

PLANNING APPLICATION REPORT

Proposed Relocation of KDA Wholesale Ltd

Trade Warehouse

Land at Unit 4, Fall Bank Crescent

Fall Bank Industrial Estate, Dodworth

Barnsley, S75 3LS

BRADLEY STANKLER PLANNING

Planning Application Report

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1.0 INTRODUCTION & BACKGROUND

- 1.1 This report is one of a series of reports submitted to Barnsley Metropolitan Borough Council in support of a planning application for the change of use of an existing B1, B2, B8 building at Unit 4, Fall Bank Industrial Estate, Dodworth, near Barnsley for use as a Sui Generis wholesale warehouse use.
- 1.2 The application is submitted on behalf of KDA Wholesale Limited, who currently trade from Unit 8 at the Industrial Estate and who are relocating as part of the expansion of the business.
- 1.3 The proposal represents relocation of an existing business currently occupying Unit 8 on the Fall Bank Industrial Estate. Due to continued expansion KDA Wholesale Ltd requires additional space to meet demands from trade customers whilst also enabling the wholesale business to serve other members.
- 1.4 The proposal has been the subject of discussion with a local ward member and a meeting and discussions with senior planning officers and the Executive Director for Development, Environment and Culture. Additionally, Barnsley Development Agency are in discussions with the Applicants regarding the employment requirements and job creation aspects of the proposal.
- 1.5 The planning application is the subject of a separate Retail Statement which considers the relationship of the proposal to adopted and emerging Borough Council retail policies and the National Planning Policy Framework and also a Transport Statement that considers the nature of the additional traffic arising from the relocated use and the relationship of the proposals to sustainable accessibility policy objectives.
- 1.6 This report assesses the planning application within the context of key Borough Council planning policies and guidance set out in the NPPF, and draws on the conclusions of this additional evidence submitted in support of the planning application. More detailed development control policies are also relevant to the assessment of the proposal. It is intended that those policies

will be considered as part of Planning Officers' consideration of the planning application.

1.7 Accordingly, this statement describes the planning background and national and local policy context within which the planning application is assessed. The report then goes on to consider the proposal within this planning policy background and related guidance, including Sustainability policy objectives. The conclusions of the Retail Assessment and Transport Statement are referred to throughout this report.

1.6 The report proceeds as follows:

- **Section 2** describes the site,
- **Section 3** sets out relevant development plan policy,
- **Section 4** sets out National Planning Policy Framework guidance
- **Section 5** provides an assessment of planning policy considerations, and;
- **Section 6** conclusions.

1.8 An aerial photograph identifying the existing and proposed units is shown below.



2.0 SITE DESCRIPTION & LOCATION

- 2.1 The application site is Unit 4, Fall Bank Industrial Estate, Fall Bank Crescent, Dodworth.
- 2.2 The overall site measures 2.15 hectares (5.3 acres). It includes Unit 4 and surrounding land on the Fall Bank Industrial Estate, Fall Bank Crescent in Dodworth, near Barnsley. Dodworth lies close to Junction 37 of the M1 Motorway affording it good links with the strategic road network and making it an excellent location for distribution type uses including KDA Wholesale Ltd, which predominantly serves smaller businesses in South Yorkshire and beyond.
- 2.3 The site itself comprises an existing industrial unit (Unit 4) with associated land including parking areas. Access is taken from Fall Bank Crescent along the northern site boundary. The existing building sits in the western part of the site with parking and circulation areas to the east, north and south. The building sits at a slightly lower level to other development to the west. Fall Bank Crescent rises gradually as it passes the site to the west.
- 2.4 The existing building measures around 6,017 m² gross. It's construction is typical of warehouses on an industrial estate comprising a purpose built unit of steel portal frame construction with clad elevations set beneath a pitched roof.
- 2.5 To the north, west and east of the site are other units on the Fall Bank Industrial Estate. To the south the boundary is marked by the railway line, beyond which are residential areas in Dodworth. The site's boundary is marked by a concrete post and wire mesh fence with tree planting and other soft landscaping inside the boundary fence.
- 2.6 The Industrial Estate access road joins Station Road, the B6099. This is a local distributor road which connects the A628 Barnsley Road to the north with the A6133 to the east. Dodworth Rail Station is located on the B6099 just south of the site. Station Road is also a bus route with bus stops within 200m of the site.

