
2022/0916

Applicant: Sterling Capitol

Proposal: Development of 2no warehouses (floorspace of 9,755m² and 7,804m²) for general industrial and storage and distribution purposes (use classes B2 and B8) with provision of ancillary office accommodation (Reserved matters of the outline part of hybrid planning permission 2019/0286 seeking approval of external appearance, landscaping, layout, and scale)

Site: Land at Higham Lane, Dodworth, Barnsley, S75 3UB

Representations have been received from 3 local residents and former Councillor Peter Fielding at the time that he was a sitting Ward Member prior to standing down before the recent local elections.

Site Location and Description

The site is located off Higham Lane immediately to the northwest of the existing Capitol Park business park at Dodworth. It measures 5.58 hectares in size and slopes west to east towards the M1 motorway. The site is approximately 3km from Barnsley town centre which is located to the east and is in close proximity to the M1 at Junction 37 and the A628 giving it very high accessibility to the strategic highway network.

The site comprises two fields in agricultural use that are divided by a hedge which is to be retained. A single bungalow (Lane Head Farm) is located at the southern corner of the site, with its own access, adjacent to Higham Lane, which is intended to be demolished to facilitate the development.

There are two existing residential properties at Lane Side Farm on Higham Lane which lie on the western boundary of the site and do not form part of the application.

The Higham Lane boundary is lined with trees and there is a further overgrown hedgerow along the eastern boundary, some of which are to be retained. An overhead telecoms line crosses the northern field from the northwest to the east, before continuing to follow the eastern boundary of the southern field. There is also a telecoms transmitter, surrounded by a metal post and chain link fence, in the eastern corner of the site which is intended to remain.

There is an existing track access to the two fields within the site midway along Higham Lane. The site surroundings comprise:

- The northern and northeast boundary is formed by the M1 motorway corridor.
- To the southeast, a cluster of hybrid industrial units that form part of the existing Capitol Park business park.
- To the south, Higham Lane, beyond which is an area of woodland.
- To the west, 2 no. dwellings (Lane Side Farm), beyond which is Higham Lane and further woodland.

The topography of the site is varied, with a high point of 163m AOD to the east of Lane Side Farm, and the low point of 145m AOD adjacent to the motorway beyond the northern edge of the site.

The application site boundary overlaps a small part of the planning permission boundary for previously approved planning application 2020/0040 for highway reconfiguration works to connect Capitol Close with Higham Lane via the construction of a new roundabout. Those works are still yet to be carried out at this moment in time.

Planning History

2019/0286 Proposal: Hybrid planning application for an extension to Capitol Park comprising a) development of 2no warehouses (floorspace of 9,755m² and 7,804m²) for general industrial and storage and distribution purposes (use classes B2 and B8) with provision of ancillary office accommodation - Outline with all matters reserved apart from means of access; and b) full application for provision of associated earthworks, demolition of existing bungalow and formation of access (amended plans). Granted 5th September 2019. The permission has been implemented following demolition of outbuildings to the bungalow. The application proposed access from Capitol Close.

2020/0040 Highways works comprising the linking of Capitol Close and Higham Lane via a new roundabout, road realignment and widening works throughout, enlargement of existing roundabout located at Capitol Close and Higham Lane and provision of associated footpaths, combined cycle/footpath and verge, land at Higham Lane/Capitol Close and Whinby Rd Barnsley. Granted 25/09/2020. Not yet commenced.

Proposal

This application seeks reserved matters approval of external appearance, landscaping, layout, and scale for the outline part of permission 2019/0286 which granted permission for 2 no. warehouses (Classes B2 and B8), with 5% ancillary office accommodation in each unit.

The northernmost warehouse (Unit 1) would be of 7,804m² (84,000 sq.ft) gross floor space and Unit 2 of 9,755m² (105,000 sq.ft), conforming to the outline permission. The dimensions of unit 1 would be 10m to eaves and 12.75m to ridge. Two storey offices are proposed to east elevation and 8 loading bays to the service yard to south elevation. It would have a 94-space car park.

Unit 2 would be slightly larger at 9,755m² but again this is the same as was proposed in the previous application. The dimensions of unit 2 would be 12m to eaves and 14m to ridge. Two storey offices are proposed to the east elevation with 10 loading bays to south elevation facing the service yard. It would have a 100 space car park.

