



Our Ref: JEH040
Your Ref: 2023/1105

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9th August 2024

Sent via email only

Director Of Planning and
Transportation

Barnsley Council

PO Box 634

Barnsley

South Yorks

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FOA Ms Jessica Duffield

Dear Sir/ Madam,

Town and Country Planning Act 1990: Hybrid Planning Application for a Proposed Storage and Distribution (Use Class B8) and General Employment (Use Class B2) space and related development at Land South of Dearne Valley Parkway, Goldthorpe (LPA Ref: 2023/1105)

As you will be aware the applicants and their team of specialist consultants have been in detailed and constructive discussions with relevant Council Officers, statutory consultees and third party interests following the initial formal consultation responses received relating to the above application.

We are now in a position to present a complete package of documents which bring together, on a comprehensive basis, all the information required to address the outstanding concerns expressed in order to support this hybrid planning application.

As agreed with the case officer and for the avoidance of doubt this is a formal submission and so should form the basis of a re-consultation process. As the application is being determined under the EIA Regulations, we understand that the re-consultation period will be a 30 day period.

Revision to Description of Development

Based on recent caselaw which has clarified the legal approach to the use of drop-in planning applications and s73 applications we have reviewed our position regarding the description of development and the potential future revisions particular having regards to the height of the proposed buildings.

The original approach was to seek to ensure that each plot of the development was to be considered as its own development severable from the remainder of the development. This would facilitate the ability to make drop-in applications in the future without jeopardising the completion of the rest of the development. This approach was chosen having regard to the implications of the Hillside case.

However, the more recent Dennis case has identified the distinct possibility that every severable part of a development would be governed by the same timeframes as the outline permission that authorised the whole development. This would mean that all reserved matters for all severable plots would have to be approved within the same time limit and works of implementation undertaken separately in respect of all of those severable plots. This is unlikely to be achievable given the timeframe over which the development is likely to be delivered. Accordingly, an alternative has been considered which involves a twofold approach to our development which is as follows:

1. Vary the description of development to:

'Hybrid Planning Application: Outline permission sought for the construction of Storage and Distribution (Use Class B8) and General Employment (Use Class B2) space with ancillary offices and gatehouses. All matters reserved except for site access. Full permission sought for engineering infrastructure works to support the employment development comprising: the access roads; earthworks to create the development platform zones/bunding; drainage and culvert works; a flood compensation area; and strategic landscaping areas'.

2. The inclusion of a draft conditions:

'No building on any part of the development hereby permitted shall exceed [] m in height The development hereby permitted shall be undertaken broadly in accordance with the Parameters Plan reference [].'

We have previously made submissions regarding this matter, and we understand that both BMBC planning and the legal sections are comfortable with this revised approach.

The amended and additional information is enclosed within this covering letter and comprises the documents found in the table below. For clarity, the documents included in this submission are either amendments or addendum to previous versions or are new documents. Therefore, if an original submitted document is not referred to in this package it should be assumed it does not require updating and has not been superseded.

Additional/ Amended Information

The table below categories the documents into specific disciplines, references the revised/ new document, confirms the previous version which has been superseded (if applicable), and also provides a brief overview/ commentary to explain the relevance of each document and the reason for the additional information/ proposed changes undertaken:

Matter/ Issue	Revised/ New Document	Superseded /New Document (if applicable)	Summary of Proposed Change/ Additional Information
Landscape			
Soft Landscape	Soft Landscape Works Maintenance and Management Proposals – 5 Years GDT-BCA-ELS-XX-SP-L-S4-2267-22-RP01-P3 BCA Design 20 June 2024	GDT-BCA-ELS-XX-SP-L-S4-2267-22-RP01-P1	This document has been amended to align with the Framework LEMP (see below) and Appendix B has been amended to accommodate the comments made by the RSPB.
Updated ecological mitigation measures	GDT-BCA-ELS-XX-DR-L-2267-22 01 S4 P7 Landscape Species Schedule 1:500 A2	GDT-BCA-ELS-XX-DR-L-2267-22 01 Landscape S4 P3 Species Schedule 1:500 A2	<p>Amendments were made to the Landscape Masterplan and related detailed landscaped plans to address the following:</p> <ul style="list-style-type: none"> • alignment with ecological requirements. • To ensure area for pumping station south west of plot 2 is accounted for • To retain tree T13 • To align proposals for southern offsite link • To align proposals with northern offsite link <p>The revised Landscape Masterplan to be read in conjunction with the related Landscape Species Schedule</p> <p>The species schedule also identifies the proposed number of new trees proposed to be planted.</p>
	GDT-BCA-ELS-XX-DR-L-2267-22-02-S4-P11-Landscape Location Plan	GDT-BCA-ELS-XX-DR-L-2267-22-02-S4-P6-Landscape Location Plan	
	GDT-BCA-ELS-XX-DR-L-2267-22-03-S4-P6-Landscape Plan	GDT-BCA-ELS-XX-DR-L-2267-22-03-S4-P4-Landscape Plan	
	GDT-BCA-ELS-XX-DR-L-2267-22-04-S4-P11-Landscape Plan	GDT-BCA-ELS-XX-DR-L-2267-22-04-S4-P7-Landscape Plan	
	GDT-BCA-ELS-XX-DR-L-2267-22-05-S4-P5-Landscape Plan	GDT-BCA-ELS-XX-DR-L-2267-22-05-S4-P4-Landscape Plan	
	GDT-BCA-ELS-XX-DR-L-2267-22-06-S4-P6-Landscape Plan	GDT-BCA-ELS-XX-DR-L-2267-22-06-S4-P4-Landscape Plan	
	GDT-BCA-ELS-XX-DR-L-2267-22-07-S4-P7-Landscape Plan	GDT-BCA-ELS-XX-DR-L-2267-22-07-S4-P4-Landscape Plan	