3.0 DEVELOPMENT PLAN POLICY

3.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004), states that if regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

3.2 The Development Plan for Dodworth comprises policies and proposals of RSS together with the adopted Barnsley Unitary Development Plan (BUDP) and emerging policies of the Local Development Framework (BLDF).

Regional Spatial Strategy

3.3 The Yorkshire and Humber Plan is the current Regional Spatial Strategy for the Yorkshire and Humber Region. It was issued in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development.

3.4 The Government's intention to abolish RSS through the recently enacted Localism Act (2011) is a material consideration. However, until such time as the relevant parts of the Localism Act are brought into force the RSS remains part of the Development Plan.

3.5 **RSS Policy SY1** seeks to transform town centres as vibrant, healthy, accessible, attractive and safe places where more people live, visit and work.

3.6 **Policy E1** aims to create a more successful and competitive regional economy,

3.7 **Policy YH5** states that should be the main focus for shopping facilities and seeks to enhance their role as accessible and vibrant places to live.

3.8 **Policy LCR1** seeks to strengthen the service centre roles of the Principal Towns.

3.9 **Policy YH2** is the overarching policy setting the context for sustainable development by encouraging use of previously developed land and better energy, resource and water efficient buildings, minimising resource demand from development, reducing traffic growth through appropriate location of development and providing facilities for walking and cycling.

- 3.10 **Policy YH7** gives first priority to previously developed land. This policy also states that development should maximise accessibility by walking and cycling.
- 3.11 **Policy LCR1** seeks to maximise renewable energy generation and energy efficiency, maximise opportunities to use non car modes of transport and reduce the overall need to travel.
- 3.12 **Policy T1** aims to reduce travel demand through a range of measures and **Policy T2** seeks to manage demand for travel and support the use of public transport through parking controls.

Barnsley Unitary Development Plan

- 3.13 The Barnsley UDP was adopted in December 2000, although key strategic policies are now replaced with the adopted Core Strategy.
- 3.14 Relevant Part 1 and Part 2 'Saved' policies under the Secretary of State Direction dated September 2007 are as follows;
- 3.15 The Fall Bank Industrial Estate is defined as Employment Policy Area DO4 in the Dodworth Community Area of the BUDP.
- 3.16 Accordingly **UDP Policy ED7** – Existing Employment Area applies;
“Areas defined on the Proposals Maps as employment policy areas will remain in employment use. Unless otherwise stated in community area volumes, development will normally be permitted for business, industry and storage and distribution. Other employment generating uses may also be permitted if they are compatible with adjoining uses. Class A1 (shops) and class A2 (financial and professional services) will not be permitted.”
- 3.17 Paragraph 2.4 of the UDP identifies a key policy goal as;
“To bring about economic restructuring and encourage greater industrial and commercial activity so as to increase the scale and range of job opportunities.”
- 3.18 **UDP Policy ED10** specifically seeks to permit the expansion of existing firms;
*“Policy ED10
The expansion of existing firms will normally be permitted subject to satisfactory standards of design, the amenity of neighbouring uses, and adequate car parking, loading and vehicle manoeuvring facilities.”*

