
Ref 2021/0708

Applicant: Mr D Evans (C Soar and Sons Ltd)

Description: Erection of haulage transport depot including 2no buildings, yard, storage of skips and trailers and maintenance of vehicles

Site Address: Albion Road Works, Hunningley Lane, Stairfoot, Barnsley, S70 3DS

Site Description

The site lies just to the west of the Stairfoot roundabout in Urban Barnsley, in an area of mixed residential and commercial uses. It is accessed from an existing vehicular access south off Hunningley Lane. Roughly triangular in shape and of 0.62 ha in size, it is bounded to the north by Hunningley Lane, to the south west by residential dwellings which are separated from the site by Kays Terrace and to the east by the ex B and Q building which lies off Bleachcroft Way. An MOT testing station lies immediately to the west of the access and within the red line boundary. The frontage to Hunningley Lane and from Stairfoot roundabout is well screened by trees. The site is separated and well screened from the residential properties on Kays Terrace to the south by a mix of brick wall between 1.5 and 3m high which is topped by 0.9m palisade fencing which has been enhanced with the addition of artificial hedge cover. The eastern end of the south boundary is screened by a 3m palisade fence. The site is otherwise covered by hardstanding and poorly maintained commercial buildings. A certificate of lawful development B/97/1148 was issued for use of the majority of the site as commercial vehicle breakers yard on 28th November 1997 and historic aerial photographs show the site as being used for this purpose as late as 2013 so a commercial use has been well established on this site. The whole site was identified as "works" on OS plan in 1990. These historic aerial photographs also show what appears to be a bungalow to towards the south end of the site which may have been the owners dwelling and office, now demolished. The site is currently being used for outside storage of plant and materials so this application is part retrospective.



Planning History

2020/0289 Erection of haulage transport depot including 2no buildings, yard, storage of skips and trailers and maintenance of vehicles WITHDRAWN
B/97/1148/BA/LC Use of land as commercial vehicle breakers yard and component salvage (Certificate of Lawful Use) Granted 29/1/1997

Proposed Development

Pre-application advice was sought.

This is a resubmission of 2020/0289 which is required as a result of a change in the red line boundary. The previous application was withdrawn, and this new application submitted as a result of an extension of the red line boundary to enable sufficient manoeuvring room for the size of vehicles which will use the site in order to satisfy previous highway concerns.

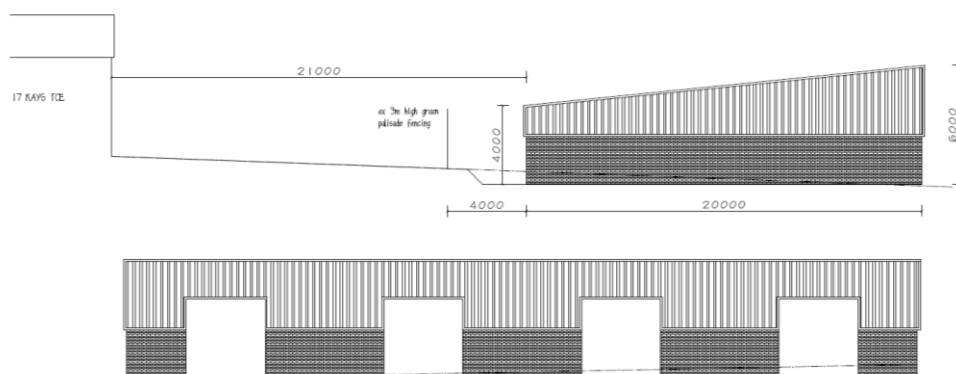
Planning permission is sought for erection of haulage transport depot including 2no buildings, yard, storage of empty skips and trailers and maintenance of vehicles. This will entail 800 sqm of B2 use and will generate 6 full time posts.

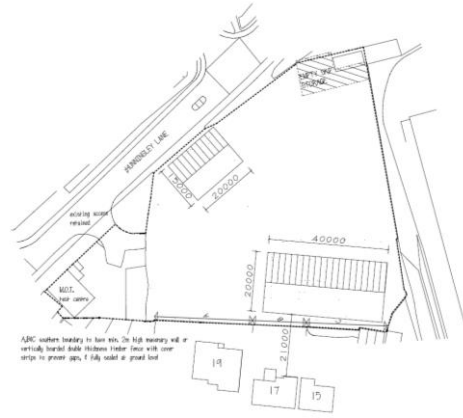
The plans propose 2 no buildings, one low monopitch at 40m long and 20m wide located to the south of the site close to the dwellings on Kays Terrace; the building would be set down and have an eaves height of 4.0m closest to the dwellings, up to 6.0m at the highest point. The site would be used for vehicle storage and storage of equipment such as timber blocks, aluminium trackways, skips trailers and vehicles. Vehicles on site would comprise 5 no class 1 tractor units and between 5 and 12 no class 2 skip loaders. The buildings are to be used mainly for storage, with some vehicle maintenance but the main maintenance works will be carried out in the applicants main site at Tank Row. Skips and trailers to be stored on the boundaries furthest from residential properties.