Matter/ Issue	Revised/ New Document	Superseded /New Document (if applicable)	Summary of Proposed Change/ Additional Information
	GDT-BCA-ELS-XX-DR-L-2267-22-08-S4-P5-Landscape Plan	GDT-BCA-ELS-XX-DR-L-2267-22-08-S4-P4-Landscape Plan	
	GDT-BCA-ELS-XX-DR-L-2267-22-09-S4-P8-Landscape Plan	GDT-BCA-ELS-XX-DR-L-2267-22-09-S4-P6-Landscape Plan	
	GDT-BCA-ELS-XX-DR-L-2267-22-10-S4-P3-Landscape Sections_Sheet 1of5	GDT-BCA-ELS-XX-DR-L-2267-22-10-S4-P2-Landscape Sections_Sheet 1of5	
	GDT-BCA-ELS-XX-DR-L-2267-22-11-S4-P4-Landscape Sections_Sheet 2of5	GDT-BCA-ELS-XX-DR-L-2267-22-11-S4-P3-Landscape Sections_Sheet 2of5	
	GDT-BCA-ELS-XX-DR-L-2267-22-12-S4-P5-Landscape Sections_Sheet 3of5	GDT-BCA-ELS-XX-DR-L-2267-22-12-S4-P2-Landscape Sections_Sheet 3of5	
	GDT-BCA-ELS-XX-DR-L-2267-22-13-S4-P3-Landscape Sections_Sheet 4of5	GDT-BCA-ELS-XX-DR-L-2267-22-13-S4-P2-Landscape Sections_Sheet 4of5	
	GDT-BCA-ELS-XX-DR-L-2267-22-14-S4-P3-Landscape Sections_Sheet 5of5	GDT-BCA-ELS-XX-DR-L-2267-22-14-S4-P2-Landscape Sections_Sheet 5of5	
	GDT-BCA-ELS-XX-DR-L-2267-22 21 Landscape Masterplan 1:2500 A1 S4 P7	GDT-BCA-ELS-XX-DR-L-2267-22 21 Landscape Masterplan 1:2500 A1 S4 P5 (sent on 23 May 2024 on an informal basis)	
Ecology			
LEMP	Framework Landscape & Ecology Management Plan June 2024 FPCR Environment and Design Ltd	New Document - found within App 9.12 of the ES Addendum	The Framework LEMP has been prepared to outline the landscape and ecological management approaches for the proposed development.

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			<p>The Framework LEMP has been informed by the following documents and with proposals for management designed with the aim of meeting requirements as set out therein:</p> <ul style="list-style-type: none"> • BCA Design Landscape Architects. Landscape Masterplan • FPCR June 2023 Ecological Appraisal • FPCR December 2023 Biodiversity Net Gain Report. Rev D. <p>It also provides a framework for other mitigation, enhancement, and monitoring such as bird boxes, bat boxes, habitat creation (winter. Further details to be secured via the S106bird crops), Willow Tit features, winter supplementary feeding of birds, mammal ledge with the culvert crossing points etc. Further details to be secured via the S106.</p>
Impact on breeding birds, wintering birds and the marsh harrier during the construction and operational stages of the development	Ecological Update and Management Technical Note 14 June 2024 Doc No 10744 FPCR Environment and Design Ltd	New Document - Found within App 9.11 of the ES Addendum	<p>This additional information addresses the requested by BMBC's ecologist, the Wildlife Trust and the RSPB for further detail.</p> <p>The key areas considered in the note are the impact on breeding birds, wintering birds and the marsh harrier during the construction and operational stages of the development. The final section deals with how ecological mitigation would be addressed.</p> <p>FPCR concludes that the impacts to breeding birds are limited.</p> <p>The note also shows a comprehensive wintering bird survey has been undertaken</p>

