
2023/0593

Applicant: Mr Andy Wilmore

Construction of 1 no. MCC (Motor Control Centre) Kiosk

Cawthorne Wastewater Treatment Works, Dark Lane, Cawthorne, Barnsley, S75 4HJ

Site Description

The application site refers to Cawthorne Wastewater Treatment Works, off Dark Lane, in the village of Cawthorne in the West of the Borough. The access on Dark Lane runs from South to North, off the main road (Taylor Hill) running through Cawthorne. Cawthorne is primarily a residential area, however, contains other uses such as a local shop, a church, pubs and a working men's clubs, amongst other uses. In the immediate vicinity is Cawthorne Cricket Ground (to the immediate North-West) and associated pavilion. The site lies within the Green Belt, with Dark Lane being a public bridleway.

Relevant Site History

None

Proposed Development

The proposed development scheme comprises several elements in relation to the requirement of Yorkshire Water to increase capacity and ensure compliance with Flow to Full treatment (FFT) as required by the environment agency through the Water industry national environment programme (WINEP) for England. The works required are fairly wide-ranging but the majority of works are considered to be permitted development:

- New inlet screen (591 ACE screen) & Macipump 302 ACE
- Flow control at the inlet works
- 2 x actuated penstocks and minor civil modifications at inlet works
- New inlet & storm pumping station
- New recirculation pumping station
- New primary sludge (RAM) pumping station to serve the existing Primary settlement Tank (PST)
- Inter process pipework
- Retrofit access staircase to serve the existing balancing tank
- New temporary vehicular access for construction from 'The Park' and associated temporary construction compound

The above development has been assessed against the relevant part of the General Permitted Development Order (GPDO) – Part 13, Water and Sewerage, Class A – Development by or on behalf of sewerage undertakers. This relevant section reads:

Permitted development

B. Development by or on behalf of a sewerage undertaker consisting of—

- (a) development not above ground level required in connection with the provision, improvement, maintenance or repair of a sewer, outfall pipe, sludge main or associated apparatus;
- (b) the provision of a building, plant, machinery or apparatus in, on, over or under land for the purpose of survey or investigation;
- (c) the maintenance, improvement or repair of works for measuring the flow in any watercourse or channel;
- (d) the installation in a sewerage system of a pumping station, valve house, control panel house or switch-gear house;
- (e) any works authorised by or required in connection with an order made under section 73 of the Water Resources Act 1991 (power to make ordinary and emergency drought orders)¹³⁰;
- (f) 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 not permitted

