

16 August 2024

Barnsley Metropolitan Borough Council,
Planning and Building Control,
Barnsley Metropolitan Borough Council,
PO Box 634,
Barnsley.
S70 9GG.



Dear Sir/ Madam,

Planning Application for the installation of a Ferric Dosing Kiosk and MCC Kiosk
Cheesebottom Sewage Treatment Works, Sheffield Road, Oxspring, Barnsley, South Yorkshire,
S35 7AH

Ove Arup & Partners Ltd ('Arup') has been instructed to prepare and submit this planning application to Barnsley Metropolitan Borough Council ('Barnsley Council') on behalf of Yorkshire Water Services Limited ('Yorkshire Water') for the upgrade of the existing Cheesebottom Sewage Treatment Works (STW) (Barnsley S35 7AH), situated off Sheffield Road southwest of Barnsley in South Yorkshire (Ordnance Grid Reference SE 27971 01093). This planning application seeks approval for the installation of a Ferric Dosing Kiosk and an MCC Kiosk.

Planning Application Supporting Documents

This submission is supported by the following documents and plans, which form the Planning Application:

Document/ Drawing Title	Document/ Drawing Reference
Application Form and Ownership Certificate	N/A
Planning Statement	This Letter
Location Plan	CHE02 WBK WWT WWT DR Z 0001 P04
Proposed and Existing Site Layout Plan – Proposed Dosing Kiosk	CHE02 WBK WWT WWT DR Z 0002 P04
Proposed Site Layout Plan – Proposed TSR MCC Kiosk	CHE02 WBK WWT WWT DR Z 0003 P04
Elevation Plan – Proposed Dosing Kiosk	CHE02 WBK WWT WWT DR Z 0004 P04
Elevation Plan – Proposed TSR MCC Kiosk	CHE02 WBK WWT WWT DR Z 0005 P04
Ecological Impact Assessment Report	150_23_RE01
Statutory Biodiversity Metric Assessment	0150-23-RE02
Biodiversity Net Gain Calculator	0150-23-RE02
Flood Risk Assessment	CHE02 STA WWT WWT RA J 0001