Both units also have disabled bay, motorcycle and cycle parking. Access to the site is proposed from the southeast corner, extending the existing Capitol Close in compliance with the outline permission. However, an additional layout plan has been submitted to demonstrate that the application could also be served by the roundabout which has been granted permission under 2020/0040, but which has yet to be constructed. This would provide the site with an access onto a new roundabout that would link Capitol Close with Higham Lane.

Substantial landscaping would screen the residential properties adjacent on Higham Lane, with a 13m wide bund and significant structural tree planting to the west of Unit 2 as required in the outline permission. Trees are proposed to be a mix of extra heavy standard, standard and semi mature native species. An existing hedgerow in the centre of the site running approximately east west is to be retained as would some boundary trees, with the addition of new hedgerows to the boundary of the Unit 1 car park with a small attenuation pond on the western boundary of the site close to the dwellings at Lane Side Farm.

When the application was first submitted, the appearance of the buildings was proposed to be of dark grey vertical cladding with lighter grey panels of horizontal cladding. Minimal contrasting yellow highlights were proposed to two storey office entrance reveals with a goosewing grey roof. This was considered unacceptable in visual appearance terms due to the prominent position of the units so close to the motorway (unit 1) and in an elevated

position (unit 2). Improvements to elevations were therefore sought to reduce the landscape and visual impact both nearby and in the wider area. As a result, amended elevation plans were submitted which now propose a mix of greens, to the motorway (north elevation) vertical dark green panels with horizontal panels in shades of green, lightening upwards. A green coloured roof is also proposed. The offices are proposed to be dark green with contrasting flashing and the service yard elevations more predominately mid grey.

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 was adopted in January 2019 and is also 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 and 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.

The Local Plan

There is a specific policy relating to this site:

Site ES4 Capitol Park Extension 5.4 ha

The development will be expected to:

- Consider the impact on residential amenity and include appropriate mitigation where necessary.
- Provide on and off-site highways infrastructure works and improvements at Junction 37, as necessary.
- Provide off site highway safety enhancements.
- Consider the potential impact on the nearby Hugsett Wood Local Wildlife Site and include appropriate mitigation where necessary.
- Retain, buffer, and manage the existing hedgerows.
- Ensure that development respects the landscape and wider countryside, and where appropriate mitigation measures are incorporated to address impacts on the adjacent Green Belt and countryside; and
- Provide air quality assessments in accordance with Policy Poll 1.

Archaeological remains are known/expected to be present on this site therefore proposals must be accompanied by an appropriate archaeological assessment (including a field evaluation if necessary) that must include the following:

- Information identifying the likely location and extent of the remains, and the nature of the remains.
- An assessment of the significance of the remains; and
- Consideration of how the remains would be affected by the proposed development.

SD1 Presumption in favour of sustainable development – Planning applications that accord with other relevant policies will be approved without delay.

LG2 Location of Growth – Urban Barnsley is the highest priority location to accommodate growth in accordance with the adopted settlement hierarchy.

Policy E3 (Uses on Employment Land) on allocated employment sites the Council will allow the following uses: research and development (B1b) and light industry (B1c); general industry (B2); or storage or distribution (B8). The supporting text to the policy advises that the provision of well-located employment land is key to the Borough's future economic growth, and it is therefore essential that both new employment land and land currently in use or last used for employment purposes, is protected, and safeguarded from non-employment uses.

GD1 General Development –This policy will be the starting point for making decisions on all proposals including those shown on the Policies. Proposals for development will be approved if they meet a wide variety of criteria.

Supplementary Planning Documents

Parking

Residential amenity and the siting of buildings

Biodiversity and Geodiversity

Sustainable Travel

Trees and hedgerows

NPPF 2021

The National Planning Policy Framework 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. Where proposals are in accordance with the development plan, permission should be granted without delay.

Paragraphs of particular relevance to this application include:

Paragraph 111 of the NPPF states that 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.

Paragraph 174 states that planning policies and decisions should contribute to and enhance the natural and local environment by (inter-alia) preventing new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution or land instability. The paragraph also states that decisions should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Paragraph 179(b) states that plans should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

Consultations

Biodiversity Officer – No objections.

