Application Reference: 2023/1000

Site Address: Site adjacent Lidget Industrial Estate, Lidget Lane, Thurnscoe, Rotherham, S63 0BA

Introduction:

The application is in outline for the erection of offices, and storage of vehicles, plant and equipment with access, scale, appearance and layout under consideration at this stage.

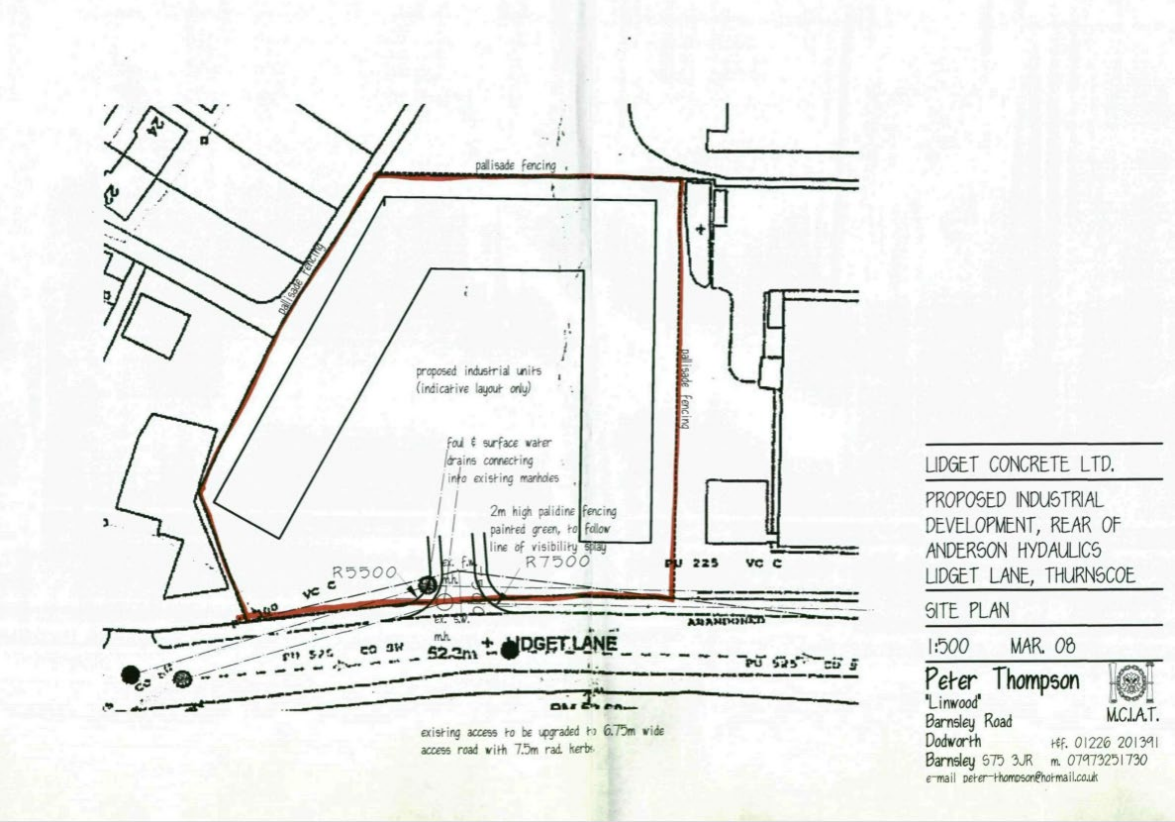
Relevant Site Characteristics

The site is a vacant area of land set adjacent and accessed via Lidget Lane to the south. The site is set at a slightly lower level to the neighbouring land to the north and northwest. To the west of the site is a garage/tyre business and there are dwellings off George Street which are located to the north west. A builders merchant is set to the north and a hydraulics manufacturer is set to the east.

There is currently a 3m Hawthorn Hedge on the boundary with Lidget Lane but otherwise there is no vegetation on the site itself. There are trees growing on neighbouring land close to the boundaries, however these are not significant specimens and are noted as Category C trees.