B.1 Development is not permitted by Class B if—

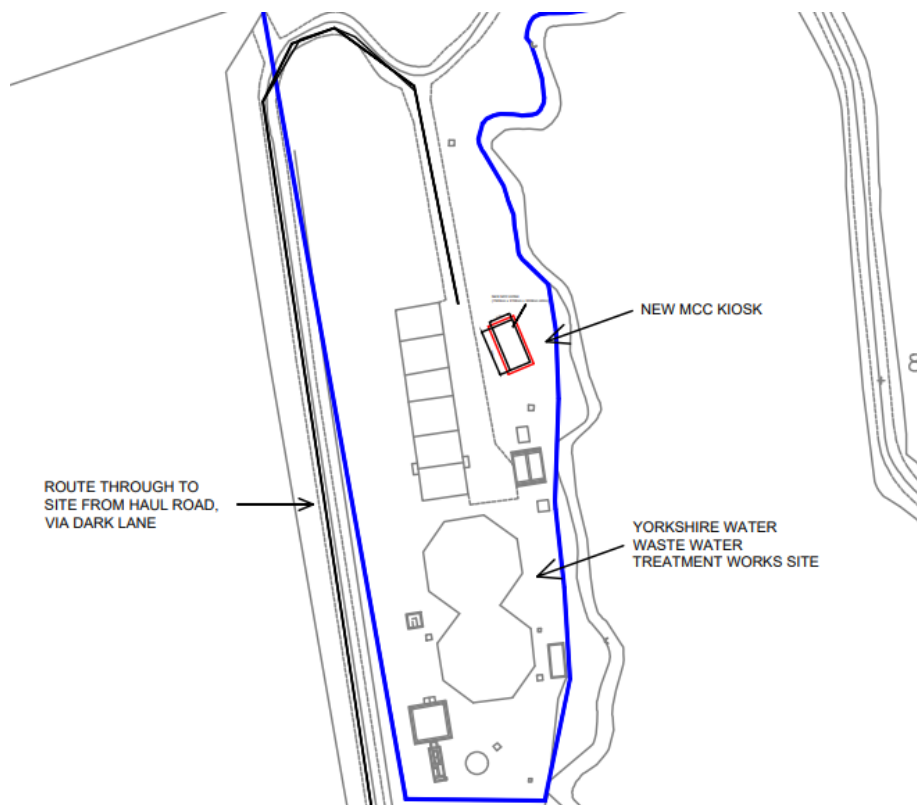
- (a) in the case of any Class B(d) development involving the installation of a station or house exceeding 29 cubic metres in capacity, that installation is carried out at or above ground level or under a highway used by vehicular traffic;
- (b) in the case of Class B(f) development, it would consist of or include the extension or alteration of a building so that—
 - (i) its design or external appearance would be materially affected;
 - (ii) the height of the original building would be exceeded, or the cubic content of the original building would be exceeded, by more than 25%; or
 - (iii) the floor space of the original building would be exceeded by more than 1,000 square metres; or
- (c) in the case of Class B(f) development, it would consist of the installation or erection of any plant or machinery exceeding 15 metres in height or the height of anything it replaces, whichever is the greater.

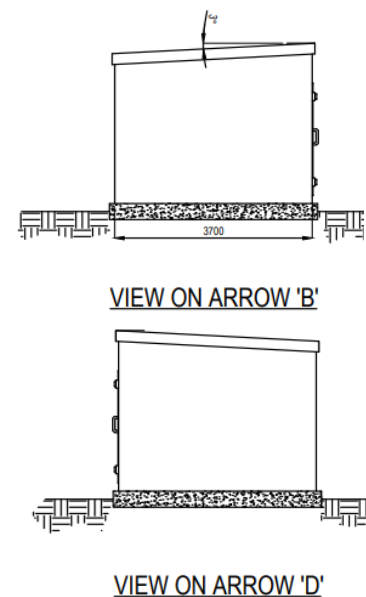
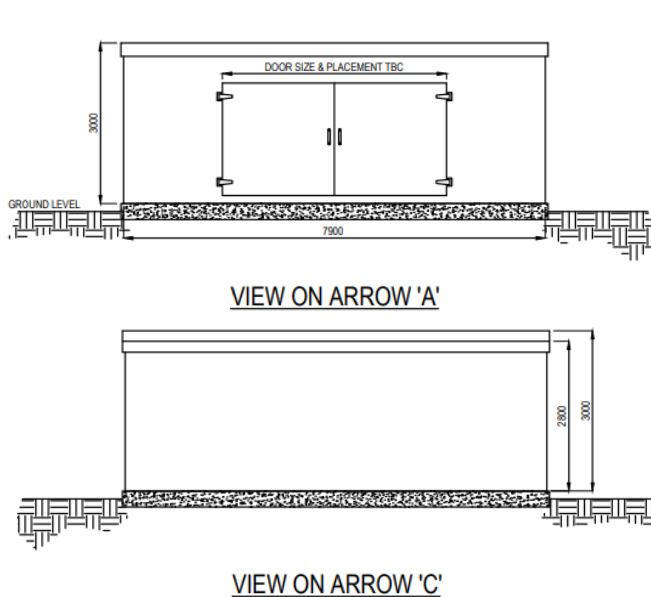
Condition

B.2 Development is permitted by Class B(b) subject to the condition that, on completion of the survey or investigation, or at the expiration of 6 months from the commencement of the development concerned, whichever is the sooner, all such operations cease and all such buildings, plant, machinery and apparatus are removed and the land restored as soon as reasonably practicable to its former condition (or to any other condition which may be agreed with the local planning authority).