Conservation – No objections.

Coal Authority – No objections

Enterprising Barnsley – Support the application which would provide new industrial units in a strategically important area of the borough, it will also attract future investors and retain growing indigenous local companies, The development is essential in helping to create future employment opportunities as envisaged in the existing strategic and corporate plans.

Forestry Officer – No objections following the receipt of the amended landscaping plans

Highways DC – No objections subject to conditions

Highways Drainage – No objection subject to conditions

National Highways – No objection

Pollution Control – No objections subject to conditions

South Yorkshire Archaeology Service – No objections

South Yorkshire Mining Advisory service –No objections

Superfast Broadband – Gigabit capable broadband is required

Ward Councillors – Former Councillor Peter Fielding raised a number of points whilst he was still a sitting ward member prior to standing down before the recent local elections (see below).

Yorkshire Water – No objections

Representations

The application was advertised by press notice, site notice, by neighbour notification letters and on the Councils website. Representations were received from three local residents (to 23/2/23), two of whom sought clarification of plan revisions. The third resident did not object to the proposal, but raised potential amenity issues such as noise, landscaping, materials, drainage, and visual amenity.

Former Councillor Peter Fielding raised points relating to extent of neighbour consultation and potential upgrading of Capitol Close. Further points were raised relating to travel plan, impact on visual amenity as a result of the proposed height, sustainable travel, biodiversity and mitigation for noise and visual intrusion for local residents. *Capitol Close is proposed to be improved under the plans approved under permission reference 2020/0040. Travel Plan, sustainable travel, biodiversity and noise mitigation for the construction and operational noise were considered and conditioned at the outline stage, as was impact on the visual and residential amenity, resulting in a planning condition setting out maximum building parameters which was agreed by Members at the outline stage.*

Assessment

The principle of development

The site is allocated for new employment development in the Local Plan (site ES4) and has the benefit of an outline planning permission, including access, for 2no warehouses (floorspace of 9,755m² and 7,804m²), which was approved under planning application 2019/0286. As such, the principle of this form of employment development on the site is already established. This particular application is only about establishing the acceptability of the appearance, landscaping, layout and scale details relating to the future development therefore.

Layout and scale

Indicative layouts were approved at the outline stage which shows two industrial units of modern design: Unit 1 in the northern part of the site closest to the M1 motorway of 84,000sqft (7803sqm), and Unit 2 of 105,000sqft (9290sqm) to the south and west of the site.

Eaves and ridge heights are as approved at outline stage and comply with condition 14 in terms of minimum distance from Lane Side Farm, and maximum height to eaves and ridge of the units. The proposal also complies with the outline condition 14 and would provide appropriate mitigation with the provision of a landscaped bund to the west of unit 2 to protect residential visual amenity. This would be planted with deciduous and evergreen native trees which would provide screening all year round and provide biodiversity interest.

Whilst an objector considers that the floor levels of the building is too high and the floor level and eaves of the building should be lowered by approximately 4m, the height of the development platforms that the buildings would sit on matches that approved on the full part of the previous application. That particular detail has already been approved, therefore. It is also noted that excavations would generate over 37,000 cubic metres of fill to be disposed elsewhere, not including the additional excavations needed to achieve the appropriate gradients for the access road. This is not considered to be a sustainable solution.

The site as a whole would be screened from the west by highway trees, but Unit 1 would lie close to the northbound M1 motorway and be visible from it. Unit 2 would lie at a higher level close to Higham Lane. Service yards are provided to the south of each unit. Unit 1 together with its service yard is set down from the dwellings at Lane Side Farm and the vegetation would screen the access road leading down to it.

Overall, the proposals represent an efficient use of the land whilst mitigating the impacts on the adjacent properties as far as possible in accordance with the site-specific policy ES4 and is also considered to be in accordance with Local Plan Policy D1 and GD1.

External appearance

Materials are proposed to be of profile metal cladding, some horizontal and some vertical with a shallow apex roof and are reminiscent of the remainder of the Capitol Park units.