Date

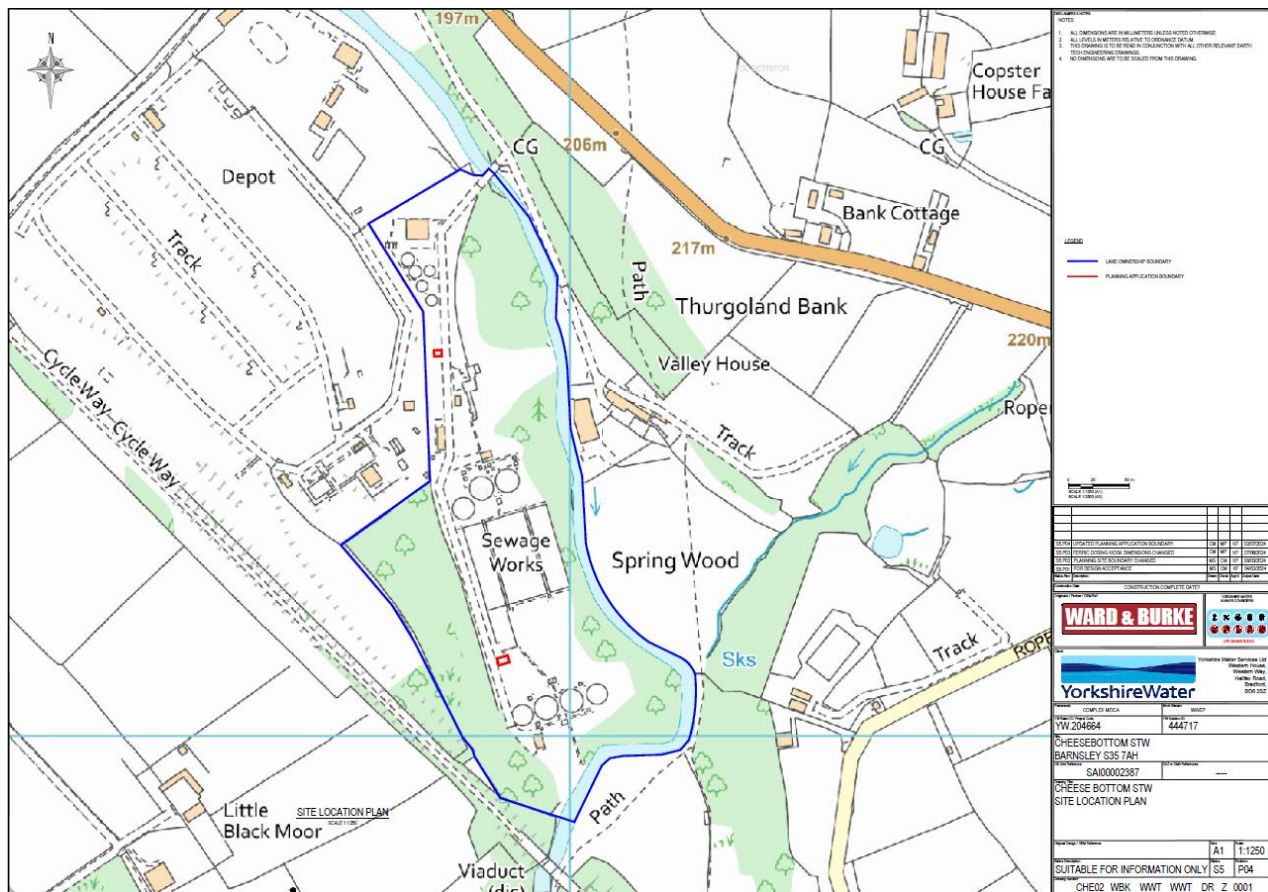
16 August 2024

Site Location

The proposed works are located within the existing operational land owned by Yorkshire Water at Cheesebottom STW, as shown in Figure 1 below. The STW is accessed via the current entrance along a private access road that connects to Thurgoland Bank (B6462) to the north of the site. This access road is regularly used for routine maintenance of the STW.

The site is situated in a rural setting, surrounded predominantly by agricultural land. It is bounded by the River Don to the east, the Trans Pennine Trail to the south, an aviation fuel storage site to the west, and Thurgoland Bank Road to the north.

Figure 1: Site Location Plan



Need for the Proposed Development

The development is being sought in response to the Government's publication of the Water Industry National Environment Programme (WINEP)¹. The WINEP includes legal requirements for Statutory Water and Sewerage Undertakers, which includes Yorkshire Water, to improve pollution controls within rivers and other Water Bodies. In response, Yorkshire Water is bringing forward this application (amongst others across the region) to achieve compliance with environmental regulations. Cheesebottom STW, has been identified as requiring immediate works under the WINEP to improve the quality of discharge entering the River Don. The requirement is to reduce levels of Total Phosphorous and Total Iron entering the watercourse.

As a result, the scheme will seek to improve the quality of the water it discharges into the River Don and will lead to improved water quality within the local aquatic environment.

Scheme Description

To achieve compliance, the scheme at Cheesebottom STW comprises of the construction and installation of the following elements:

- **Permitted Development:** elements of the scheme that are subject to the permitted development rights afforded to sewerage undertakers which do not need planning approval from Barnsley Council; and
- **The Proposed Development:** elements of the scheme that require formal planning approval from Barnsley Council.