Hours of operation are proposed to be 7:00am to 5:00pm with access to the site for HGV drivers occasionally from 4:00am. No other works to be undertaken until 6:00am.

Existing vegetation closest to the residential dwellings to be retained.

The applicants agent has confirmed that no waste operations will be undertaken at the site and there will be no waste storage.





The second, smaller building would be 20m x 15m and be located close to Hunningley Lane just east of the entrance to the site. This building would have an apex roof and be 4.0m to eaves and 6.05 to apex.

The development would result in 3 no full time and 2 no part time jobs.

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. The development plan consists of the Core Strategy and the saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

Local Plan

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).

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.

The site is allocated in the Local Plan as Urban Fabric, which does not have any specific allocation and therefore Local Plan Policy GD1 is relevant. The majority of the site was last used for commercial and industrial uses and Local Plan Policy E4 aims to protect land or premises that currently or last used for employment purposes. There was also a bungalow which appeared to be linked to the previous scrap yard use. The whole site is now cleared. Offices and vehicle maintenance could be considered to be an appropriate use subject to it being in compliance with other Local Plan policies and material considerations. The site also lies wholly within the Dearne Valley Green Heart Nature Improvement Area where development should result in a net gain in biodiversity.

The site is allocated in the Local Plan as Urban Fabric where there is a presumption in favour of sustainable (Policy SD1) and General Development Policy (GD1).

In addition the following Local Plan policies are relevant to this application:

SD1 Presumption in favour of sustainable development
GD1 General Development
LG2 The Location of Growth
E3 Uses on Employment Land
T4 New Development and Transport Safety
D1 High Quality Design and Place Making
BIO1 Biodiversity and Geodiversity
Policy CC1 Climate Change
Policy CC3 Flood Risk
Policy CC4 Sustainable Drainage Systems
Policy CC5 Water Resource Management
CL1 Contaminated and Unstable Land
Poll1 Pollution Control and Protection

Adopted SPD

Residential Amenity and the Siting of Buildings
Parking

NPPF

Paragraphs of particular relevance to this application include:

80-82 – Building a strong, competitive economy through: setting out a clear vision and strategy to encourage sustainable economic growth, seeking to address potential barriers to investment and being flexible.

109 – Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Consultations

Air Quality – no objection subject to condition
Biodiversity – no comment
Highways – no objection subject to condition
Drainage – no objection subject to conditions
Forestry – no objection
Biodiversity – no objection
Pollution – no objection subject to conditions
Superfast SY – no objection subject to a condition
Yorkshire water – no objection subject to condition
Commercial Services – no comments
Ward Councillors – no comment

Representations

The application was advertised by press notice, by site notice and by individual neighbour notification letter. Individual objections have been received from two residential properties which raised the following points:

- There were previously 2 residential properties on the site
- Vegetation (now removed) provided a sound barrier
- Site already used for lorries, trailers and skips
- potential noise issues including reversing alarms
- Colour of large building should be neutral
- Operating hours
- Traffic impacts on Stairfoot roundabout
- Requests that speed restrictions be introduced on A635 through Ardsley

Assessment

Principle of development

Planning law is that decisions should be taken in accordance with the Development Plan unless material considerations indicate otherwise. The current Development Plan consists of the adopted Local Plan for Barnsley and the Barnsley, Rotherham and Doncaster Joint Waste Plan. This site is allocated is in employment use, located in an established employment site where employment development is acceptable in principle.

Visual Impact

The site is well screened from all public vantage points; from Hunningley Road the site is well screened by existing vegetation; and when travelling from the west, the access is screened by the adjacent MOT testing station and solid high gates; from Kays Terrace, the whole site is well screened by the existing high wall topped by a fence which fronts Kays Terrace. The proposed buildings are of modest height, being only 4m to eaves and approx. 6m to apex. The impact is further reduced by the monopitch design of the larger building and the apex roof which will be only slightly visible from outside the site when passing, and of the smaller building close to Hunningley Lane, which would be viewed in proximity to the existing commercial building of the MOT testing station. Objectors raised concerns about visual impact as the colours used in the applicant parent site is a bright blue. For this reason it is considered appropriate to attach a condition requiring colour details of roof facing the residential dwellings to be agreed. The applicant is agreeable to this. The regularisation of the use of the site and construction of dwellings to house the existing plant and materials on site will also serve to tidy the site and improve visual amenity. Overall, it is not considered that the proposal would lead to significant negative visual impacts, in accordance with Local Plan Policy D1 and GD1.