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			which should provide comfort to the Council.
Ecological Design Evolution	Ecological Design Evolution Document GDT-BCA-ELS-XX-DR-L-2267-22 22 S4 P2 prepared by UMC Architects	New Document	<p>This document tracks the design evolution stages of the proposed development on site from the Local Plan to the current scheme in the context of protecting and enhancing ecological features and illustrating how these measures have evolved having regard to an understanding of the constraints and opportunities of the site.</p> <p>A key aspect of presenting this information is to show that adjoining land was brought into the scheme/ application outside of the allocation site to deal with 'off site mitigation' requirements.</p>
Marsh Harrier	Marsh Harrier Evidence Base Report – 4 th April 2024 by FPCR	New document found with App 9.13 of the ES Addendum	<p>The note reviews available information from publicly available sources, previous survey information, biological records, and published literature in order to better inform the assessment of impacts and mitigation in relation to marsh harrier in the vicinity of the proposed development.</p> <p>The note also provides a basis for further engagement and discussion regarding marsh harrier impacts and establishes mitigation principles to be agreed with the RSPB and BMBC.</p>
CEMP Framework	GDT-HAGS-CMP-XX-RP-ZM-001-Construction Environmental Plan Framework Status S3 Revision P2 Date 21st June 2024	GDT-HAGS-CMP-XX-RP-ZM-001-Construction Environmental Plan Framework Status S3 Revision P1	Amendments have been made to reflect the agreement reach with RSPB/Ecological Officer at a meeting on 19 th March 2024 in terms of protecting species during the construction phase.
Culvert Details	23451-HYD-XX-XX-DR-D-0510 P6 Carr Dike Culvert 1 Details	23451-HYD-XX-XX-DR-D-0510 P4 Carr Dike Culvert 1 Details	The inclusion of mammal ledger and amending the size of the culverts to satisfy the ecology officer. Also added an

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			underpass and re assurance on site levels.
Culvert Details	23451-HYD-XX-XX-DR-D-0511 P8 Carr Dike Culvert 2 Details	23451-HYD-XX-XX-DR-D-0511 P5 Carr Dike Culvert 2 Details	Ditto above
Ground Conditions	23451-HYD-XX-XX-GE-RP-0006 Zone 1 Ground Conditions Report (appendix 2.4)	New Document	This report provides an amendment to the Ground Investigation of the site.
BNG	10744 Biodiversity Net Gain Report_REV D_Optimized	10744 Biodiversity Net Gain Report_REV C_Optimized	Updated to reflect updated landscaping and ecological strategy and to reflect phased approach set out within Section 106. We are also proposing to trade BNG units where there is an excess beyond the minimum requirement.
BNG	Appendix A 10744 Biodiversity Metric 3.1 – August 2024	Appendix A 10744 Biodiversity Metric 3.1 - June 2023.xlsx"	Updated to show statutory metric and to consider landscape changes
Trees			
Tree Retention	Arboricultural Assessment (31 July 2024) Rev F	Arboricultural Assessment (November 2023 Rev C)	The report has been updated to include the justification, regarding the removal of the higher value trees identified as G15 and the retention of T13. See specifically Table 3: Impact to Tree Stock. Tree Retention Plan found in the report has also been updated now Drawing No 10744-T-02 Ref F. Note that the landscaping schedule now contains the tree numbers as requested.
Tree Retentions	23451-HYD-XX-XX-DR-D-0514 P4 Post-Development Catchment Plan	23451-HYD-XX-XX-DR-D-0514 P3 Post-Development Catchment Plan	Drawing confirms that pipes do not interfere with retained trees T13(A), T23(B), T12(A)).
Air Quality			
Response to BMBC, CDC and Hickleton Parish Council relating to	Air Quality Comments Technical Note Vanguardia Dated 29 th June 2024	New Document	The note addresses comments received in respect to Air Quality works comprising: Ricardo (2024) <i>Air Quality Assessment Review</i> (on behalf of Barnsley Metropolitan Borough Council (BMBC)); and

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AQMA at Hickleton and Ecological Impacts			<p>Hickleton Parish Council comments (dated 26th March 2024).</p> <p>Considerations have been made of the changing baseline position in Hickleton with the release of 2023 monitoring data, and the release of the new Emission Factor Toolkit in November 2023 (post submission).</p> <p>The range of updated mitigation options are discussed in the Technical Note in terms of both the wider scheme, and in relation to Hickleton as well as addressing ecological impacts mitigation.</p>
	Technical Note Further Consultation response dated 8 th August 2024	New Document	This TN sets out responses (where deemed to be required) to the comments received from Ricardo on behalf of Barnsley Metropolitan Borough Council (BMBC) on 1 st August 2024.
Transportation/ Sustainable Travel			
Response to National Highways	Technical Note 1: Response to National Highways Comments 11 March 2024 Version 1.0 Issue	New Document found in App 13.2 of the ES Addendum	<p>These Technical Notes sets out an assessment of the impacts of the proposed development at the key junctions on the Strategic Road Network, in accordance with the following:</p> <ul style="list-style-type: none"> • National Highways' original consultation to the planning application, dated 24 January 2024, and related Technical