The Scheme, as a whole, consists of:

- Proposed MCC Kiosk – 3.1 m (H) x 4.5 m (W) x 8.3 m (L);
- Proposed Ferric Kiosk – 3.2 m (H) x 3.1m (W) x 5 m (L);
- Proposed Income Feeder – 2.77 m (H) x 1.525 m (W) x 1.120 m (L);
- Proposed MCC Kiosk Slab – 4.5 m (W) x 8.3 m (L);
- Proposed Ferric Kiosk Slab – 3.2 m (W) x 4.5 m (L);
- Proposed upgraded Access Road – 82.9 m² (area);
- Proposed TSR Fence – 2.4 m (H);
- Proposed Point of Application (POA) – 1.1 m (H) x 0.3 m (W) x 0.4 m (L);
- Proposed Blowers – 1 m (H) x 0.6 m (W) x 0.7 m (L); and
- Proposed TSR Pumping Station (Below Ground).

¹ <https://www.gov.uk/government/publications/developing-the-environmental-resilience-and-flood-risk-actions-for-the-price-review-2024/water-industry-national-environment-programme-winep-methodology>

Date

16 August 2024

Permitted Development

Yorkshire Water, as a sewerage undertaker benefits from Permitted Development rights contained within Schedule 2, Part 13, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (*'the GPDO'* hereafter). Those works which fall under the classification of permitted development under Schedule 2, have been noted below with the corresponding section Class.

Those elements that are permitted development are not subject to this application and are not discussed further within this document.

Schedule 2, Part 13, Class B(d)

Schedule 2, Part 13, Class B(d) permits *'the installation in a sewage system of a pumping station, valve house, control panel house or switch-gear house'* which do not exceed 29 cubic metres in capacity and are not developed at or above ground level.

It is considered that the following scheme elements benefit from permitted development rights under Schedule 2, Part 13, Class B(d) as they are located on existing operational land, are considered plant and machinery associated with the treatment of wastewater and would be constructed to not exceed 29 cubic metres in capacity:

- Proposed TSR Pumping Station.

Schedule 2, Part 13, Class B(f)

Class B(f) permits *'any other development in, on, over or under their operational land, other than the provision of a building but including the extension or alteration of a building.'* Development is not permitted under Class B(f) where the development would materially affect a building, increased its original cubic content by more than 25%, or increase its floor space by 1,000m². Furthermore, development would not be permitted where any plant and machinery are installed above 15m in height, or installed higher than anything it replaces.

It is considered that the following scheme elements benefit from permitted development rights under Schedule 2, Part 13, Class B(f) as they are located on existing operational land, are considered plant and machinery associated with the treatment of wastewater and would be constructed below 15 metres in height:

- Proposed MCC Kiosk Slab;
- Proposed Ferric Kiosk Slab;
- Proposed Income Feeder;
- Proposed POA;
- Proposed Blowers;
- Proposed upgraded Access Road; and
- Proposed TSR Fence.

Date

16 August 2024

Planning Application

Those works which do not benefit from permitted development rights are the subject of this planning application. This Planning Statement therefore supports a full planning application for the installation of a new MCC Kiosk in the south of the STW and a new Ferric Dosing Kiosk in the north of the STW.

Planning Policy

This section of the statement summarises the key planning policies relevant to the proposed development.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that:

'If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

National Planning Policy Framework

The National Planning Policy Framework (NPPF) (updated in December 2023 and further updated in July 2024) sets out the government's planning policies for England and how these are expected to be applied. Below is a list of policies within the NPPF which are applicable to the proposed development.

- Chapter 2: Achieving Sustainable Development;
- Chapter 12: Achieving Well-Designed and Beautiful Places;
- Chapter 13: Protecting Green Belt Land;
- Chapter 14: Meeting the Challenges of Climate Change, Flooding and Coastal Change; and
- Chapter 15: Conserving and Enhancing the Natural Environment.

The NPPF emphasises that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 of the NPPF highlights that there are three overarching objectives to achieve sustainable development, these are economic, social and environmental.

