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**2022/0269**

Mr O Wordsworth

Erection of new vehicle maintenance workshop building and associated works including demolition of existing buildings, formation of yards to the front and the rear of the new building and new wash bays (Amended Plans)

Wordsworth Business Park, Whaley Road, Barugh, Barnsley, S75 1FJ

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### Site Location and Description

The site is currently largely roughly surfaced and used for outside storage and is part of a larger area in use for a variety of industrial uses.

Photos of the site and google aerial snip with an indication of the area of the application.



## Site History

The most recent planning permissions on land including the application site include:

2011/0604 Use of land for the crushing and screening of inert waste in the open and associated ancillary activities

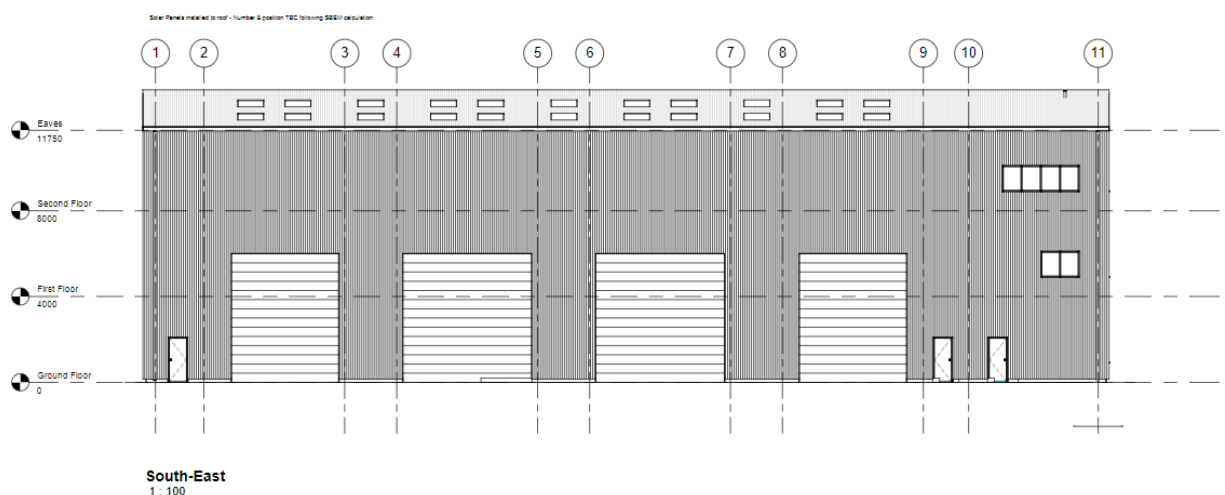
## Proposed Development

The application seeks permission for a new class B2 vehicle maintenance workshop building (to accommodate uses that are currently taking place in temporary buildings on the site and in the open) and with offices over three floors, the formation of surfaced yards to the front and rear of the new building and erection of new wash bays. The workshop building is proposed to have merlin grey metal wall cladding. The roof cladding is indicated to be confirmed. The building will have a total gross internal floorspace of 1752 square metres (amounting to the originally proposed 1573 square metres plus the additional first floor office space of 179.5 square metres), a height to eaves of 11.75 metres and just in excess of 13.25 metres to the apex and will result in an additional 12 employees. Hours are proposed to be 5am to 6pm Monday to Friday; 6am to 4pm Saturday and 8am to 4pm Sunday/Bank Holiday. The site area is given as 1.156 hectare and the entire area is proposed to be surfaced and drained