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	Response to National Highways: Technical Note 2 Dated 27 June 2024 Hydrock Fore Document Reference 3465	New Document found in App 13.3 of the ES Addendum	<p>Memorandum prepared by Jacobs Systra Joint Venture (JSJV) dated 22 January 2024.</p> <ul style="list-style-type: none"> • Discussion at meeting between Fore Consulting and National Highways on 9 February 2024, • 'Technical Note 1' (dated 11 March 2024) prepared by Fore Consulting, which set out the assessment parameters and anticipated traffic impacts of the development at the key junctions on the SRN. • Consultation to the planning application dated 26 March 2024 and related JSJV Technical Memorandum dated 27 March 2024, which confirmed the assessment parameters set out Technical Note 1. <p>This Technical Note specifically assesses the impact of the development at M1 Junction 36 roundabout and "Birdwell Roundabout", which effectively comprise a linked traffic signal-controlled gyratory, as well as "Rockingham Roundabout" (a priority-controlled roundabout located 250m north of Birdwell Roundabout), and Junction 37 of the A1(M).</p>
Response to BMBC Highways	Response to BMBC Highways Development Control Technical Note No 1 –Dated 27 June 2024 Hydrock Fore	New Document found in App 13.4 of the ES Addendum	This note sets out a consolidated response to consultations from BMBC Highways Development Control on the above planning application in February and May

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			<p>2024, in accordance with subsequent discussions between the applicant team and BMBC officers.</p> <p>At the end of this note is the Proposed Transport Works and Measures table which lists the requested items and it then articulates which of these measures the applicant is prepared to provide. This table should be read in conjunction with the two Hydrock plans below.</p>
Response to BMBC	Response to BMBC Highways Development Control Technical Note 2 –Dated 8 August 2024 Hydrock Fore	New Document found in App 13.4 of the ES Addendum	This note sets out our response to the LHA’s email dated 30 th July 2024 which addresses the caveated ‘no objection’ comments to the trip generation assessment.
Hickleton Parish Council Response	2024-08-02_3465_Response to HPC_v1.0	New Document (Found within ES App 13.5)	The note sets out a consolidated response to a consultation from Hickleton Parish Council
Proposed offsite highway works	23451-HYD-XX-XX-DR-D-0106 P2 Proposed offsite highway works Prepared by Hydrock	New Drawing	The Proposed Transport Works and Measures table in the above technical note identifies what the applicant is proposing to undertake to meet the objectives of the Council to achieve sustainable travel connections. These measures demonstrated on this Hydrock drawing.
Proposed offsite highway works	23451-HYD-XX-XX-DR-D-0105 P3 Proposed offsite highway works Prepared by Hydrock	New Drawing	The Proposed Transport Works and Measures table in the above technical note identifies what the applicant is proposing to undertake to meet the objectives of the Council to achieve sustainable travel connections. These measures demonstrated on this Hydrock drawing
Travel Plan Framework	Framework Travel Plan Framework Issue v3.0 Hydrock Fore dated 27 th June 2024	Framework Travel Plan Framework Issue v1.0	This updated Framework has been amended to reflect our response to the relevant consultees and should be read