Barnsley, Doncaster and Rotherham Joint Waste Local Plan

Barnsley Council is the Minerals and Waste Authority covering Cheesebottom. The proposed development will be considered against the saved policies contained in the Barnsley, Doncaster and Rotherham Joint Waste Local Plan (adopted March 2012). The following policies of the Barnsley, Doncaster and Rotherham Joint Waste Plan (March 2012) are considered relevant to the proposed development:

- Policy WCS1: Barnsley, Doncaster and Rotherham's overall strategy for achieving sustainable waste management;
- Policy WCS2: Safeguarding and enhancing existing strategic waste management sites;
- Policy WCS6: General considerations for all waste management proposals; and

Date

16 August 2024

- Policy WCS7: Managing waste in all developments.

Barnsley Metropolitan Borough Council Local Plan

The Barnsley Local Plan 2019 to 2033 was adopted in April 2016 and sets out its vision, objectives and policies to manage the future sustainable growth and development as well as address key planning issues in Barnsley. From a review of the Local Plan, the site is designated as Green Belt under Policy GB1 ('Protection of Green Belt'). Additionally, the following policies of the Barnsley Local Plan are considered relevant to the proposed development:

- Policy SD1: Presumption in favour of Sustainable Development;
- Policy GD1: General Development;
- Policy GI1: Green Infrastructure; and
- Policy BIO1: Biodiversity and Geodiversity.

Relevant Planning History

A planning history search was undertaken on 30 July 2024 to identify relevant planning applications in the last 5 years located within and adjacent to the site, using Barnsley Council's online planning application search. There was a planning application (reference 2022/0022) submitted in January 2022 to Barnsley Council for the installation of one GRP ferric dosing kiosk and one GRP caustic dosing kiosk with delivery parking bay. Planning application 2022/0022 was approved with conditions in March 2022.

Planning Policy Appraisal

The following section assesses the proposed development against national and local planning policy. The analysis appraises the scheme against the principle of development and Green Belt policy as well as environmental policies, including ecology and flood risk.

Principle of Development

Chapter 2 of the NPPF, achieving sustainable development, emphasises that proposed developments should aim to meet the three overarching economic, social, and environmental objectives. Paragraph 180 of the NPPF particularly emphasises the importance of development contributing to the enhancement of local environmental conditions, including water quality. The proposed development aligns with this objective by significantly improving the quality of water discharged from the site.

Policy WCS1 of the Barnsley, Doncaster and Rotherham Joint Waste Plan focuses on the attainment of sustainable waste management through maintaining, improving and expanding the network of waste management facilities throughout Barnsley, Doncaster and Rotherham. Policy WCS1 sets out for all development proposals to promote high quality design and layouts that minimise waste and reduce resources.

Policy SD1 of the Barnsley Local Plan states that when considering development proposals, Barnsley Council will take a positive approach that reflects the presumption in favour of sustainable

development contained in the NPPF, to secure development that improves the economic, social and environmental conditions in the area.

The proposed development is required to meet the Government set WINEP obligations, requiring the reduction of levels of phosphorous and iron from the treated effluence before being discharged into the local water course. Cheesebottom STW has a compliance date of December 2024. To achieve their compliance date Yorkshire Water are proposing the installation of the Ferric Dosing and MCC Kiosks within the STW operational boundary. Once operational, these pieces of equipment will improve the sites overall capability to treat waste entering the site lowering the levels of phosphorous and iron to that required as part of their compliance.

Green Belt

The proposed development is situated on land designated as Green Belt. Chapter 13 of the National Planning Policy Framework (NPPF), Protective Green Belt Land, identified the purpose of the Green Belt and how to assess applications, which affect the Green Belt.

Where proposals impact upon the Green Belt, Paragraph 152 states that “*Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*”

Paragraph 153 provides greater guidance as to when Local Planning Authorities on how applications should be considered where proposals impact the Green Belt. The paragraph directs Local Authorities to give substantial weight to any harm upon the Green Belt, in addition ‘very special circumstances’ will not exist unless the “*the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.*”

New buildings within the Green Belt, are to be considered inappropriate. However, Paragraph 154 provides a list of exceptions. Paragraph 154, Part (g) states that one of the exceptional uses is:

‘[the] 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.’*

Policy GB1 of the adopted Barnsley Local Plan 2014 to 2033 states that the Green Belt will be protected from inappropriate development in accordance with national planning policy.