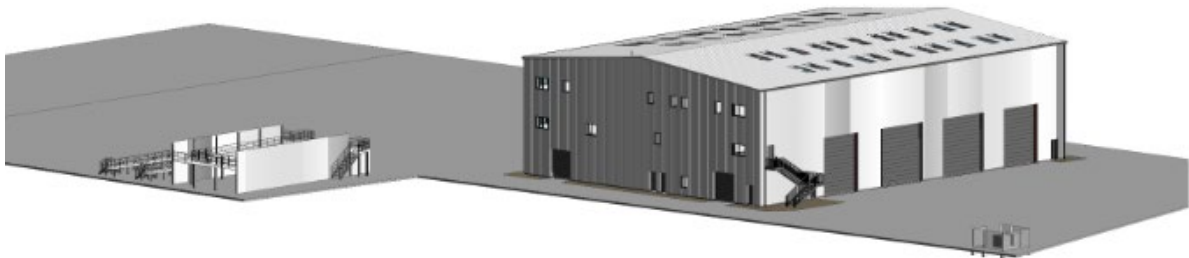
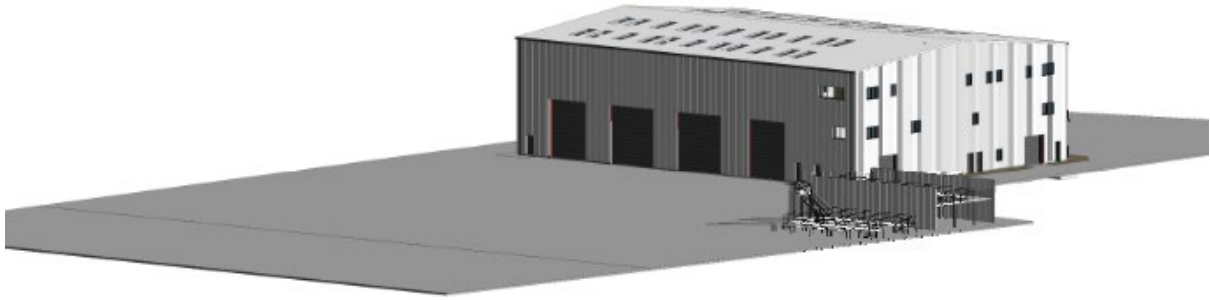
The application is supported by a Planning Statement, an Ecological Management Plan, a Design and Access Statement, a Flood Risk Assessment, a Noise Survey, a Landscaping Plan, Drainage details, a Geo-Environmental Report, a Transport Statement and a Travel Plan

As indicated above, the application has been amended to include a further floor of office space, as well as to reduce the width of some of the roller shutter doors, add solar panels to the roof in order to meet Building Regulations energy standards and to show 3 additional parking spaces in the rear yard.

Extracts from plans: South East Elevation



3D images:



## **Policy Context**

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004).

The Local Plan was adopted by the Council in January 2019. The Joint Waste Plan was adopted by the Council in March 2012. The 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 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 National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application

## **Local Plan**

The site is within an area designated as Urban Fabric within the Local Plan Proposals Maps and therefore 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 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.

**Policy E4 Protecting Existing Employment Land** – land or premises currently or last used for employment purposes will be retained. Non-employment uses will only take place if they would not result in significant loss of existing jobs or employment potential; there will still be an adequate supply of employment land/premises in the locality; and the land or premises can't support continue employment use.

**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 and cycles. Also sets criteria in relation to minimum levels of parking; provision of transport statements and of travel plans.

**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.

**Policy BIO1 Biodiversity and Geodiversity** - Indicates that development will be expected to conserve and enhance the biodiversity and geodiversity features of the borough and that harmful development will not be permitted unless effective mitigation and/or compensatory measures can be ensured.

**Policy CC2 – Sustainable Design and Construction** – development will be expected to minimise resource and energy construction through the inclusion of sustainable design and construction features where this feasible and viable. Also sets the requirement that all non-residential development will be expected to achieve a minimum standard to BREEAM 'Very Good' and supported by a preliminary assessment at planning application stage.

**Policy CC3 – Flood Risk** -sets a range of criteria in relation to development and flood risk, including expecting all development proposals on brownfield sites to reduce surface water run off by at least 30%; development on greenfield sites to maintain or reduce existing run off rates; and development proposals to use SuDS in accordance with policy CC4.