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			in conjunction with the above technical notes and drawings
Footpaths	23451-HYD-XX-XX-DR-D-0100 P9 General Arrangement	23451-HYD-XX-XX-DR-D-0100 P4 General Arrangement	Details showing how cycling provision would work from the south of the Site. Confirmation on the realignment of the northern footpath and the crossing point on the A635. Also minor updates to align with other drawings (same changes as for landscape planning)
Footpath	23451-HYD-XX-XX-DR-D-0513 P5 Flood Compensation Area - Bund Culvert Details	23451-HYD-XX-XX-DR-D-0513 P4 Flood Compensation Area - Bund Culvert Details	Amended drawing to show realigned northern footpath
Footpath/ Tree Retention	23451-HYD-XX-XX-DR-D-0101 P5 Swept Path Analysis	23451-HYD-XX-XX-DR-D-0101 P4 Swept Path Analysis	Updated to show northern footpath link and southern footpath link and show T13a to be retained
Footpath/ Tree Retention	23451-HYD-XX-XX-DR-D-0102 P5 Visibility Analysis	23451-HYD-XX-XX-DR-D-0102 P4 Visibility Analysis	Updated to show northern footpath link and southern footpath link and show T13a to be retained
Footpath/ Tree Retention	23451-HYD-XX-XX-DR-D-0103 P5 Typical Road Sections	23451-HYD-XX-XX-DR-D-0103 P4 Typical Road Sections	Updated to show northern footpath link and southern footpath link and show T13a to be retained
Footpath/ Tree Retention	23451-HYD-XX-XX-DR-D-0104 P6 Carr Dike Land Use	23451-HYD-XX-XX-DR-D-0104 P5 Carr Dike Land Use	Updated to show northern footpath link and southern footpath link and show T13a to be retained
Footpaths	23451-HYD-XX-XX-DR-D-0200 P8 Proposed Levels	23451-HYD-XX-XX-DR-D-0200 P4 Proposed Levels	We have confirmed levels from the edge of the Site to allow for a southern link from Footpath 15
Footpaths	23451-HYD-XX-XX-DR-D-0207 P4 PROW Footpath Upgrade Details	23451-HYD-XX-XX-DR-D-0207 P2 PROW Footpath Upgrade Details (submitted on 2 nd May 2024)	Amended PROW Upgrade (Footpath 15) from the site to Carr Field Lane to address the comments of the PROW officer sent in email from Jess Duffield Dated 18 th July 2024. It should be noted that the proposed upgrade PROW works showing a link between the site and Carr Field Lane is for costing purposes only so that a

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			financial contribution via a S106 Agreement can be agreed to enable the Council to deliver these upgrade works
Footpaths	23451-HYD-XX-XX-DR-D-0208 P3 PROW Footpath Diversion Details Sheet 1 of 2	New drawing	Details and cross sections confirming the gradients of the new path adjacent to Plot 2
Footpaths	23451-HYD-XX-XX-DR-D-0209 P2 PROW Footpath Diversion Details Sheet 2 of 2	New drawing	Details and cross sections confirming the gradients of the new path adjacent to Plot 2
Drainage			
Pond	23451-HYD-XX-XX-DR-D-0204 P5 Pond Sections	23451-HYD-XX-XX-DR-D-0204 P3 Pond Sections	It shows a compound location, levels as per levels plan (plot 2 PROW), show levels as per levels plan.
	23451-HYD-XX-XX-DR-D-0205 P4 Pond Sections Sheet 2	23451-HYD-XX-XX-DR-D-0205 P3 Pond Sections Sheet 2	
	23451-HYD-XX-XX-DR-D-0206 P3 Pond Sections Sheet 3	23451-HYD-XX-XX-DR-D-0206 P2 Pond Sections Sheet 3	
Drainage Strategy	23451-HYD-XX-XX-DR-D-0500 P5 Proposed Drainage Strategy Overview	23451-HYD-XX-XX-DR-D-0500 P4 Proposed Drainage Strategy Overview	
	23451-HYD-XX-XX-DR-D-0501 P5 Proposed Drainage Strategy Sheet 1 of 5	23451-HYD-XX-XX-DR-D-0501 P4 Proposed Drainage Strategy Sheet 1 of 5	
	23451-HYD-XX-XX-DR-D-0502 P5 Proposed Drainage Strategy Sheet 2 of 5	23451-HYD-XX-XX-DR-D-0502 P4 Proposed Drainage Strategy Sheet 2 of 5	
	23451-HYD-XX-XX-DR-D-0503 P5 Proposed Drainage Strategy Sheet 3 of 5	23451-HYD-XX-XX-DR-D-0503 P4 Proposed Drainage Strategy Sheet 3 of 5	
	23451-HYD-XX-XX-DR-D-0504 P5 Proposed Drainage Strategy Sheet 4 of 5	23451-HYD-XX-XX-DR-D-0504 P4 Proposed Drainage Strategy Sheet 4 of 5	
	23451-HYD-XX-XX-DR-D-0505 P5 Proposed Drainage Strategy Sheet 5 of 5	23451-HYD-XX-XX-DR-D-0505 P4 Proposed Drainage Strategy Sheet 5 of 5	
General Development Configuration and Phasing			
Parameters Plan	22081_P0520G - Parameters Plan	22081_P0520E - Parameters Plan	Reference to link to offsite southern access in key, northern footpath to bus stops amended, strategic landscape screening added to west of plot 3
Phasing	22081_P0550D - Phasing Plan 1 of 2	22081_P0550B - Phasing Plan 1 of 2	Tree T13 now shown not being removed, updated archaeology info, updated footpaths proposed