Aim G of the Barnsley, Doncaster and Rotherham Joint Waste Plan states that waste management facilities should safeguard and, where possible, enhance the amenity, health and safety of local communities and the wider built and natural environment, primarily in sensitive areas such as the Green Belt.

The proposed Kiosks are within the existing STW and are considered essential development required to maintain and improve the existing STW facility. The new Kiosks are contained within

the current operational boundary of the STW and would not result in the expansion of the facility. The site itself is screened by extensive mature trees and vegetation which follow the River Don to the north, east and south. Further, to the west the topography of the site greatly increases with artificial bunds that limit views to and from the proposed locations of the Kiosks.

The development is also essential to enable Yorkshire Water to meet obligations under the WINEP and remove phosphorous and iron from the treated effluent entering the watercourse. The obligations are site specific, applying to existing STWs, and therefore no other location can be considered for this development. The proposed Kiosks have been designed to blend into the surroundings and visually integrate into the existing STW, with the Kiosks being small scale compared to existing buildings within the site. Both Kiosks, while separate are sited adjacent to existing plant and machinery within the STW.

Overall, the proposed development is required by regulations to be located at the Cheesebottom STW to integrate into the site's existing facilities and processes to improve water quality that is discharged into the River Don. This in turn will have wider environmental benefits to the watercourse, the catchment and to public health, delivering a high-quality and safe service to the surrounding area and population. It is considered that the development forms 'limited infilling' which would not impact the openness of the Green Belt and would therefore be in accordance with Paragraph 154 (g) of the NPPF and Policy GB1 of the Barnsley Local Plan. In any event, there are very special circumstances which would exist, in terms of enabling compliance with the WINEP obligations, which clearly outweigh any perceived harm to the Green Belt.

Ecology and Biodiversity

Policy WCS1 of the Barnsley, Doncaster and Rotherham Joint Waste Plan states that waste proposals will be permitted if they do not undermine the integrity of nature conservation sites. Policy WCS1 further explains that waste facilities should avoid locations that are within close proximity to sensitive receptors.

Policy BIO1 of the Barnsley Local Plan also states that development will be expected to conserve and enhance the biodiversity and geological features of the borough.

Paragraph 180 of the NPPF seeks to avoid significant harm to biodiversity including the loss or deterioration of irreplaceable habitats.

An Ecological Impact Assessment (EcIA) has been prepared and submitted to support this planning application. It was found that there are no Statutory Nature Conservation Sites within 2km of the site however, the site does lie within four Site of Special Scientific Interest (SSSI) Impact Risk Zones (IRZ).

A summary of the EcIA's findings is outlined in Table 1.

Table 1: Summary of the constraints identified in the EcIA and the required action

Factor	Presence within Zone of Influence		Recommended Action
	On Site	Within 1km	
Sites of Nature Conservation Interest			Zone of Influence

Date

16 August 2024

Statutory Sites	No	No	No action required.
Non-statutory Sites	No	Yes	No action required.
Botany			
Biodiversity Action Plan (BAP) Habitat	No		No action required.
Invasive non-native species (INNS)	Confirmed		Ensure biosecurity protocols are in place.
Faunal Species			
Badger	Potential (foraging only)		Badger sett located within woodland on STW site but not near proposed area of works.
Bats	Potential		Precautionary works around buildings B3 and B5.
Birds	Potential		Precautionary works around B5 and oak tree in the south of the site.
Great Crested Newts	No		No action required.
Otters	No		No action required.
Reptiles	No		No action required.
Water Vole	No		Low risk of presence.
Migratory and Coarse Fish	No		Low risk of presence.
BAP species	No		Mitigation measures outlined below.

