2022/1218

Applicant: Mr B Hopkins Potters Ballotini Ltd

Enabling works consisting of the erection of perimeter security fencing, entrance gates and associated tree works

Potters Ballotini Ltd (Barnsley) Wombwell Lane, Stairfoot, Barnsley S70 3NS

Site Description

The application site is the old Hanson's brickworks site which lies on the Northern side of Wombwell Lane at Stairfoot, opposite to the Stairfoot Retail Park. Access is taken directly from Wombwell Lane via an access set back from the highway bounded with brick walls.

Cleared of buildings a number of years go and comprising a concrete base/ hardstanding at various levels, the site was historically used as brickworks. Buildings comprised an office, car park, main works building, weighbridge, a with stockpiles and stockyards. The factory closed in 2003 with demolition and clearance being undertaken approximately 2009. The site also includes former railway land and adjacent to the site are historic clay extraction sites being variously restored, semi restored and unrestored states.

The perimeter of the site is currently a mix of brick walls, chain link or palisade fencing, post and wire, with hedges and trees to much of the perimeter. Some parts of the boundary have no fencing at all which is a safety issue due to the nature of the site and differing levels. At some point, soil and other materials have been pushed against the perimeter to the north and west to provide a physical barrier 3-4m high for security which is now vegetated in some places which together with the trees and hedges screens the site to a large degree. To the southern boundary is Wombwell Lane, set at a lower level at the site, an embankment screens the site from the road, most trees and vegetation have been removed and the embankment tidied since the application has been submitted. New turf and a new evergreen hedgerow have been planted along the frontage to Wombwell Lane.

The pictures show poor quality existing fencing and lengths of TPT with no fencing at all.

To the north the site abuts the TransPennine Trail with historic lay quarries beyond. The Stairfoot Brickworks Geological SSSI (Marine Band) lies just outside the site to the southeast. The site lies 850m north of the Dearne Valley SSSI.

To the east are some commercial promises with a few terraced residential properties on Wombwell Lane with more modern dwellings in a cul de sac at Clae Cott Lane.

The site area is 6.41 hectares in size and is roughly lozenge shape.

Relevant Site History

B/77/1293/BA Erection of a building for the manufacture of bricks

Background

The applicant is a well-established local firm located at Hoyle Mill who intend in the future to propose a facility at the application site for waste glass and recycling and repurposing which would merge their Hoyle Mill site with its site in Scunthorpe in order to reduce HGV costs and improve operational safety and result in environmental improvements. This would require a separate planning application in the future. In the meantime, however the application site has been unused for a period of years and is currently unsafe and open to trespass. The existing proposal is for security purposes only, together with a consideration of Geodiversity as it relates to the SSSI which lies just outside the site. Should permission be granted for this application, it would not guarantee that a future planning application for a recycling facility would also be granted planning permission, as each application has to be determined on its own merits and in accordance with the development plan and any material considerations pertaining at the time.

Proposed Development

Pre-application advice was provided.

Permission is sought for a variety of measures comprising:

1. Highway modifications to the Main Site Entrance to be known as Gate A.
2. Installation of electrically powered double cantilever gates with a central post set back from the main highway, A633, Wombwell Lane. The gates would be electrically operated cantilever sliding gates with a central post. The span would be 7.0m to each gate with a height of 2.4m. The colour would be RAL 6005 (green)
3. Safety and other minor tree work in advance of fencing works. The gates are proposed to be set back from the highway sufficiently to allow a 16.5m long articulated vehicle to stand clear of the highway
4. Establishment of fully enclosed security barrier fencing, colour RAL 6005 (Green) incorporating Gates A, B, and pedestrian only access Gate C. The fence will be Euroguard regular V weldmesh 2.4m high

5. Felling of a small number of insignificant tall trees adjacent to the main highway, A633, Wombwell Lane and pollarding of a mature Ash tree.

The applicants are also offering to provide some enhancement works to the brick enclosure which lies just outside southeast corner of the site in the adjacent to the TPT opposite the The Stairfoot Brickworks Geological SSSI (Marine Band) comprising interpretation signage and a suitable bench and a small amount of vegetation removal to the SSSI. However, this lies outside the ownership of the applicant, and it is unclear who is the owner.

The application has been accompanied by a suite of plans including a Geodiversity Assessment for the Stairfoot Brickworks SSSI (Marine Band) which lies just outside the site to the northeast.

It should be noted that some trees fronting Wombwell Lane have already been removed and the site tidied. However, the removal of these trees would not have required planning permission and the site is overall tidier and more attractive than previously. A new laurel hedgerow has also been planted along the boundary of Wombwell Lane.

Policy Context

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise; the National Planning Policy Framework (NPPF) does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies which are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 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.

Local Plan

The site is identified as Urban Fabric within the Local Plan which has no specific designation but should be judged against relevant planning policies. In reference to this application, the following policies are relevant:

GD1 – General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

Poll1: Pollution Control – 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. Developers will be expected to minimise the effects of any possible pollution and provide mitigation measures where appropriate.

BIO1 Development will be expected to conserve and enhance the biodiversity and geological features of the borough.

T4 New development and highway safety

Adopted Supplementary Planning Documents

Trees and hedgerows
Biodiversity and Geodiversity

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.