Site History

Application Reference	Description	Status (Approved/Refused)
2022/1136	Open storage of empty beer kegs and alterations to access	Withdrawn
2012/1096	Alterations to existing access and erection of 2m high palidine fence. (Amended description)	Approved with conditions
2008/0583	Erection of industrial units (Outline)	Approved with conditions
2003/1374	Change of use of land to form car park.	Approved with conditions



2008/0583 – Approved outline application indicative plan

Proposed Works

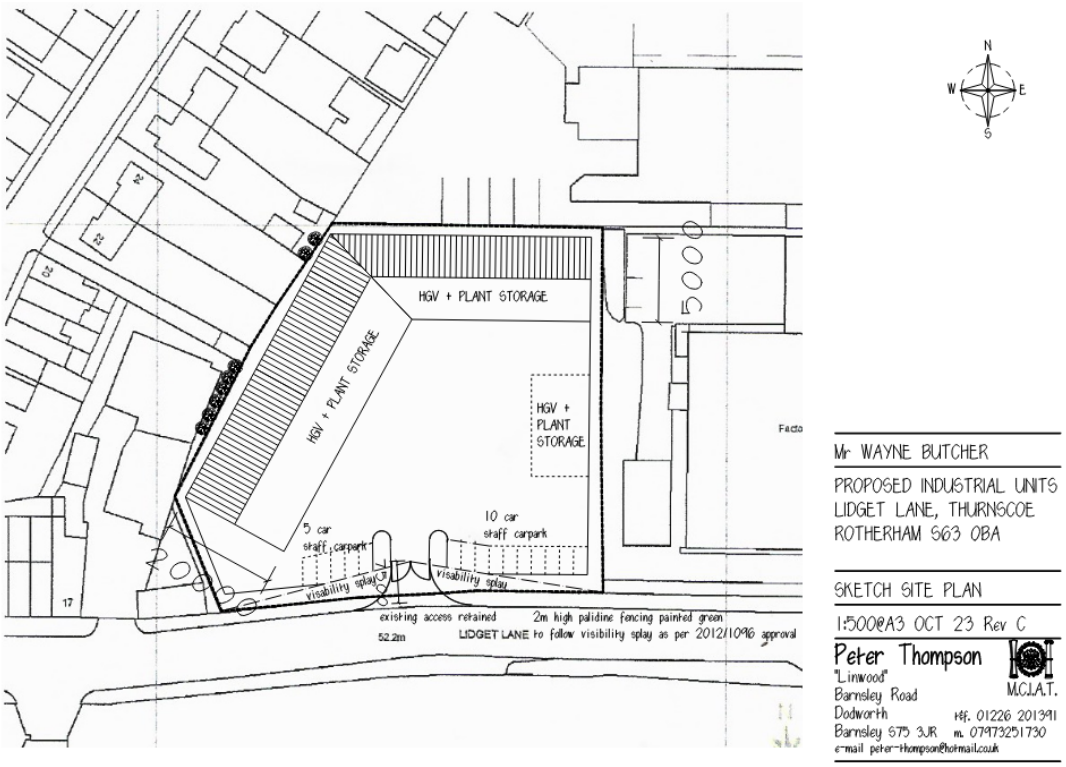
The application is in outline for the erection of offices, and storage of vehicles, plant and equipment with access, scale, appearance and layout under consideration at this stage and landscaping a reserved matter.