Paragraph 186 of the NPPF seeks to avoid significant harm to biodiversity including the loss or deterioration of irreplaceable habitats. Policy BIO1 of the Barnsley Local Plan also states that development will be expected to conserve and enhance the biodiversity and geological features of the borough. This encompasses conserving and enhancing natural assets, such as the river corridor of the Dearne.

To mitigate the potential for adverse impacts on species and habitats, the mitigation measures in Table 2 below will be incorporated into the scheme.

Table 2: Mitigation measures outlined in the EcIA

Receptor	Mitigation
Habitats and Botany	
Single Tree	Root protection zones following BS:5387 (2012) guidelines should be marked out on site with fencing and clear signage.
Amenity Grassland	<p>The development footprint should be designed to minimise temporary impacts to the modified grassland, for example by utilising areas of artificial surfaces for laydown areas and site compounds.</p> <p>Areas of grassland temporarily impacted should ideally be re-sown with a species-rich grassland mix. A number of suppliers can provide specialist mixes that are designed for regular management. A seed mix should be selected which takes into account the soil type and pH.</p>

Date

16 August 2024

	Manufacturer/supplier instructions regarding sowing should be followed.
Invasive Non-Native Species	No entry to the areas containing Himalayan balsam – neutral grassland bordering the woodland in the south of the STW, and in the woodland in the east of the STW. Areas should not be used for storing materials and no entry by machinery.
Faunal Species	
Bats	Measures should be in place to avoid excessive dust and light around buildings B3 and B5. Materials and stored equipment should not be placed against B3 or B5 where they may block potential roost access points and any site welfare units should be located as far as possible away. If additional security lighting is required on the new infrastructure, it should avoid shining on buildings B3, B5, and the woodlands.
Birds	Measures should be in place to avoid excessive dust around building B5 (adjacent to the new kiosk to the south) and the oak tree. Materials and stored equipment should not be placed against B5 where they may block potential nest access points and any site welfare units should be located as far as possible away.
Mitigation covering multiple fauna	Any open excavations should be covered over-night or a slope/mammal path provided to allow any fauna that fall in safe egress out. No night working should be carried out. The site should remain unlit overnight to maintain functionality of the site as a potential foraging ground for nocturnal species such as badger, bats, and hedgehogs.

In summary, the EcIA concludes that the proposed scheme is not considered to cause significant harm on ecological features. Where the potential for impacts has been identified in the EcIA, a number of mitigation measures have been recommended and will be incorporated into the scheme, which would reduce the impacts to habitats to 'neutral'. These measures include:

- Protect retained trees in line with BS:5387 (2012) guidelines;
- Reseeding areas of grassland temporarily impacted with a species-rich seed mix;
- Incorporate a means of escape for trapped fauna for excavations left open overnight;
- Avoid night working and using security lighting during construction phase if possible. If lighting is required mitigation should be implemented to reduce the impacts to faunal species; and
- Avoid long-term security lighting where possible, reduce light spill onto boundaries if lighting is required.

These mitigation measures aim to comply with regulatory requirements and minimise potential impacts on species and habitats. It is therefore considered that the scheme is in compliance with Policy WCS1 of the Barnsley, Doncaster and Rotherham Joint Waste Plan and Paragraph 186 of the NPPF.

Biodiversity Net Gain

As of February 12, 2024, Biodiversity Net Gain (BNG) has become mandatory pursuant to Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers are now required to deliver a BNG of 10% so that a development will result in more or better-quality natural habitats than pre-development conditions.

BNG has been considered as a requirement for the proposal and is required to be provided for this application. A BNG Assessment (0150-23-RE02) has accordingly been submitted to support this planning application. The Assessment identifies that an overall biodiversity loss of 0.0208 habitat units (a decrease of -100% for the application site) will occur. Due to the ongoing statutory undertaker operational requirements within the application site and wider STW, habitat creation or enhancement on-site (application area)/off-site (within the overall site) is not possible, therefore Yorkshire Water will look to purchase biodiversity credits from a third-party. As the post-development habitats will score -0.0208 habitat units, a total of 0.044 habitat units will be required to achieve a 10% gain on the baseline.