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	22081_P0555D - Phasing Plan 2 of 2	22081_P0555B - Phasing Plan 2 of 2	Tree T13 now shown not being removed, updated archaeology info, updated footpaths proposed
Urban Design			
Cross Sections Drawings	22081_P0605 Rev C - Site Sections UMC Architects	New Document (previously in the original DAS Nov 2023)	Now a standalone Illustrative Site Sections Plan (Drawing No 22081 P0605 Rev B) showing the whole site. A previous illustration of this image featured in the DAS but it has now been updated to remove the previously noted landscape buffer zone to the north of the A635 on both Sections BB and CC that was incorrectly shown.
Goldthorpe Masterplan Design and Access Statement	July 2024	Nov 2023	Various amendment to reflect additional green cladding option, and update phasing strategy, green infrastructure, landscaping drainage and culvert details etc.
Align illustrative images with proposed landscaping	Updated Illustrative Views document May 2024	Updated Illustrative Views document November 2023	This now contains 3 additional images with the green cladded units, of which we've changed the landscaping to better suit the landscaping plans.
Health Impacts			
Address comments from Public Health Officer	Health Impact Assessment 33905/A5/HIA 5 th February 2024	Health Impact Assessment 33905/A5/HIA Date: November 2023	Previously submitted this revised document on 26 th March 2024 to address specific responses to the Public Health Officer's comments. This was agreed via email dated 3 April 2024.
Archaeological			
Trail Trenching	Archaeological Trial Trenching Report no. 4138 May 2024 prepared by WYAS	New Document	Previously submitted informally on 29 th May 2024 direct to the Archaeological Officer. The trial trenching has confirmed the presence of the large co-axial field system (likely Roman date). This represents the continuation of the field systems identified during previous excavations to the east and northeast of the current site.

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			Importantly, though, the trenching has not found any evidence for smaller corner enclosures within the field system, which have previously been shown to be focus for settlement in the excavations to the east & northeast i.e. the current site contains evidence for fields but nothing more intensive.
Overarching WSI	Written Scheme of Investigation for archaeological excavation version 1.1 9 th August 2024	New document	This WSI has been prepared to comply with the draft condition wording but to also provide an overarching methodology by and location within which the works will take place.
Heritage			
Noise/ Air Quality- Hickleton John O Gaunt	John O'Gaunt – Noise and Air Mitigation 794-PLN-HER-00561.2	New Document found in App 7.7 of the ES Addendum	This report looks at the existing property and potential noise and air quality mitigation measures. It notes that works to install additional mitigation will require listed building consent. It sets out a number of options that would be suitable and provides comfort that heritage is not an overriding constraint to the proposed mitigation scheme. Therefore, there is suitable detail for this stage.
Noise Mitigation - Hickleton Conservation Area	Noise Mitigation - Hickleton Conservation Area 794-PLN-HER-00561	New Document Found in App 7.8 of ES Addendum	This report looks at the properties highlighted within Hickleton for requiring noise mitigation measures. It focuses purely on those in the Conservation Area of Hickleton and separates the listed and unlisted buildings. The report looks at where consent will be required and provides comfort that heritage is not an overriding constraint to the proposed mitigation scheme.
Listed Wall, Hickleton	Listed Wall, Hickleton, LEN; 1286764 794-PLN-HER-00561.1	New Document Found within App 7.9 of the ES Addendum	This report looks at the wall's condition and considers potential impacts from the proposed development. It

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			concluded no impact from the scheme.
Environment Statement			
ES	ES Addendum	New Document	This Addendum should be cross referred with the relevant documents that feature in this table.
Other Documents			
Social Values	Goldthorpe Stakeholder Engagement dated May 2024	New Document	Review of Stakeholder Comments

Overall Approach

As you will appreciate, we have previously submitted additional and revised information on an incremental basis to address and resolve various matters and issues. Indeed, we submitted an informal pack of documents on 1st July 2024 in relation to transportation, ecology/ landscape and air quality matters. At that time the majority of these documents were submitted for informal discussion purposes with your Council Officers and relevant consultees. However, in relation to transportation matters relating to National Highway considerations we expressly confirmed that these be dealt with as a formal submission. Whilst we have subsequently received a formal response from National Highway confirming no objection to the application subject to the imposition of suitable planning conditions, the complete package of information has been submitted again for the sake of completeness.

This holistic approach also applies to other aspects of the application where we have previously engaged with specific consultee comments to resolve their queries and concerns. In effect, the pack of information brings together under one submission all the amends and new documents to allow these to be considered on a comprehensive basis as part of a formal and final consultation process prior to determination.

Given the application fall within the EIA Regulations we are aware that the consultation period for this process will be for 30 days. Nevertheless, we consider there is reasonable scope within the determination programme to focus on targeting the Planning Committee date that is scheduled for 24th September for determination of the application.

At the same time as the re consultation process is taking place and before the application is presented to planning committee, we consider there is merit in actively engaging with you to progress and agree both the draft planning conditions and the S106 agreement should your authority be minded to approve the scheme.