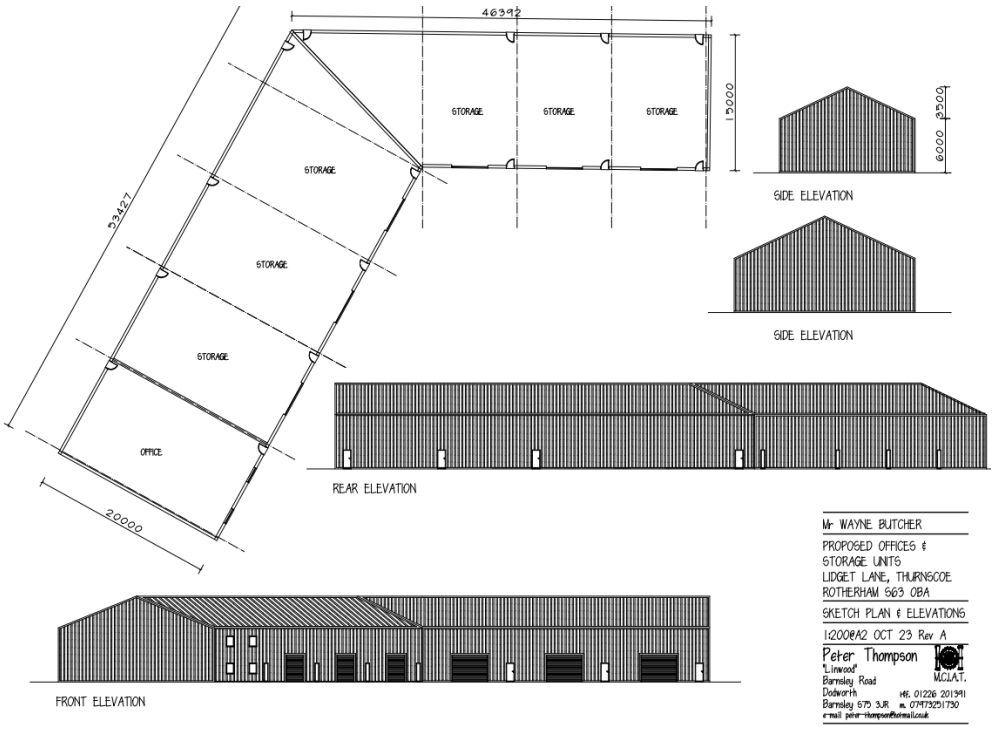
The noise assessment submitted with the application states that the use is for a utility service company and proposes the industrial storage of equipment and loading of vehicles with an associated office space. The operating hours are not stated on the application form, however they are detailed within the noise report at 0700 – 1700 Monday to Friday and 0900 to 1500 on a Saturday and at no times on a Sunday or Bank Holiday.

Access is to be agreed at this stage. The site would be accessed via Lidget Lane to the south, with parking and turning facilities within the internal service yard area.

Siting is to be agreed at this stage and the proposed building is shown to be sited along the western and northern side of the site in an L shape. Elevations and plans have been provided which show a metal profile clad building of one storey in height. The scale and appearance are also to be agreed at this stage, with only landscaping to be a reserved matter.

In support of the application, the agent has submitted a Noise Impact Assessment (based on the plans and details currently submitted) and a Tree Survey.





Relevant policies

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

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 site is allocated as Urban Fabric within the Local Plan.

The following Local Plan policies are therefore relevant in this case:

- Policy SD1: Presumption in favour of Sustainable Development.
- Policy D1: High Quality Design and Place Making.
- Policy GD1: General Development.
- Policy T4: New Development and Transport Safety
- Policy POLL1 Pollution Control and Protection

Supplementary Planning Documents

- Parking
- Trees and Hedgerows
- Residential Amenity and the siting of buildings

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance

In December 2024, The Government published a revised National Planning Policy Framework ("NPPF") which is the most recent revision of the original Framework, published first in 2012 and updated a number of times, providing the overarching planning framework for England. It sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions. This revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

Central to the NPPF is a presumption in favour of sustainable development which is at the heart of the framework (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). The NPPF confirms that there are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The most relevant sections are:

Section 2 - Achieving sustainable development

Section 4 - Decision making

Section 6 - Building a strong, competitive economy

Section 12 - Achieving well-designed places

The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A written ministerial statement states that local planning authorities should take it into account when taking decisions.

Consultations

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015.

Any neighbour sharing a boundary with the site has been sent written notification and the application has been advertised on the Council website. A site notice was also posted at the site.

No representations have been received.

Consultee responses

Highways – No objections to amended plans subject to conditions

Pollution Control – No objection subject to condition

Ward Cllrs – Cllr Morrell states: 'when the application originally came through to us around a year ago I went and inspected the site and had a chat with the owner of the neighbouring garage.

My concerns were of heavy plant and articulated lorries entering and leaving the site to access Lidgett lane . Lidgett lane is a busy road especially early in the morning and early evening or late afternoon as local residents travel to and from work.

I appreciate that Planning look at all aspects of an application but may I enquire as to what volume of traffic and what type, is expected to enter and leave the site and perhaps the most frequent hours?