Colours were initially proposed to be of varying shades of greys, mainly dark, with lighter panels, and some contrasting highlights in yellow. Two storey ancillary offices are proposed with double height glazed entrance. The buildings are going to be highly visible, unit 1 being the key building seen directly adjacent the motorway when entering or leaving Barnsley, and Unit 2 would be located on the top of a slope above the adjacent Capitol Park. Two residential dwellings lay close by on Higham Lane which would be at a higher level than unit 1, but lower than unit 2. While loss of view is not a material planning consideration, the impact of such dark colours on the outlook of the dwellings and the wider landscape and adjacent Green Belt, together with pale goosewing grey roof was considered unacceptable and the applicant was requested to amend the proposed colours to something less obtrusive, more akin to the pastel palette found in the Hoyland north masterplan area.

Amended plans were submitted with elevations of mix of greens, to the motorway (north elevation) vertical dark green panels with horizontal panels in shades of green, lightening upwards. A green coloured roof is also proposed. The offices are proposed to be dark green with contrasting flashing and the service yard elevations more predominantly mid grey. One objector also objected to initial dark grey colours but has made no comment on the revised colour scheme.

The proposed materials, elevations and the revised colour scheme elevations are now considered to be acceptable. The colours would appear to blend with the landscaping as it matures and as such the proposal would ensure that with the substantial landscaping proposed, the development will as far as possible, respect the landscape and wider countryside and mitigate against the effect on nearby Green Belt. As such the proposal would provide a modern development of high-quality modern design and is considered to conform to Local Plan Policy D1 and site-specific policy ES4.

Landscaping and Trees

A comprehensive landscape scheme has been proposed which includes planting of a range of sizes and species of trees and shrubs, both native and ornamental. Planting would be expected to be in the first available planting season following construction which is standard practice.

One resident raised concerns about tree types and specification, and the timescale of planting. However, the landscape scheme is generally in accordance with the outline condition 14 and the approved indicative landscape plan, which required the formation of the landscaped bund between unit 2 and Lane Side Farm. The proposal meets this condition. However, the Forestry Officer requested that tree species should be replaced by native tree species which has now been done. Additional planting to screen the service yards from the road was also requested and together with the retention of existing trees and hedgerows to the boundary of the site and within the site would result in a satisfactory scheme.

A planning condition is proposed to secure the submission of an amended landscape scheme once the roundabout to the south is completed to ensure that any loss of landscaped areas occurring as a result of the construction of the roundabout is compensated or mitigated and enhanced and the service yards remain well screened.

Overall, the proposals are acceptable on this point and the application is in accordance with Local Plan Policy D1 and BIO1.

Other material considerations

Residential amenity

The location of the two buildings and their service yards were considered and approved by Members at the outline stage. The amount of development was set out by the outline permission for the two units, as is the minimum distance allowed between Unit 2 and Lane Side Farm (37m) and the maximum height of Unit 2 no higher than (12m to eaves and 14m to ridge). This was condition 14.

Potential amenity impacts such as noise/dust impacts would be controlled through planning conditions which were attached to the previous decision notice. One resident has concerns about noise and disturbance from reversing vehicle alarms, and service bays. However, the Pollution Control Officer has no objections subject to the implementation of the planning conditions relating to noise.

The resident also considered that loss of outlook has not been considered. However, this has been discussed above and there is no right to a view. The maximum size and location of the units was agreed at the outline stage with condition 14 requiring a minimum distance between unit 1 and Lane Side Farm which has been adhered to in this application, as has mitigation via provision of a landscaped bund. In addition, the position of the building and its height are such that it would avoid impinging on the upward 25 degree line from the centre

point of the lowest window of Lane Side Farm to achieve compliance with the Residential Amenity and the Siting of Buildings SPD.

Given the comments above, the proposed development would maintain the residential amenity of the existing area to an acceptable degree in accordance with Local Plan Policy GD1.

Drainage

One objector has raised issues about drainage from the two adjacent residential dwellings which may be impacted by the proposal. The Authority's drainage engineer considers the drainage proposals to be satisfactory subject to the planning conditions attached at outline stage requiring formal details for foul and surface water drainage. Yorkshire Water Authority concurs. As such the application is in compliance with Local Plan Policy CC1.

Biodiversity

The previous hybrid application was accompanied by a preliminary ecological assessment and a suite of reports regarding protected species. The hedgerow in the centre of the site is to be retained, and the applicant has confirmed that the species rich hedgerow H1 along Higham Common Lane is to be retained as part of this application. There are no objections subject to a condition which was submitted at the outline stage which requires biodiversity details and mitigation/enhancement to be submitted before the development is carried out.