**Policy CC4 – Sustainable Urban Drainage Systems** – all major development will be expected to use SuDS to manage surface water drainage unless it can be demonstrated that all types of SuDS are inappropriate. The council will also promote the use of SuDS on minor

development. Planning applications must be supported by an appropriate drainage plan and SuDS design statement.

**Policy Poll1 Pollution Control and Protection** – sets criteria to ensure that new development does not unacceptably affect or cause nuisance to the natural and built environment or to people; or suffer from unacceptable levels of pollution.

**Policy 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.

### Joint Waste Plan

**Policy WCS7 – Managing Waste in all Developments** – reflects the existing legal requirement for developers to produce a site waste management plan before work starts setting out details of the waste that will be produced on site and how it will be re-used, recycled or otherwise disposed.

### **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.

The NPPF includes policies relevant to this application relating to supporting economic growth; highway safety; good design; flood risk; efficient use of land; pollution, instability and biodiversity.

### **Supplementary Planning Documents**

**Parking** – gives guidance on parking standards

**Sustainable Travel** – gives advice on the requirement for Travel Plans.

**Biodiversity and Geodiversity** - Sets out how Local Plan policy BIO1 and GI1 on green infrastructure will be applied. It also provides further specific detail about the Dearne Valley Nature Improvement Area.

**Development on land affected by contamination** – gives information on how to deal with contaminated land.

### **Consultations**

**Air Quality Officer** – no comments received

**Biodiversity Officer** – In response to the revised ecology report, no objections subject to conditions in relation to invasive species and lighting.

**Coal Authority** – Part of the site falls within the defined Development High Risk Area and Coal Authority records indicate that a coal seam may have been historically worked at shallow depth at the north western corner of the site. Accordingly the majority of the site lies outside the defined High Risk Area, we do not consider a Coal Mining Risk Assessment is necessary to support this proposal and we do not object to this planning application. We do request that an informative is included on any planning permission drawing the developers attention to the need to report any coal mining features encountered during development.

**Enterprising Barnsley** – support the application and development to help them successfully expand and to generate economic growth in the borough.

**Highway Drainage** – the amended drainage strategy details are sufficient, I have no further comments and am happy for the details to be checked by building control.

**Highways DC** – The amended proposal requires the provision of 3 additional parking spaces within the site and these are to be provided as a separate bank of spaces to the rear of the building away from the existing parking area. The amended proposals are considered acceptable from a highways dc perspective. A condition requiring a Construction Method Statement and an informative regarding not depositing mud/debris on the highway are recommended.

**Network Rail** – No objection in principle subject to conditions relating to construction methodology; trespass proof fencing and Armco or similar barrier on Network Rail's boundary and lighting and informatives.

**Pollution Control** – this development is unlikely to have an adverse impact on health and the quality of life of those living and/or working in the locality. Recommends conditions that the building is constructed to the standards set out in the submitted Noise Impact Assessment and that the noise rating level from ventilation and extraction systems be limited.

**Contaminated land officer** – no comments.

**South Yorkshire Mining Advisory Service** – The majority of the site is not located in a Coal Authority high risk referral area and the proposed building is not located within a high risk area. The submitted phase one geo-environmental report recommends that a coal mining risk assessment is undertaken. This is an over burdensome requirement given that the proposed building and almost all the site are clear of the high risk area and Coal Authority records do not suggest a risk of 'probable shallow coal mine workings'. In summary, no objections from a coal mining legacy perspective. If planning permission is granted it is recommended that the Coal Authority standing advice is attached.

**Superfast South Yorkshire** – recommend a condition requiring the provision of gigabit-capable full fibre broadband

**Sustainability** – no comments received

**Yorkshire Water** – recommend a condition requiring the development to be carried out in accordance with the submitted drainage strategy.

**Ward Councillors** – no response

## **Representations**

The application has been publicised by means of press (1 April to 22 April 2022) and site notice (29 March to 21 April) and direct letters to nearby properties and more recently by a second letter to nearby properties publicising the amended plans; no representations have been received.

## **Assessment**

### Principle of development

As the proposal is for industrial buildings on an industrial estate the principle of development is acceptable subject to consideration of details.