My other concern is any vehicle leaving the site would not have a view of the road until the front of the vehicle was blocking the pavement and would not be able to see any pedestrians using the footpath. This footpath is used regularly at work start and finish times as pedestrians make their way to the employment site on Albion Drive.

Looking at the revised application I believe this has been addressed. Would you confirm that I am correct?'

Drainage – No objections details to be checked by Building Control

Yorkshire Water – No objection subject to conditions

Enterprising Barnsley - Enterprising Barnsley actively support this application that will help to create much needed new employment space in the east of the borough . The unit sizes proposed help to provide a gap in the market and will help to support both growing indigenous companies and potential inward investors. This development is essential in helping BMBC and SYMCA to create future employment opportunities (jobs) as per the existing strategic economic and corporate plans. Whilst also providing BMBC with a business rate uplift.

Tree Officer – No objections and no conditions required (verbal)

Planning Assessment

Principle

The building is located within an area of Urban Fabric, which contains a number of uses, including adjacent industrial uses, residential dwellings. Given the surrounding mixed uses, the proposal would be subject to assessment against policy GD1 and the impact of the proposal upon visual amenity, residential amenity and highway safety.

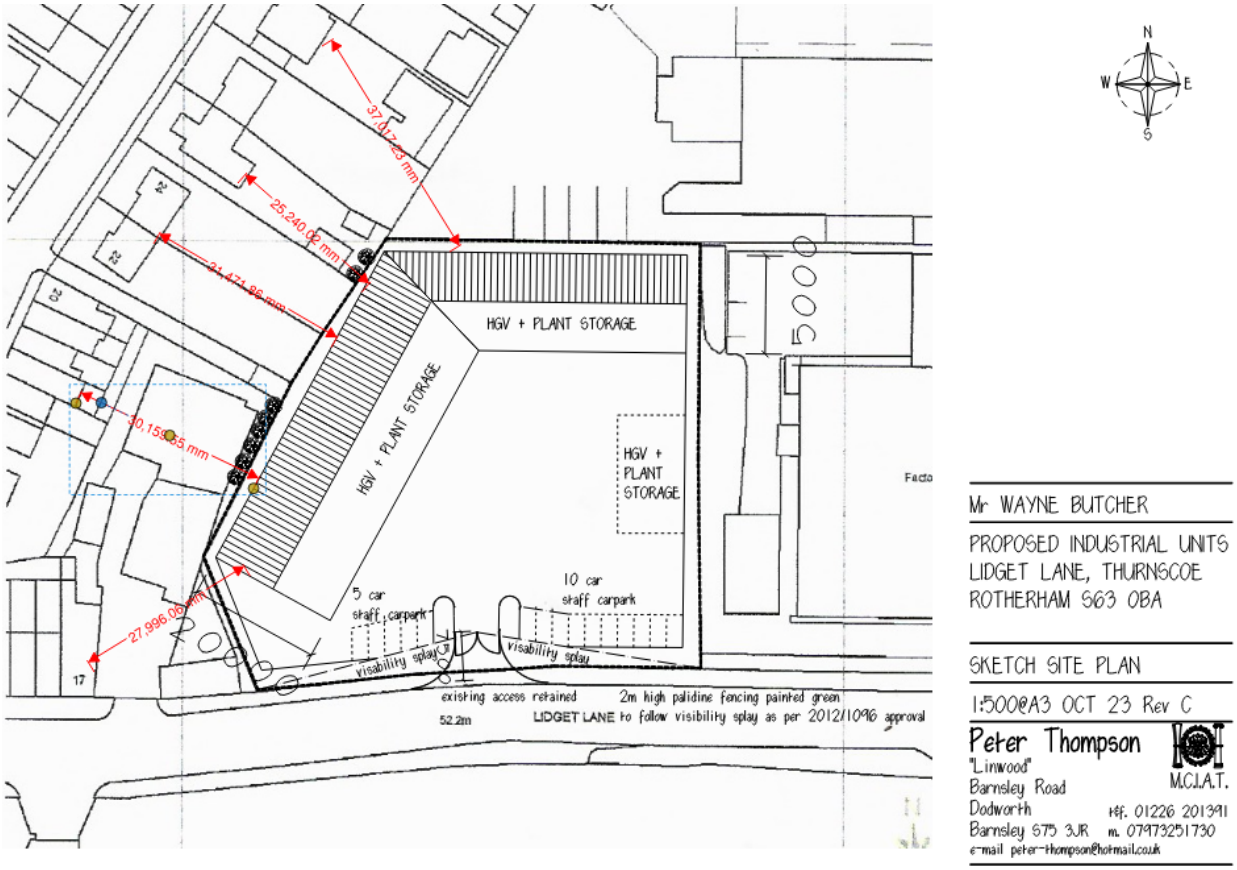
Residential Amenity

The SPD, Residential Amenity and the Siting of Buildings, sets out the design principles that will apply to the consideration of planning applications for non residential buildings in proximity to existing residential properties. The Council is committed to maintaining a high standard of residential amenity in areas where new development is proposed.

The SPD states that 'The following guidelines for non residential buildings will be applied unless it can be demonstrated that a design led solution can allow a relaxation of standards whilst maintaining high levels of privacy, amenity and outlook:

1. 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. '

The proposed siting, scale and appearance are to be considered at this stage. As can be seen on the plans below, the building is a minimum of 25m from the rear windows of the adjacent dwellings, which meets the requirements of the SPD. Given the length of the gardens of the dwellings along George Street, there should not be any significant impact in terms of overbearing or overshadowing impact to these amenity spaces.



Visual Amenity

The proposed building is of an acceptable design, scale and appearance. The building has been sited away from the main road and allows for a central yard area. The building will be well screened by existing trees/planting along the boundary and will not be overly prominent. The proposal is therefore acceptable in terms of visual amenity and will not harm the

appearance of the industrial unit or the site as a whole in accordance with policy GD1 and D1 of the Local Plan.

Pollution Control

A noise Impact Assessment has been submitted by the applicant and this has been considered by Pollution Control, who have also stated that they have no objections subject to the following condition being applied to any approval:-