- 3.19 **UDP Policy S1** directs new retail development to locations within the central shopping area of Barnsley town centre and other centres.
- 3.20 **UDP Policy S3** sets out a sequential approach to out of centre retail proposals.
“All new retail development (including that for both convenience and comparison goods) which is proposed on a Site outside the central shopping area of Barnsley Town Centre and the principal shopping and commercial centres defined on the proposals map will only be permitted :
A) on a site allocated for that purpose in the plan
B) where there is no suitable site available within a centre defined on the proposals map, or where there is no available allocated site, then on a site at the edge of a defined shopping centre so long as it can provide a satisfactory functional connection thereto in terms of distance and physical relationship and where it is likely that the development of the site will generate joint trips to it and the adjacent centre, subject to the provisions of Policy S4 of the plan”
- 3.21 **Policy S5** sets out the requirement to control the range of goods sold and size of unit of out of centre retail proposals.
“All retail developments which would create a new shopping unit or units in excess of 930 m² gross floor area to be used for the sale of comparison goods and which are proposed on sites outside the central shopping area of Barnsley Town Centre and principal shopping and commercial centres defined on the Proposals Map, will be subjected to planning conditions which will control;
A) the range and types of goods to be sold therefrom and/or
B) the maximum or minimum unit size as measured by gross floor area.”
- Barnsley Local Development Framework**
- 3.22 BLDF Core Strategy was adopted by full council on 8th September 2011 and now forms part of the statutory development plan.
- 3.23 **Policy CSP 1** seeks to minimise the borough's contribution to climate change, and also provide a policy framework to ensure development is able to both mitigate and adapt to the effects of climate change.
“Development will be expected to;

- *reduce and mitigate the impact of growth on the environment and carbon emissions*
- *ensure existing and new communities are resilient to climate change*
- *harness the opportunities that growth, and its associated energy demands, brings to*
- *increase the efficient use of resources through sustainable construction techniques and the use of renewable energy*

We will take action to adapt to climate change by;

- *giving preference to development of previously developed land in sustainable locations*
- *locating and designing development to reduce the risk of flooding*
- *promoting the use of sustainable drainage systems*
- *promoting investment in Green Infrastructure to promote and encourage biodiversity gain.”*

3.24 **Policy CSP 25** sets out the Council’s strategic policy in respect of new development and sustainable travel.

“New development will be expected to;

- *be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists*
- *provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people, and should not provide more than the maximum number of car parking spaces set out in a Supplementary Planning Document*
- *provide a transport statement or assessment in line with the thresholds and guidance set out in Department for Transport 'Guidance on Transport Assessments' as published March 2007 (or any subsequent version)*
- *provide a travel plan statement or a travel plan in accordance with the thresholds and guidance set out in Department for Transport 'Good*

Practice Guidelines: Delivering Travel Plans through the Planning Process' as published April 2009 (or any subsequent version).

- *Travel plans will be secured through a planning obligation or a planning condition*

Where levels of accessibility through public transport, cycling and walking are unacceptable, we will expect developers to take action or make financial contributions in accordance with Policy CSP 42.

If it is not possible or appropriate for the minimum amount of parking for cycles motorbikes, scooters and mopeds to be met on site, the developer must provide, or contribute towards, off-site parking, or improve or provide other forms of travel.”

- 3.25 **Policy CSP 31** Town Centres seeks to support the identified town centre hierarchy to maintain and enhance their vitality and viability.

“All retail and town centre developments will be expected to be appropriate to the scale, role, function and character of the centres in which they are proposed.

A sequential approach will be used to assess proposals for new retail and town centre development. This will help to achieve the spatial strategy for the borough and will focus development on identified centres in the first instance. Edge of centre and out of centre development will only be allowed where it meets the requirements of Planning Policy Statement 4.”

- 3.26 **Policy CSP 19** seeks to protect premises and land in existing employment use.

“Existing employment land, or land last used for employment purposes will be to safeguard existing or potential jobs. The redevelopment of employment land and buildings for non-employment uses will only take place if; redevelopment would not result in a loss of existing jobs or employment potential; and

there will still be an adequate supply of employment land in the locality

If the above criteria can be satisfied then redevelopment will be allowed where it can be demonstrated that:

the buildings or land cannot satisfactorily support continued employment use.”

- 3.27 The application proposals are assessed in this Development Plan policy context in Section 5 of this report.

4.0 NATIONAL PLANNING POLICY FRAMEWORK

4.1 The new National Planning Policy Framework (NPPF) was published in March 2012 and the following key guidance therein is considered relevant to this planning application;

The presumption in favour of sustainable development

4.2 Paragraphs 11-16 set out the new presumption in favour of sustainable development, stating;

“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.”