### Design

The proposed building will have grey profiled metal facing materials which are considered acceptable. The roof materials are to be confirmed and a condition is recommended requiring details to be agreed. The design of the building is appropriate and acceptable in its setting. The proposed gantry wash will have a metal sheeting surround which will appear somewhat utilitarian but nevertheless acceptable in this setting. Proposed hedgerow planting on two the boundaries will be a positive improvement. New palisade fencing is proposed on the railway boundary and a bin store is proposed in the rear yard - conditions requiring full details of these elements are recommended

The proposals are considered to be acceptable and in compliance with Local Plan Policy D1. In addition, the applicant has indicated the intention to achieve Breeam 'very good' which will be secured by condition in compliance with Local Plan Policy CC2.

### Residential amenity

The proposed building is at some significant distance from the nearest residential properties to the south and west and is separated from them by intervening industrial and commercial buildings and uses. Reflecting the advice of Pollution Control, conditions are recommended to ensure the construction of the building to the standards set out in the submitted Noise Impact Assessment and that the noise rating level from ventilation and extraction systems be limited. In addition, an hours condition is recommended, reflecting the information in the submitted application form, to give certainty about the hours when the development will be used. It is concluded that subject to these conditions, the proposal will be acceptable and in conformity with Local Plan policies GD1 and Poll1

### Highway safety

Highways DC have raised no objections to the proposal noting that the existing parking provision plus the provision of three additional parking spaces is acceptable. Reflecting the advice of Highways DC a condition is recommended requiring a Construction Method Statement and an informative is recommended regarding the deposit of mud on the highway. A further condition is recommended requiring the surfacing of outside areas as specified and the provision the proposed parking spaces. The submitted travel plan indicates an intention to provide on site secure cycle parking facilities and other measures to promote active/sustainable travel a condition is recommended to secure this. Subject to this and the other conditions, it is concluded that the proposal is acceptable from a highway safety viewpoint and in compliance with local plan policy TC3.

## Drainage

A detailed drainage strategy has been submitted to demonstrate that foul water will be discharged to the sewer and surface water cannot be discharged by means of SuDS because of the sub soil conditions do not support the use of soakaways. It is proposed to provide an attenuation tank and appropriate oil/petrol interceptor and discharge surface water to the sewer. A condition is recommended based on the advice of Yorkshire Water to secure appropriate drainage as set out in the submitted drainage strategy.

## Waste

A new bin store is proposed in the yard and it is indicated on the application form that the existing contract for commercial recycling and waste collection will be amended/extended to cover the new building. A condition is recommended to required details of the proposed bin store to be agreed and implemented. It is concluded that the proposal is acceptable and in accordance with Waste Plan policy WCS7.

## Contamination

The contaminated land officer is satisfied with the contents of the phase 1 and phase 2 reports and confirms that he has no further comments. It is concluded that are not any significant pollution linkages from the previous uses of the site and the proposed use.

## Biodiversity

The amended information submitted indicates the principle of suitable landscaping/ habitats on this site including native hedgerow planting; new grassland, retention of a wet ditch embankment and bird and bat boxes, which will secure appropriate ecological improvements, and conditions are recommended to secure this. Reflecting the advice of the Biodiversity Officer, further conditions are recommended in relation to lighting and invasive species and subject to these requirements it is concluded that the proposal is acceptable and accords with policy BIO1.

## Other

Network Rail have recommended conditions requiring a construction methodology to be agreed, trespass proof fencing, Armco or similar barriers on the boundary next to any areas used by vehicles and details of any lighting near the railway and conditions are recommended accordingly

The Coal Authority and SYMAS have both advised that the coal mining ground conditions do not require a Coal Mining Risk Assessment but have recommended an informative drawing the developers attention to the need to report any coal mining features encountered during development and this is recommended.

Super Fast South Yorkshire have recommended a condition to secure gigabit-capable full fibre broadband and a condition is recommended accordingly.

## **Recommendation**

**Grant** subject to conditions