The rating level (LArTr) of the noise emitted from the proposed development shall not exceed the existing background noise level (LA90T). The rating level shall be determined by measurement or calculation at the boundary of the nearest noise sensitive premises or at another location that is agreed with the Local Planning Authority. Measurements shall be made in accordance with BS 4142: 2014 Methods for rating and assessing industrial and commercial sound. Where the background noise level shall be expressed as an LA90 1 hour and the ambient noise levels shall be expressed as an LAeq 1 hour during the daytime [07:00-23:00] and shall be expressed as an LA90 and LAeq 5 minutes during the night [23:00-07:00].

The building is set a significant distance from the neighbouring dwellings and should not have any significant impact upon amenity subject to compliance with the above, in accordance with Local Plan Policy POLL1.

Impact on Trees

The Tree Officer has been consulted and has provided a verbal response and has no objections to the proposal. The trees along the boundary are not significant specimens and are unlikely to be impacted as part of the proposal, given the separation distances to the trees. Landscaping is to remain a reserved matter and details of landscaping will be considered at that stage. The proposal is therefore acceptable when measured against policy BIO1 and the impact upon trees.

Highways

The Highways Officer has no objection to the proposal. Amended plans have been received which address some of the earlier concerns which include visibility splays and clarification of parking.

The agent provided an amended site plan showing visibility splay as per approval 2012/1096. The agent confirmed that the staff car parking is for staff coming to pick up the works vehicles in the morning before work, and then returning in the afternoon after work and that the unit will be used for storage only, of HGV vehicles, plant and tools, the client has 10 HGV vehicles, some of which will be parked up at his existing operating centre and that there are no articulated vehicles involved.

The agent also confirmed that the gates will be open in the morning and closed at the end of business every day and that the front boundary hedge will be reduced to 1m the full length to provide sufficient visibility and should be conditioned as such.

The proposal is now acceptable in terms of highways safety and when measured against policy T4 of the Local Plan.

Conclusion

For the reasons given above, and taking all other matters into consideration, the proposal complies with the relevant plan policies and planning permission should be granted subject

to necessary conditions. Under the provisions of the NPPF, the application is considered to be an acceptable and justified form of development, subject to the submission of landscaping details at reserved matters stage.

Recommendation – Approve subject to conditions

STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. it is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.

In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

Additional highways details and visibility splays provided

Amended application form to include scale