The elements of the scheme described above meet the relevant part of the GPDO and are considered to be permitted development.

The element which requires permission is the erection of a motor control centre (MCC) kiosk as this exceeds the limitation of the conditions outlined above. Specifically, B1(a) referring to the cubic metres size of the building. The kiosk is located centrally within the site, is rectangular in shape measuring 7.9m in length and 3.7m in width, with a height of 3m to the highest point, with a slightly sloped roof. The kiosk is constructed from Glass Reinforced Plastic (GRP) in green colour on a concrete base.





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 Local Plan (adopted January 2019), alongside the Joint Waste Plan and relevant neighbourhood plans, form the statutory development plan for Barnsley. It establishes policies and proposals for the development and use of land up to the year 2033 and will be used when considering planning applications and to coordinate investment decisions that affect the towns, villages and countryside of Barnsley. The Local Plan supersedes the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

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 Local Plan was adopted by the Council in January 2019 and the Council has also adopted a series of Supplementary Planning Documents which are other material considerations. 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.

In reference to this application, the following policies are relevant:

SD1: Presumption in favour of Sustainable Development - When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. We will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

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.

GB1: Protection of Green Belt – The detailed boundaries are defined on the Policies Map. Green Belt will be protected from inappropriate development in accordance with national planning policy.

D1: High Quality Design and Place Making – Development is expected to be of a high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

T4: New Development and Transport Safety – New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

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: Biodiversity and Geodiversity – Development will be expected to conserve and enhance the biodiversity and geological features of the borough. Development will be expected to conserve and enhance the biodiversity and geological features of the borough

RE1: Low Carbon and Renewable Energy – All developments will be expected to seek to incorporate initially appropriate design measures, and thereafter decentralised, renewable or low carbon energy sources in order to reduce carbon dioxide emissions and should at least achieve the appropriate carbon compliance targets as defined in the Building Regulations.

Poll1: Pollution Control and Protection - 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. The Council will not allow development of new housing or other environmentally sensitive development where existing air pollution, noise, smell, dust, vibration, light or other pollution levels are unacceptable and there is no reasonable prospect that these can be mitigated against.

NPPF

The National Planning Policy Framework (NPPF) 2021 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 there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.

Consultations

Biodiversity Officer: Upon receipt of further information and a Precautionary Working Method Statement (PWMS) no objections have been raised to the scheme.

Cawthorne Parish Council – No comments received.

Environment Agency – No comments received.

Highways Drainage – No objections raised.

Highways DC – It is understood and agreed that the majority of the works proposed do not require planning permission and no objection is raised to the motor control centre (MCC) kiosk subject to a construction method statement being submitted and agreed in writing by the LPA. This information was subsequently submitted as part of the application itself which Highways assessed and raised no objections subject to the details of the document being adhered to.

Pollution Control – Requested some information which confirms whether there is noise generation from the development. Upon receipt of this information, no objection was raised from Pollution Control subject to conditions.

Ward Councillors – No comments received.

Representations

Neighbour notification letters were sent to neighbouring properties; no comments were received.

Assessment

Principle of development and Impact on Green Belt

The majority of the works outlined meet permitted development rights for sewerage undertakers as outlined in the relevant section of the GPDO (Part 13, Part 13 Class B) and will not be assessed or considered in the below sections.

The site is located within the Green Belt. The proposed development is for the erection of a motor control centre (MCC) kiosk on the land for the purpose of Yorkshire Water services. Local Plan Policy GB1 (in line with NPPF paragraph 149) states that the erection of new buildings in the Green Belt is inappropriate development with several exceptions. This includes limited infilling of previously developed land. The site visit and Council mapping information shows that the site has long been established for sewage and general Yorkshire Water purposes and is previously developed. The proposed building in question is modest in scale, given the size of the site, rectangular in shape with a length of 7.9m x 3.7m, with a roof height of 3m. This is not considered to be excessive in size, given the large size of the site and its isolated location. The site is located at the head of a lengthy rural track with no public access into the site, which is secured by palisade fencing. Sightlines into the site/building are significantly obscured by trees and other vegetation on the boundary lines. The proposed development is considered to be limited infilling on a previously developed piece of land and does not cause harm to the openness or permanence to the Green Belt.

