

Planning Statement

Stadium (Barnsley) Limited

Barnsley Retail Park
Wombwell Lane
Barnsley
S70 3NS

May 2016

Prepared by

GL Hearn

280 High Holborn
London WC1V 7EE

T +44 (0)20 7851 4900
glhearn.com

Contents

Section	Page
1 INTRODUCTION	4
2 SITE AND SURROUNDINGS	5
3 PLANNING HISTORY	6
4 PROPOSED DEVELOPMENT	7
5 PLANNING POLICY	8
6 PLANNING ASSESSMENT	10
7 SUMMARY AND CONCLUSIONS	11

List of Figures

FIGURE 1: AERIAL VIEW OF SITE	5
--------------------------------------	----------

Quality Standards Control

The signatories below verify that this document has been prepared in accordance with our quality control requirements. These procedures do not affect the content and views expressed by the originator.

This document must only be treated as a draft unless it has been signed by the Originators and approved by a Business or Associate Director.

DATE

May 2016

ORIGINATORS

Jessica Wilson
Assistant Planner



APPROVED

Catriona Fraser
Associate Director



Limitations

This document has been prepared for the stated objective and should not be used for any other purpose without the prior written authority of GL Hearn; we accept no responsibility or liability for the consequences of this document being used for a purpose other than for which it was commissioned.

1 INTRODUCTION

- 1.1 GL Hearn have been instructed by Stadium (Barnsley) Limited Group in connection with planning advice relating to both a variation of condition and an introduction of a new condition with regard to the sale of food at the previously permitted Barnsley Retail Park.
- 1.2 Planning permission for the continuation of the use of land and buildings at the application site for 9,335 sqm of non-food retail floorspace, including a 916 sqm mezzanine, garden centre and 437 car parking spaces was granted on 14th September 2009.
- 1.3 Condition 1 of that planning permission restricts the sale of food, clothing or toys across all the retail units.
- 1.4 As part of operational requirements, Stadium (Barnsley) Limited is now seeking to allow a proportion of food retail to be allowed across the retail park as an ancillary offer.
- 1.5 The Planning Statement sets out the description of the site, its planning history and the relevant planning policy considerations pertinent to the proposal.
- 1.6 In addition to this statement, the application is accompanied and supported by the following documents:
 - Application Forms and associated Certificates
 - Site Location Plan
 - Block Plan
 - Cheque pertaining the application fee (£195)

2 SITE AND SURROUNDINGS

- 2.1 The application site is located within Barnsley Urban Area as an 'Other Shopping/Commercial Area', outwith the Town Centre boundary, on the south side of Wombwell Lane.
- 2.2 It should be noted that the planning permission subject of this application relates to the entirety of the retail park units, as set out above.
- 2.3 The site area covers 3.043 hectares, including 6no. A1 retail units which total 7,492 sqm (78,644 sqft) and 427no. car parking spaces.
- 2.4 The site is easily accessible from both Barnsley and Wombwell Town Centres.
- 2.5 There is a Tesco store located adjacent to the west boundary of the application site and further DIY specialist retail units to the south east of the site along Wombwell Lane. It is evident therefore that the site benefits from a predominantly retail setting.
- 2.6 There are industrial uses to the north east of the site and open fields to the south.



Figure 1: Aerial View of Site

3 PLANNING HISTORY

3.1 The following planning applications identified at the site are considered to be relevant to the proposal:

3.2 Wombwell Lane Retail Park

- 2009/0595 - Retrospective permission for existing development and continuation of use of land and buildings comprising a total of 9,335 sqm of non-food retail floorspace which includes a 916 sqm mezzanine of non-food retail floorspace, garden centre and 437 car parking spaces and associated landscaping (APPROVED WITH CONDITIONS 14/09/2009)
- B/94/0147/BA - Erection of non-food retail store and garden centre, access road and car park (APPROVED 22/02/1994)

3.3 There are a number of planning applications for minor alterations which were granted permission at the site.

3.4 The original permission for the Retail Park was the subject of application B/94/0147/BA. Subsequently, application 2009/0595 was submitted and granted in order to continue the retail use of the land and buildings at the site.

3.5 It is also noted that there have been successful applications to vary conditions for various reasons at the site in the past.

4 PROPOSED DEVELOPMENT

4.1 As identified at Section 1 of this statement, the development seeks to vary Condition 1 of application 2009/0595 to remove the word 'food' and introduce a new Condition, to allow for the sale of food, across 600 sqm of the retail park as an ancillary function to the existing retail units.

4.2 As stated the application seeks to vary the wording of Condition 1 through the removal of the word 'food' from the following:

"Unless otherwise agreed in writing by the Local Planning Authority no retail units shall be used for the sale of ~~food~~, clothing or toys."

4.3 In addition, the application proposes the inclusion of a further Condition in relation to food retail. It is proposed the new Condition reads as follows:

"No more than 600 sqm of retail floorspace shall be used for the sale of food, as an ancillary function, at any one time across the Retail Park. The Local Planning Authority will be notified in writing at any such time as and when any quantum of this space is proposed to be used in any one unit."

