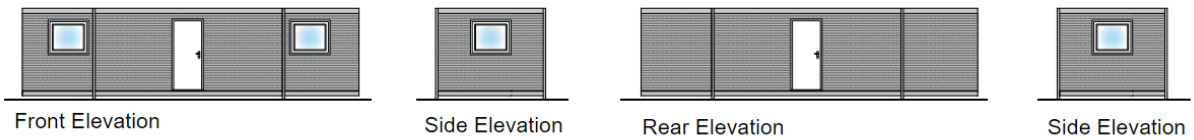
The single storey cabins and the tent storage unit are already on site. Only the proposed two storey cabin has not yet been placed on site. Four of the single storey cabins, and the tent storage unit, cannot be seen from Wentworth Way road/verge outside the site. The fifth single storey unit sited on the southeast of the site can be seen from outside the site. The proposed two storey unit on the northwest boundary will be visible from outside the site but will be viewed in the context of existing single storey sub-station and plant which is a similar height.

A coal mining risk assessment and a Design, Access and Heritage statement have been submitted in support of the application. The Design, Access and Heritage Statement notes the existing business is a composite door supplier; that the proposed cabins and store are or will be metal clad and will be used for purposes ancillary to the existing industrial use.

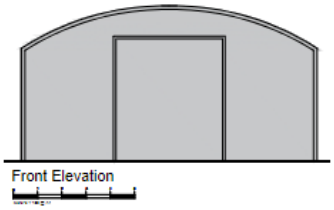
Proposed layout plan with the application buildings labelled:

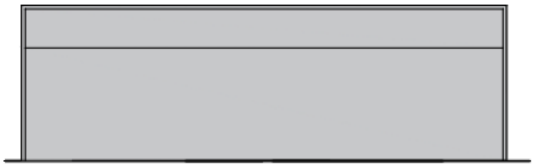


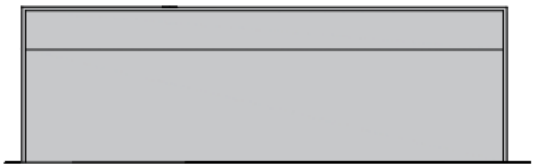
Example of proposed site cabin 4 elevations:

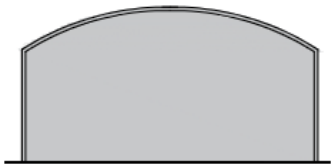


Tent storage unit elevations:

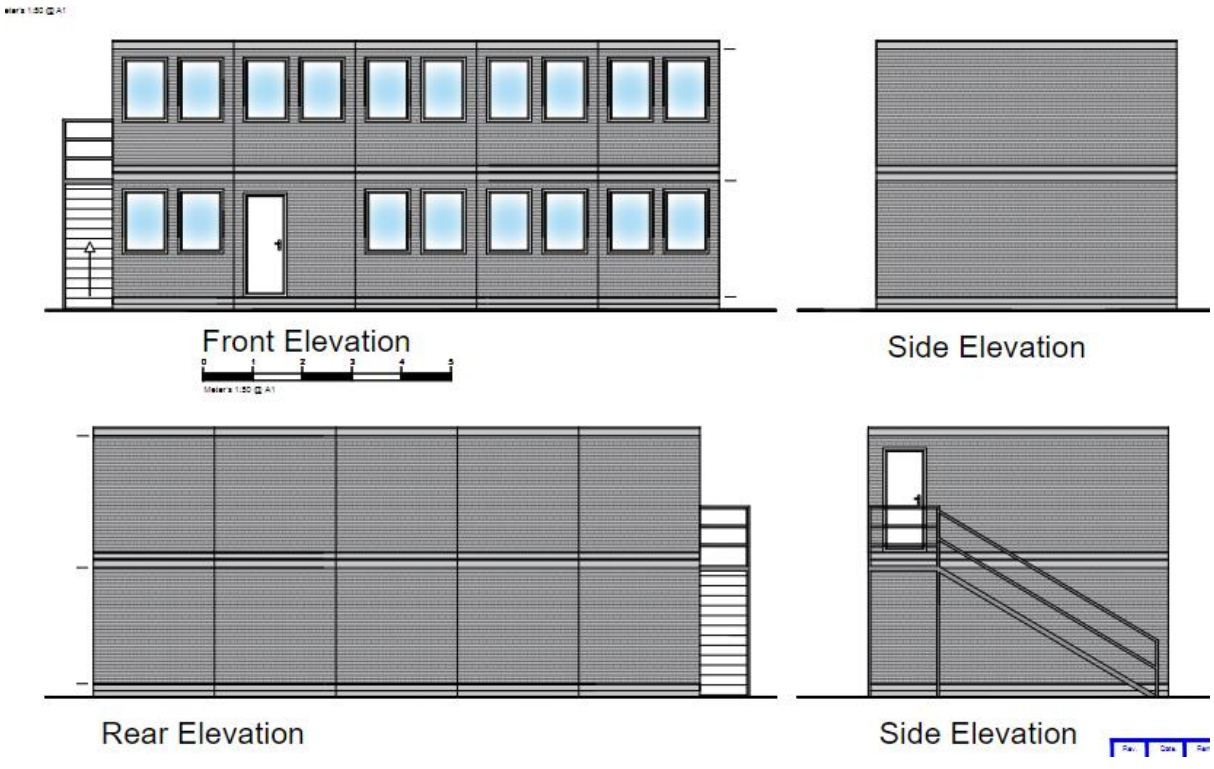








Proposed two storey cabin elevations:



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.

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 designated as Urban Fabric on the Local Plan Proposals Maps. The following policies are 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 E3 Uses on employment land – indicates we will allow research and development, light and general industry and storage or distribution on land currently/last used for employment uses.

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.

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

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.

Consultations

Highways DC – The proposals would retain and in part increase the storage facilities on site. Since this is done without reducing existing car parking facilities and there is no intention to increase staff numbers, the scheme has no impact on highway safety and is acceptable from a highways development control perspective.
The Coal Authority – the application site falls within the defined Development High Risk Area for coal mining. The submitted Coal Mining Risk Assessment concludes that the overall risks associate with shallow unrecorded workings are low, that cabins 1-5 are in an area where the coal seam is likely to be too deep to be of concern and that the risks posed to the proposed new portacabin could be minimised by placing it on a reinforced raft. Subject to this being implemented, and an informative about shallow coal seams and mine gas, no objections.
South Yorkshire Mining Advisory Service – noting the advice in the submitted Coal Mining Risk Assessment, SYMAS is satisfied that the applicant has adequately considered coal mining legacy risks and has no objections, subject to the Coal Authority standing advice being attached to the decision.
Pollution Control – no objections
Tankersley Parish Council – no response
Ward Councillors – No response

Representations

The application has been advertised by means of letters to nearby properties (18 October to 8 November) and a site notice (24 October - 14 November); no representations have been received.

Assessment

Principle of development

The application site is within an area designated as urban fabric, currently or last in employment use and is part of a wider area of land that is in industrial use. The principle of ancillary industrial buildings in acceptable subject to consideration of details.

Visual Amenity/Design

The siting of the cabins and tent storage unit within the curtilage of this existing industrial unit will have limited visibility in views from the public highway. They will in any event be seen in the context of the larger existing industrial units on and adjacent to the application site. The only two cabins that are visible from the highway are either single storey or set behind existing plant and machinery of a similar height. The other cabins and tent storage are not visible from public vantage points.

It is considered that the design and impact on visual amenity are acceptable in this setting and in compliance with Local Plan Policy D1.

Highways safety

Reflecting the advice of the highways officer, it is concluded that the proposals will have no adverse impact on parking, servicing and turning areas within the site, nor on highway safety conditions outside the site. The proposals are considered to be acceptable from a highways safety perspective and in compliance with Local Plan Policy T3.

Contaminated and unstable land

The application site is in a high risk area for coal mining legacy. Both the Coal Authority and South Yorkshire Mining Advisory Service have advised that the submitted Coal Mining Risk Assessment concludes that there is a low risk from shallow unrecorded workings in relation to the existing five cabins and that the low risk posed to the proposed new portacabin could be minimised by placing it on a reinforced raft. They go on to request that this recommendation in the report is implemented on site and a condition is recommended accordingly. In addition, the Coal Authority note that there is a potential for mine gases to exist and recommend an informative regarding the need for caution when carrying out on site burning or heat focused activities.

Conclusion

The proposal is considered acceptable in visual amenity, highway safety and site stability terms. Subject to the imposition of conditions in relation to the submitted plans and the site stability condition; and contamination informative recommended by the Coal Authority, together with the standard coal mining risk area informative recommended by SYMAS, it is concluded that the proposal is acceptable.

Recommendation
Grant subject to conditions