“For decision taking this means;

approving development proposals that accord with the development plan without delay.”

Core planning principles

4.3 Paragraph 17 of the NPPF sets out 12 principles that should underpin planning decisions;

“proactively drive and support sustainable economic development.”

“actively manage patterns of growth to make fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable.”

4.4 Paragraphs 18-24 continue to emphasise the Government’s commitment to economic growth;

“The Government is committed to securing economic growth in order to create jobs and prosperity.”

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.”

Investment in business should not be over-burdened by the combined requirements of planning policy expectations.”

- 4.5 Section 2 of the NPPF (paragraphs 23-27) set out the Government’s policies for ensuring the vitality of town centres. While these matters are considered in detail in the Applicants’ submitted Retail Assessment NPPF guidance is also set out here for completeness.

- 4.6 Paragraphs 24-26 are of particular relevance to the assessment of the proposal;

“Local Planning Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and not in accordance with an up to date plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.”

“When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up to date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2500sq.m.)

Promoting sustainable transport

- 4.7 NPPF guidance reaffirms the importance that transport policies have in assisting sustainable development objectives;

“Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.”

- 4.8 The planning application is assessed against this national planning policy guidance in the following section of this report.

5.0 PLANNING POLICY ASSESSMENT

5.1 The preceding sections of this report have identified relevant Development Plan components and national guidance pertinent to the assessment of this planning application. There follows an assessment of the application against these policy objectives within the key themes set out in the NPPF.

NPPF Theme: **Building a strong, competitive economy**

Development Plan Policy: **RSS E1 YH1**

BUDP ED7, ED10

BCS CSP 19

5.2 The application proposal represents a significant local investment bringing back into use a building that has been vacant for some 2 years. The application site is brownfield and the proposal meets the requirement of this key NPPF theme and RSS, BUDP and NCS objectives in assisting to achieve sustainable economic growth by accommodating the growth and expansion of an existing firm.

5.3 KDA Wholesale Ltd is an important local employer with a workforce of 13 employees. It is expected that the proposal will directly lead to an immediate requirement for an additional 4 full time jobs and a further 8 jobs within the first 12 months. Current projections estimate that the workforce will continue to increase within the first 3 years, to provide some 50 jobs.

5.4 Wherever possible employees are recruited locally, and the Applicants are actively working in conjunction with Barnsley Development Agency to maximise local recruitment opportunities, including working with Barnsley College.

5.5 A significant benefit of this proposed development is the creation of new jobs and the NPPF emphasises the importance that should be attached to this benefit. Having regard to the above and given that the nature of the employment opportunities generated by the proposed development is such that the overwhelming majority of them new jobs will be drawn from the surrounding community, the significant employment generation identified is a

substantial benefit of the scheme. It is considered that this benefit should be afforded significant weight in the decision making process.

NPPF Theme: Ensuring the vitality of town centres

Development Plan Policy: RSS SY1, YH5, LCR1

BUDP S1, S3, S5

BCS CSP31

- 5.6 The Applicants submitted Retail Assessment presents a thorough analysis of the trading characteristics of KDA Wholesale Ltd, describes the nature of existing centres and the current retail offer within a likely catchment area and sets out the conclusions of a proportionate impact assessment and sequential test.
- 5.7 Having regard to the NPPF retail policy considerations and aforementioned development plan policy objectives it is concluded that the proposed relocation and expansion of the KDA trade warehouse would not adversely impact on existing, committed or planned public and private investment in a centre or centres in the catchment area of the proposal, and would not be likely to have a significant adverse impact on the vitality and viability of existing centres, including consumer choice and trade in relevant centres assessed either now or up to five years time.
- 5.8 The submitted assessment of potential sequential sites concludes that there are no sequentially preferable sites that are suitable and available for the proposed development.
- 5.9 Overall, it is considered that there would be a number of positive benefits arising from the proposed investment by KDA Wholesale Ltd. This includes the provision of a better range and choice of goods for small businesses/shop keepers in the surrounding area thus supporting existing centres, the creation of more employment opportunities in the local area and the reuse of a vacant unattractive building on the Fall Bank Industrial Estate.