Residential Amenity

The village of Cawthorne is primarily residential but the site itself is fairly isolated, off Dark Lane, with the nearest residential properties located c. 80m to the South-East on Cliffe Hill. The proposed kiosk will not have a significant direct impact on the amenity of neighbouring properties through overshadowing or loss of outlook. The agent has confirmed that the noise generation from the development will be minimal and pollution control have not objected to the development.

There are a couple of main accesses to the site through Dark Lane and The Park road, with construction traffic intending on using The Park. This has been detailed within the Planning, Design and Access Statement and the developer is intending on undertaking a Temporary Traffic Regulation Order (TTRO) to which the residents have been engaged with prior to the submission of the application and a meeting was held with Cawthorne Parish Council on 2nd June 2023.

Pollution Control have not objected to the scheme subject to a restriction on the construction hours of the development.

The proposed development is considered to be acceptable in terms of residential amenity.

Highways Safety

Highways DC have been consulted on the proposal and have not raised any objection due to the large majority of the development being undertaken through permitted development rights. However, Highways DC recommended that a construction traffic management plan is submitted and agreed with the LPA prior to development commencing. This was submitted as part of this application which Highways DC duly assessed and agreed with.

The proposed development as a whole will require a Temporary Traffic Regulation Order (TTRO) to stop up Park Road which is a separate process to this planning application.

The proposed development is considered to be acceptable in terms of highways safety.

Visual Amenity

The proposed development is in relation to the erection of a new building within the Green Belt and the nature of the building is not considered to be particularly attractive architecturally. However, the kiosk is

small in terms of its scale and is located centrally within a secluded site, which is bounded by a significant number of trees on the boundaries of the site. The impact on the character of the area is considered to be low and the proposed development is acceptable in terms of visual amenity, in line with Local Plan Policy D1.

Impact on Ecology

The application submission is supported by a Preliminary Ecological Appraisal (PEA) which has been assessed by colleagues in Ecology who did not object to the scheme but requested further information such as noise/vibration and run off/silt from construction works, additional lighting and any ecological enhancements. Upon receipt of this information, the application was supported by the ecologists subject to conditions, part of which includes the submission and agreement of a precautionary working method statement (PWMS) which includes measures to protect the adjacent watercourses from impacts during site clearance and construction. The agent has submitted this document as part of the application, rather than including as part of a pre-commencement condition, which has been assessed by colleagues in Ecology who did not object to the submitted information.

Impact on Trees

There are trees on the boundaries of the site, however the MCC kiosk is centrally located on the site and the proposed development would have a minimal impact on the trees on site.

Conclusion

The applicant (Yorkshire Water) is seeking to undertake several pieces of development/works at the Cawthorne Wastewater treatment centre (Sewage works), which is located in the village of Cawthorne off Dark Lane. The majority of the works are permitted development as they meet the criteria within the General Permitted Development Order (GPDO) 2015 – part 13, Class B. This element has been checked against the criteria within this document and the Council considers that they meet permitted development and do not require a planning application. The applicant is therefore seeking approval for the erection of a motor control centre (MCC) kiosk as this exceeded 29 cubic metres in volume. In terms of design, the kiosk is modest in size, scale and general appearance finished in GRP in a green colour which will help it blend into the existing site. Access into the site will be via The Park Road and then through a temporary haul road which will be created, which is permitted development.

The site is located within the Green Belt, however it represents limited infilling of previously developed land. It is on a site which is fairly isolated and well screened from the surrounding area by existing trees/hedgerows and has a limited impact on the openness of the Green Belt and is considered to be acceptable. The application has been supported by various documents including a detailed planning, design and access statement, a preliminary ecological survey, a precautionary working method statement, a construction traffic management plan which have been assessed by colleagues in Highways DC, Pollution Control and Ecology who did not raise objections to the proposal subject to conditions.

The proposed development is considered to be acceptable and is recommended for approval subject to conditions.

Recommendation

Approve with Conditions