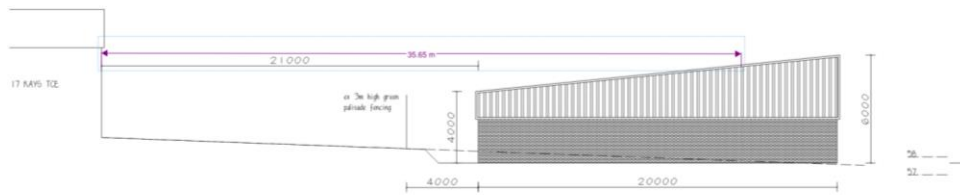
Residential Amenity

The adopted SPD Residential Amenity and the Siting of Buildings requires at Para 3.7 "Any building at single or two storey height should be a minimum 25m from the windows of any habitable rooms in any nearby dwelling or the distance required by the 25 and 45 degree rules for access to daylight, whichever is the greater". However, it goes on to say that:

"Distances between new buildings and existing dwellings may be relaxed depending on a number of factors including site level relationships, (i.e. if at a lower level), existing screening or landscaping between the existing and proposed buildings and location. Each case will be judged on its merits in relation to these varying factors and particularly where a difference in site levels effectively reduces the effect of the height of proposed buildings in relation to existing dwellings.

Number 19 (bungalow) would not be able to see into the site due to the high wall boundary wall notwithstanding existing vegetation to be retained. The distance of the closest windows of numbers 15 and 17 Kays Terrace are 21m from the closest point on the proposed building which is less than the 25m the guidance requires.

However, at this point, the proposed building is of only 4m high and the ground level is lower than the dwellings by 0.5m. The site is also separated from the residential properties by Kays Terrace Road, and tall existing brick boundary wall to the site between 1.5 and 3m high which is topped by 1m palisade fencing which has been enhanced with the addition of artificial hedge cover and substantial tall mature trees and other vegetation which is to be retained and can be seen in the photographs above so even the upper floors of the two storey dwellings at no 15 and no 17 would have a very limited view into the site from the. The cross section below shows that the building would not be visible from the ground floor of the dwellings due to the wall and difference in levels; and from the upper floor, would only be in direct line of site at approximately 35m distant. This does not take into account the tall mature trees and vegetation which is to be retained on the boundary.



The monopitch roof design of the larger building, additionally minimises loss of outlook with additional measures including the lowest eaves (4m) being closest to the boundary, with the higher eaves further away. The building would also be set down below existing ground level by approx. 0.5m, further minimising any potential visual impact and loss of outlook for the residents. There would be no windows to the rear of the building, thereby maintain privacy.. Overall, it is not considered that there would be a loss of residential amenity, either in terms of loss of privacy or outlook, in accordance with local Plan Policy GD1 and D1.

Highway Safety

The Highways Officer has carefully reviewed the proposal and considers the revised red line boundary (compared to withdrawn application 2020/0289) now ensures that any issues that arise will likely be internal and as such are unlikely to have a direct impact on the operation of the highway network. However, conditions are proposed to ensure appropriate internal site levels and a delivery management plan. The Highways officer has not raised concerns in relation to impacts of this proposal on Stairfoot roundabout, and the development would not entail a speed reduction on the A635 in Ardsley. Subject to a planning condition the proposal is therefore acceptable in Highway Safety terms and accords with Local Plan Policy

Noise

Issues have been raised by local residents in relation to noise. A haulage transport depot, operating under normal hours should not give rise to significant noise and would be less intrusive than the previous uses of the site for heavy engineering and scrapyards. The vehicles are likely to be within the buildings especially or undertaking maintenance. The site layout shows that any skips would be stored towards Hunningley Lane at a point removed from the properties. A noise impact assessment has been submitted and the Pollution Control Officer is satisfied with the report, but considers that further mitigation is required including the erection of an acoustic barrier to reinforce the current boundary and noise limits to ensure neighbouring residents are not impacted by the proposal and proposes a condition to limit hours, unless in an emergency. The site layout plan has been amended to identify the location, and height of the acoustic barrier to the southern boundary. Subject to a condition to secure the construction of this barrier and to limit noise, the proposal is considered to comply with Local Plan Policy Poll1.

Trees/Forestry

The Forestry officer noted on the earlier application that there are no trees of real note on or surrounding the site, however those surrounding the site do have value as screening etc. The tree documents provided deal adequately with the trees and their protection and note the little value those trees on the site have. There is therefore no objection to the proposal subject to compliance with the tree protection details.

Conclusion

Taking into account the previous uses of the site and the modest heights of the buildings and activities proposed, together with the substantial intervening tall vegetation and careful design with low roofs and set down from nearby residential properties it is unlikely that there will be significant impact on residential amenity. The proposal will bring back into managed use a site which has been underused for some time and will in addition, create additional jobs and help to secure economic confidence and jobs for an established Barnsley company by providing additional operational space, providing additional employment and economic

benefits. No objection have been raised by consultees subject to planning conditions. 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

Grant planning permission subject to conditions.