NPPF Theme: Promoting sustainable transport

Development Plan Policy: RSS YH2, T1, T2

BCS CSP 25

- 5.10 Wholesale warehouses require locations that are close to the motorway network and with extensive surface level parking and servicing facilities.
- 5.11 Notwithstanding, the site is also well located to take advantage of adjoining bus and rail facilities. It is therefore highly accessible by a range of means of transport including train, bus cycle and walking. This high degree of accessibility ensures that the development will encourage travel by non car modes of transport, thus aiding sustainability objectives. This will be especially relevant for staff members.
- 5.12 The proposal will provide an extended wholesale warehouse provision in a highly accessible location thereby promoting sustainable shopping and commuting patterns and complying with national and local planning policies which seek to reduce overall travel and car use.
- 5.13 In particular the Applicants' Transport Statement sets out sustainable accessibility of the site and concludes that the proposed development site is accessible for pedestrians with the existing infrastructure, accessible by public transport by existing bus services and train services and in view of the edge of centre location of the site presents opportunities for linked trips with Dodworth Local Centre. The application actually represents a benefit in sustainable accessibility as it is closer to bus stops and Dodworth Railway Station.
- 5.14 The proposals meets the requirements of NPPF guidance in this regard.
- 5.15 Also the submitted Transport Statement demonstrates that during the peak PM peak period, there would be minimal traffic increases on the surrounding the highway network resulting from the proposed relocation.
- 5.16 In accordance with BUDP and BCS policies, submission of a Travel Plan in due course (secured by planning condition) has been agreed with the Local Planning Authority.

NPPF Theme: Meeting the challenge of climate change,
flooding and coastal change

Development Plan Policy: RSS ENV5
BCS CSP1

- 5.17 The construction of the subject building was completed several years ago and it is only reasonable to expect that limited improvements will be achievable short term in terms of Co2 emissions and energy consumption. Notwithstanding, the Applicants are committed to reducing the environmental impact of the operation of proposed new wholesale warehouse as far as is practicable. This will be through intelligent operation of the building, efficient use of energy and resources and site waste reduction programmes.
- 5.18 The Applicant will ensure that the rate of runoff of surface water from the site will be no worse than the original conditions before the change of use, taking into account predicted climate change impacts over the lifetime of the development.
- 5.19 It is intended that specific management measures will be introduced, which will implement the following key principles;
- eliminate waste at source wherever possible
 - reduce waste on site by employing good management systems
 - re-cycle waste on site wherever possible
 - clean, tidy and safe storage of materials on site
 - re-use of materials on site wherever possible
 - segregation of waste on site for recycling
- 5.20 At this stage it is possible to identify the following specific sustainability design features and characteristics along with measures to be incorporated into the development proposals are as follows;
- Energy efficient appliances and lighting will be used
 - Smart metering will be provided for the office

- Water meters and other water use minimisation measures and will be incorporated within the development
- High standards of additional thermal insulation will be provided to minimise heat loss across the building envelope, where this is practical
- Secure cycle lockers will be provided
- Within the proposed bin store separate bins will be provided for recyclables.

5.21 These measures will enable proportionate reductions in energy use and Co2 emissions in accordance with RSS, and BCS policy objectives.

5.22 Overall the application proposals meet the requirements of key national planning policy guidance and development plan policies and accordingly planning consent should not be withheld on this basis.

7.0 CONCLUSION

- 7.1 This report presents a planning policy appraisal of proposals by KDA Wholesale Ltd to relocate from Unit 8 to Unit 4 at the Fall Bank Industrial Estate, Dodworth.
- 7.2 Drawings on the conclusions of the Applicants' submitted Retail Assessment and Transport Assessment, the report concludes that the proposal is in accord with key planning policy objectives, set out nationally in the NPPF and locally in the RSS and in the Development Plan provided by the Barnsley UDP and LDF Core Strategy.
- 7.3 On this basis, the proposal is acceptable and we find no material conflict with the statutory development plan or that there are any material considerations that warrant a decision other than in support of the grant of planning permission.