Flood Risk and Drainage

Policy CC3 of the Barnsley Local Plan states that all development proposals will be required to consider the effect of the proposed development on flood risk, both on-site and off-site, commensurate with the scale and impact of the development. This should be demonstrated through a Flood Risk Assessment, where appropriate.

Policy WCS6 of the Barnsley, Doncaster and Rotherham Joint Waste Plan states that waste developments should not have an adverse impact upon the quality of ground and surface water or drainage, especially ground water aquifers and flood risk areas. Policy WCS6 further explains that waste developments should not increase the risk of flooding elsewhere in the catchment area and should, where possible, improve the existing flood risk situation.

Paragraph 173 of the NPPF states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.

A Flood Risk Assessment (FRA) (CHE02 STA WWT WWT RA J 0001) has been prepared to address the potential flood risks associated with the proposed development. The FRA findings indicate that parts of the STW lie within Flood Zone 2 (between a 1 in 100 to a 1 in 1000 annual probability of flooding) and Flood Zone 3 (1 in 100 annual probability of flooding) as defined by the Environment Agency's (EA) designation. The proposed development would be classified as 'Less Vulnerable' under the National Planning Policy Guidance (i.e. "*Sewage treatment works, if adequate measures to control pollution and manage sewage during flooding events are in place*"²).

Both kiosks will be located outside the 1 in 100-year (plus 15% climate change) modelled floodplain. This finding supports the implications of the EA's Flood Map for Planning (i.e. that the kiosks will be located outside Flood Zone 3 – High Probability). As such, the new Kiosks would be expected to remain safe and operational for their lifetime without further mitigation measures.

² National Planning Policy Framework - Annex 3: Flood risk vulnerability classification - Guidance - GOV.UK (www.gov.uk)

Date

16 August 2024

The River Don flows from north to south to the east of the site, which is designated as a Main River by the EA. The two kiosks are situated within Flood Zone 2 of the River Don (between a 1 in 100 to a 1 in 1000 annual probability of flooding).

In summary, the FRA outlines the following:

- The proposed kiosks will be located outside the 1 in 100-year (plus 15% climate change) modelled floodplain, thus not affecting the floodplain storage.
- The development will not increase the number of staff in a flood risk area.
- The new infrastructure will not increase surface runoff volume and rate leaving the site.

It is considered that the proposed development is in compliance with national and local planning policies. The proposed ferric dosing kiosk will be raised to ensure flood risk is minimised. It is not considered that the proposed development would increase flood risk elsewhere in accordance with Paragraph 167 of the NPPF.

Access

Current access to the Cheesebottom STW is along a private access road that connects onto Thurgoland Bank (B6462) to the north of the site. This access is regularly used for routine maintenance at the STW. Paragraph 114 of the NPPF states that in assessing applications for development, it should be ensured that safe and suitable access to the site can be achieved by all users. The existing access road will ensure that the STW is served by a safe access during both construction and operation.

Conclusion

This letter is submitted on behalf of Yorkshire Water to support a full planning application for the development of an MCC Kiosk and Ferric Dosing Kiosk.

The proposed development aligns with the current use of the site as a Sewage Treatment Works (STW), which already houses several larger plant structures. This development is crucial for meeting Yorkshire Water's regulatory obligations under the WINEP programme. Upon completion, it will reduce phosphorus and iron levels in the treated effluent discharged into the River Don, thereby enhancing local water quality.

For the reasons outlined in this letter, as well as in the accompanying application drawings and documentation, the proposed development is considered to comply with all relevant local and national planning policies. Therefore, we respectfully request that Barnsley Council grants planning permission for this proposed development.

Date

16 August 2024

Yours sincerely



Sean Smith
Senior Planner