Overview of Response to Consultee Comments

Whilst the above table provides a list of the revised and new documents submitted together with a brief overview of the changes undertaken, this section provides further context based on the key consultee responses.

Ecological

Wintering and Farmland Birds

To satisfy the Council's ecologist, the Wildlife Trust and the RSPB comments the revised landscape masterplan and the proposed management regime ensures suitable mitigation for birds (wintering/ farmland) based on their population which we consider is not significant include the following: supplemental feeding, strips of small seed-bearing crops at least 6m wide to be sown at the edge of grassland area, and the creation of two large areas of meadow grassland – one to the west and one to the north of the site.

With suitable management these areas of grassland will provide suitable nesting habitat for skylark and will provide seeds and invertebrates for foraging farmland birds throughout the year (including yellowhammer, linnets, corn bunting, skylark, starling, redwing and fieldfare).

The provision of medium sized nest boxes on suitable retained mature trees and on proposed buildings will also provide nesting habitat for starling.

Changes to the Culvert Design

Through previous exchange of correspondence with the case officer in discussions with the ecologist, we have agreed revisions to the Culvert designs and the submitted drawings now maintain connectivity for small mammals, and potentially some larger mammals such as otters/badgers. A ledge within the culvert has been provided as well as the creation of two underpasses to achieve the required ecological function.

Marsh Harriers

Various proposed mitigation changes to both the ecological habitats and landscape areas to seek to address RSPB's concerns especially having regard to improving habitat areas for the Marsh Harrier have been included compared to the submitted drawings. The rationale behind the changes has been influenced and informed by further evidenced based research work undertaken by FPCR in relation to the Marsh Harrier which is also provided.

The research paper not only studied the various sources of evidence but also assesses the impact of the development in more detail which has then established key mitigation principle for the Marsh Harrier that have been incorporated in to the revised landscaping plans.

BNG/ Framework LEMP

The Framework LEMP overlaps with and covers the requirements for BNG and other ecology mitigation requirements. It provides details of mitigation, enhancement, such as bird boxes, bat boxes, winter feeding of birds etc. as well as a monitoring regime.

The BNG has been updated to account for the changes and the phased approach and there is still a policy compliant net gain.

The drafting of the S106 allows for any excess BNG units to be used against other Phases or for the purpose of being traded on the Biodiversity Gain Sites Register.

Review of Comments from Ecology Officer

On 8th August we received via an email from Ms Duffield comments to our informal submission documents we submitted on 1st July. We respond to these matters below:

- *Landscape drawing of marsh harrier mitigation area appears improved, however, the management plan needs a thorough review to ensure the area will be managed accordingly.* We have already provided a detailed management arrangements to show that we will look to create a specific grassland type and condition suitable for marsh harrier. In our opinion we have provided a sufficient level of detail for this stage in the planning process. Further detail will be provided as a later stage through a Habitat Management and Monitoring Plan.
- *Skylark – offsite mitigation needs to be undertaken. There is only approx. 8/5 ha of grassland being created on site and this is aimed at marsh harrier, as such skylark are likely to be predated. Skylark require approx. 2ha per territory, there are 8 at the site so 16 ha is required to mitigate the loss of habitat.* The June 2023 FPCR report states that this could lead to a total loss of Skylark breeding at the Site, however proposals for the creation and management of grassland areas in the north and west of the Site would provide some limited compensation for the species. Overall, given the numbers of skylark encountered, opportunities in the wider landscape, and the small area of compensation available within the Site there was assessed to be a Minor adverse impact (not considered to be significant in terms of the Ecological Impact Assessment) to this species at the Local level only from the loss of habitat.
- *Supplementary feeding – attracts pests/disease and the majority of birds will have been displaced. In an agricultural setting this is appropriate but not where the majority of the site has been developed – offsite mitigation required.* We express a contrary view in that the supplementary feeding will be effective and off-site mitigation is not required.
- *Management plan needs to include impacts from recreation disturbance, alongside bird monitoring and adaptive management.* – The site is commercial development, so there will no significant increase in recreational use. The

western area has no public footpath or other formal access. We therefore believe additional recreational impact will be negligible. It might be prudent to also provide a fence (post and rail with access gate) on the southern extent of the western habitat area to limit access. These can be picked up in the more detailed HMMP/LEMP.