Consultations

Biodiversity- no objection subject to conditions
Highways DC – no objection following clarification of vehicle trip generation
Forestry – no objection following the submission of an amended Arboricultural method statement.
Public Rights of Way – no objections received.
Trans Pennine Trail – no objections
Natural England- no objections
Sheffield Area Geology Trust – no objections as the SSSI lies outside the boundary of the application site and would encourage the applicant to establish good relations with the Community and Natural England if they wish to carry out works to improve the SSSI.
SY Police – no comments
Ward Councillors- no comments

Representations

Neighbour notification letters were sent to surrounding properties and a site notice was placed nearby and a press notice placed in a local newspaper. Four representations were received, issues raised were as follows:

- Concern about potential mess which may be caused on Clae Cott Lane when trees are removed.
- Clarification sought about details of the proposals.
- Fall in property prices if a glass recycling plant is forthcoming in the future. Should permission be granted for this application it would be independent of any future application which may be forthcoming which would be decided against national and local planning policy prevailing at the time. It should be noted that property prices are not a material planning consideration and so cannot be taken into account.
- An ecological impact assessment and Biodiversity Net Gain proposals should be submitted to assess the proposal.

Assessment

Principle of development

Policy GD1 of the Local plan states, amongst other things, that proposals for development will be approved where there will be no significant adverse impact on the living conditions and that existing trees will be retained on site. The proposal is to secure the site against trespassers for health and safety and security reasons is long overdue and the removal of some trees in order to facilitate the construction of the fence would be unavoidable. The provision of gates would also provide security and appropriate access for maintenance vehicles. Overall, the proposal is considered to be acceptable in principle.

Residential Amenity

Whilst there have been concerns raised by residents in Clae Cott Lane with regard to possible mess that may be caused when trees are removed for the construction of fencing, the rear boundaries of Clae Cott Lane back on to the yard of PBHS utilities with the boundary of the application site lying beyond to the northwest. As such, it is not considered that any tree removal or installation of fencing will impact upon residential amenity of residents in Clae Cott Lane.

With regard to the terraced dwellings no's 15-33 Wombwell Lane, there may be some temporary construction impacts, however, several of the dwellings have rear garages and other outbuildings which will reduce noise and disturbance to some degree during construction.

Overall, it is considered that any construction impacts will be temporary only and the proposal is in in compliance the Local Plan Policy GD1 and POLL1.

Impact on Trees

An arboricultural method statement has been submitted in support of the proposal which details the proposed management and protection of trees during the development. The Forestry Officer has reviewed the document and has no objections. The application is compliant with Local Plan Policy BIO1 on this point.

Impact on Geodiversity and Biodiversity

The site lies 850m northeast of the Dearne Valley Wetlands SSSI, however, it is not considered that there will be negative impacts on as a result. Appropriate mitigation measures including the provision of an Ecological Clerk of Works during site clearance, scrub planting and retaining felled wood to create willow tit nesting habitat which is satisfactory to the Biodiversity Officer subject to conditions and is in accordance with Local Plan Policy BIO 1 on this point.

Natural England have no objection in regard to the Stairfoot Brickworks Geological SSSI which lies outside the application boundary and is unlikely to impact upon it. The proposal is therefore considered to be in compliance with Local Plan Policy BIO1 on this point.

Natural England also welcome the applicant's intention to improve a brick enclosure which lies outside the site boundary and provide interpretation signage and a suitable bench and a small amount of vegetation removal to the SSSI. This would have to be undertaken with the agreement of Natural England due to proximity to the SSSI, and the landowner which is currently unknown. Whilst this is welcome it is not considered appropriate to require a S106 in this instance as the improvements are not considered necessary to the granting of permission for this application as Natural England consider the SSSI should remain covered for its protection. Any improvement works should be pursued separately by the applicant in conjunction with the landowner and Natural England.

Visual amenity

This large site can be approached from many angles, including the TransPennine Trail, the public footpath which runs north from Wombwell Lane, and from Wombwell Lane itself. The current dilapidated state of much of the fence and the lack of maintenance of existing boundary trees in some places provide a poor level of visual amenity. Whilst it is acknowledged that the security fencing will be visible, Euromesh is a fine mesh which is not intrusive when viewed against vegetation and will additionally be coloured green to blend in. The main access gates will also be green in colour and will not be intrusive on the street scene being set back from the highway and when viewed from the west along Wombwell Lane is screened by trees and a newly planted evergreen hedgerow. Poor quality trees have

been pruned/removed and landscaped areas flanking the main entrance have been significantly improved. Overall, the proposal is considered to be in compliance with Local Plan Policy GD1 on this point.

Highway Safety

Whilst there is an existing vehicular access to the site which is set back from Wombwell Lane and has a significant bell mouth which served the brickworks, the site has been unused for a number of years and predicted trip generation was required in order to assess if the access was acceptable. On receipt of the information, the Highways Officer has confirmed that there are no objections to the proposal. No highway safety conditions are required. The proposal is therefore considered to be in accordance with Local Plan Policy T4 New Development and transport Safety on this point.

Summary

This proposal for fencing and enabling works will provide long overdue security for the site and undertake minimum necessary works to make trees safe and improve access to the site. 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.