5 PLANNING POLICY

National Planning Policy

National Planning Policy Framework

- 5.1 The following national planning policy and guidance has been considered in respect of the application:
- National Planning Policy Framework (March 2012)
- 5.2 At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking (paragraph 14). For decision-taking this means:
- Approving development proposals that accord with the development plan without delay; and
 - where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted
- 5.3 In delivering sustainable development the NPPF places significant weight on building a strong and competitive economy. Paragraph 19 states *“the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system”*
- 5.4 In delivering sustainable development, the Government is committed to building a strong competitive economy and securing economic growth in order to create jobs and prosperity. Significant weight should be placed on the need to support economic growth through the planning system and planning policies.
- 5.5 With respect to decision making, paragraph 187 highlights Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

Local Planning Policy

5.6 The Development Plan for Barnsley Metropolitan Borough Council consists of the following documents:

- Core Strategy (2011)
- Saved UDP Policies (2000)

5.7 In addition, Barnsley MBC is currently preparing a new Local Plan to replace the above. At this stage, the New Local Plan is in the earliest stages of consultation.

Core Strategy

5.8 Policy CSP 7 recognises the strategic position of Barnsley in relation to the surrounding cities and states that the Council will seek to maximise the opportunities and benefits of Barnsley's favourable location and unique economic position.

5.9 Policy CSP 8 states that in relation the location of growth, the Council will seek to prioritise Urban Barnsley and the Principle Towns, including Wombwell. Urban Barnsley is expected to accommodate significantly more growth than any individual Principle Town.

5.10 The Council's objective to retain land used for employment purposes in order to safeguard existing and potential jobs is outlined in Policy CSP 19.

Saved UDP Policies – Volume 1

5.11 Policy S5 outlines that retail development creating new shopping units in excess of 930 sqm gross floor area proposed on sites outside of the Central Shopping Area and Principle Shopping and Commercial Centres will be subject to planning conditions. These will control the range and types of goods to be sold therefrom and/or the maximum or minimum unit size as measured by gross floor area.

Saved UDP Policies - Volume 2

5.12 Policy BA26 details that Land at Wombwell Lane is allocated for large scale retailing of comparison goods and also refers to Policy S5 above which is applied here.

6 PLANNING ASSESSMENT

- 6.1 It is important to identify that the proposed development, through Section 73 of the Town and Country Planning Act 1990, relates to the entirety of Barnsley Retail Park, as set out in application 2009/0595.
- 6.2 It is therefore considered that a sequential test is not necessary and has not been carried out in relation to the proposal as there is no reasonable prospect of finding a site which is able to accommodate the entire floorspace of the retail park in either an 'in-centre' or 'edge-of-centre' location.
- 6.3 In terms of the impact test, as the quantity of floorspace proposed within the new Condition is less than the NPPF threshold of 2,500sqm, the delivery of the scheme is not considered to have an adverse impact on any surrounding centres. In addition, the proposed Condition refers to the entire retail park as opposed to a single unit therefore the proposed floorspace is further reduced as it is split across multiple units as opposed to concentrated within one unit. The likelihood of the proposed development creating a harmful impact on any surrounding centres is therefore none.
- 6.4 The proposed development reflects the retail market in the present day and recognises the changes to retail patterns involving the inclusion of ancillary food retail within primarily comparison good shops.
- 6.5 The proposed floorspace is of such a size that the prevailing comparison character of the retail park, as requested by Saved Policy BA26 will not be compromised through the introduction of the new Condition. As stated above, the relation of the Condition to all units across the retail park results in a reduced impact in retail terms.
- 6.6 The proposal ensures that the requirements set out in Policy S5 will be satisfied as the retail function of the retail park will still be conditioned in terms of the range of goods to be sold and the amount of floorspace these conditions relate to.
- 6.7 The removal of the word 'food' from Condition 1 does not affect the continued restriction on clothing and toys at the site which is put in place to protect the retail viability of Barnsley Town Centre.
- 6.8 The proposed inclusion of the new Condition to allow for 600 sqm of food retail across the retail park allows for continued regulation and monitoring by the Council on this commodity by way of its wording.

7 SUMMARY AND CONCLUSIONS

7.1 The application has provided sufficient material to confirm that the proposed development is acceptable in planning terms.

7.2 In summary;

- The original approval relates to the entire of Barnsley Retail Park.
- The proposed floorspace to incorporate ancillary food retail is of such a small proportion of the overall site floorspace that any impact on other nearby centres will be none.
- The proposed ancillary food retail floorspace will also therefore not distract from the overall comparison function of the retail park.
- The retail park remains conditioned in terms of commodity type and relating floorspace, as required by Local Policy.

7.3 On this basis, the applicant respectfully requests that planning permission is granted to allow for the variation to Condition 1 and the addition of a new Condition as set out above through Section 73.