Highway/Transport Considerations

Access would be achieved by extending the existing Capitol Close access and running up the eastern boundary of the site, with a spur to reach unit 2, before turning west along the existing hedgerow to serve the service yard of Unit 1. This would mean that the internal routes would be located at a distance from the residential dwellings and additionally screened by existing and proposed vegetation. Car parking and office accommodation are also located to the far side of the buildings away from the existing dwellings

A Sheffield City Region Investment Fund (SCRIF) funded highway reconfiguration works scheme has been granted under 2020/0040 and consideration has been given to the timing of the implementation of both the highway alterations and the application site to ensure neither are jeopardised by the other. To this end, two access options were submitted with the proposals one accessing from Capitol Close in accordance with the outline permission, and one including a roundabout (granted under 2020/0040) which illustrates the site access following construction of the roundabout. The access road within the site is intended to remain private.

In assessing parking, the number of parking spaces complies with the adopted SPD Parking for B2 use, with additional parking spaces in the yard should the units be used for B8 use, together with disabled parking spaces, motorcycle parking spaces and cycle spaces. The proposed parking is therefore acceptable on this basis.

In reviewing the submitted transport assessment and road safety, there was a slight increase in the number of 2 way vehicle movements in the busy period (an increase of 5no AM peak period and 4no PM peak period), but the increase is not considered material. However, a planning condition on the outline nevertheless requires an updated assessment to be submitted prior to occupation in case any future any highway improvements, or limitations on vehicle movements to and from the development at peak times become necessary.

Taking into account the above, there are no objections as the proposal complies with Local Plan policies T3 'New Development and Sustainable Travel' and T4 'New Development and Transport Safety'. Conditions are proposed.

Other matters

- One objector considers that Lane Side farm is a non-designated heritage asset and should be considered. This was considered in the officer report at outline stage and neither Historic England nor the South Yorkshire Archaeology Group raised any objections. The Conservation Officer also has no objections as the relative significance of the non-designated assets at Lane Side Farm was explored in 2019/0286 (Capitol Park Extension). As part of that application, it was determined that although there was some harm to the setting of Lane Side Farm the relative low significance of the assets (being undesignated and heavily altered) balanced with other gains meant refusal on this basis was not justified.
- One objector considers the environmental impacts of the development have not been assessed as a Green Belt landscape would be harmed. However, the hybrid application 2019/0286 was screened under the Environmental Impact Assessment (EIA) Regulations and it was determined that, an Environmental Statement was not required. The site was previously Green Belt but was allocated for employment use in the Local Plan in 2019. As the Local Plan itself was subject to an independent examination in public as well as the EIA screening for the hybrid, it is considered that the environmental considerations have been sufficiently taken into account.

Conclusion

Outline planning permission, including means of access, has already been granted and so the reserved matters under consideration as part of this application are layout, design, scale and landscaping. The details submitted have been amended following officer and consultee concerns regarding the original plans. Following these amendments, the layout, design, scale and landscaping are considered acceptable subject to the conditions already existing on the current planning permission and the additional ones proposed at the reserved matters stage.

Taking into account the relevant development plan policies and other material considerations the application is in accordance with the development plan (most notably policies ES4, E3, GD1, D1, BIO1 & T4) and the relevant SPD's and is assessed to be a suitable form of development. The application is also considered acceptable in relation to the other considerations set out in the assessment section of the report including residential amenity, highways considerations, biodiversity and drainage subject to appropriately worded conditions.

Based upon the above the proposals are in compliance with the development plan meaning that the presumption in favour of sustainable development set out in Local Plan policy SD1 and in paragraph 11 is considered to apply. In such circumstances proposals that accord with an up-to-date development plan should be approved without delay. The recommendation is therefore to approve the reserved matters subject to the conditions listed below.

Recommendation -Grant reserved matters approval subject to the following conditions which supplement those already imposed on the related part outline/part full hybrid planning permission 2019/0286:-

PA Reference:-

2022/0916



BARNSLEY MBC - Regeneration & Property



Scale: 1:3247