- *Potentially shift some developed areas to the east/north to allow more north – south mitigation for marsh harrier.* – We think it’s unrealistic at this stage to ask for this given the evidence of the design evolution document and our on going discussion to date . It would only be feasible with a reduction of the development parcels, and this would require the entire redesign of the Site, reworking landscaping, drainage, access, visuals, BNG which is disproportionate to the issue raised. We would also question why “north/south” mitigation is so important.
- *Clearance of land once planning has been granted and impacts to marsh harrier next breeding season if the land is stripped bare.* – This is covered in our previous technical note. The evidence base shows that during breeding/nesting the habitats closer to the Site are much more important. Our site is outside of the distances published for this nesting period habitat. As such, loss of the habitat would be unlikely to prevent breeding/nesting during this period. It’s acknowledged that there would be a reduction in the post fledge habitat available to marsh harriers from the clearance of the Site. However, this would be temporary in nature and there is similar habitat available in the wider landscape which would remain available. There is no way to quantify what level of impact this would have as it is impossible to predict whether this will have a significant impact on the post fledge chicks. We would reiterate that marsh harriers have no additional legal protection outside of nesting.

Retention of Trees

The revised proposals have been designed around the retention of T13, a high-quality English oak at the southern end of a hedgerow which would be retained within a buffer strip.

Several tree groups were recorded along Carr Dike, the most notable of which was G15 a group of mature sycamore which provided visual amenity and was considered retention category A. G15 has been shown as retained within the landscape buffer along Carr Dike. Although a section (approximately 15m) would be impacted to allow for the creation of a vehicular crossing point over the dike.

The position of the proposed crossing point was chosen to create a suitable road junction, within the constraints of the site boundary and maintaining suitable visibility splays at the junction. A key consideration was to keep the road crossing perpendicular to the watercourse to minimise the length of culvert required, whilst also looking to minimise impact on the existing flood plain in this area.

These details had previously been submitted to the Tree Officer and through exchange we consider the matter has been addressed.

Air Quality

A Technical Note has been produced to address the comments raised by the BMBC subconsultant and also Hickleton Parish Council. Furthermore, considerations have been made of the changing baseline position in Hickleton with the release of 2023 monitoring data, and new the release of the new Emission Factor Toolkit (EFT) in November 2023 (both of which became available post submission).

The updated modelling results have generally seen an increase in predicted kerbside concentrations (and associated impacts), while a reduction in predicted roadside concentrations, driven by changes to the verification process.

As set out in the original EIA, the primary areas of concern / impacts are within Hickleton. A review of the AQAP (2023) has provided potential mitigation options the applicant can financially contribute (in conjunction with other developments) towards these measures.

The specific mitigation the applicant recommends for Hickleton relates to a financial contribution, the sum of which was ascertained by the damage cost calculation exercise. This contribution can be used flexibility. The applicant has offered a proportion to go towards mechanical ventilation and filtration at the John O Gaunts residential property. It could also go towards the bypass or other options such as those in the emerging Doncaster Air Quality Management Plan or to ease traffic congestion in Hickleton’.

Also the on plot damaged costs that have been calculated will be utilised for the delivery of active travel initiatives in the local area and therefore no further low emissions conditions is required.

As noted, the applicant is willing to work with the local authorities, including providing a significant amount of funding, to mitigate their impacts on local air quality while also ensuring the development can be approved via planning conditions and / or Section 106 agreements.

The response to Ricardos latest comments is held within the ES addendum and Appendix 14.16

Heritage

In their Response dated 6th February 2024, the City of Doncaster Council asked for further information regarding the air quality and noise mitigation measures being proposed for properties in Hickleton that are Listed and/or lie within a conservation area to ensure that these are; *“as sensitive as possible and are not detrimental to either the special interest of the listed buildings or the character and appearance of conservation areas”*. They detailed the current application required additional information *“to enable CDC to fully assess the impact to any heritage asset as a result of any mitigation measures proposed.”*

This has led to the preparation of two detailed Technical reports prepared by RPS to assess the impact of the likely mitigation options on those affected heritage assets within Hickleton.

In relation to noise mitigation the report has found that no permissions would be required for unlisted buildings within the conservation area to improve window openings but it has recommended a guidance brochure of best practice is produced and provided to residents to preserve the character and appearance of the conservation area. This could be included as part of the mitigation mechanism secured by S106.

With regards to the listed buildings that require window mitigation the report has looked at the different measures available and concluded there are various options available and for example secondary glazing could be used. It appears that none currently have secondary glazing so each property was considered individually within the report.

Having looked at the listed buildings that require mitigation the report finds there would be scope to install secondary glazing with minimal visual impact in all the properties. Physical impacts can be minimised through listed building consent applications on a case by case basis to ensure no harm to historic fabric. We therefore conclude that there is scope to install a number of noise mitigation options without causing harm to the significance of the listed buildings affected.

The air quality work undertaken to support the application confirms that only John O'Gaunts requires specific air quality mitigation. As such, the second RPS report discounts the other buildings but notes that as a listed building any modifications to John O'Gaunts will require Listed Building Consent.

Where there is a planning requirement to mitigate NO₂ from indoor, air mechanical ventilation can be used to mitigate this. There are many mechanical ventilation units on the market at present and whilst the report does not specify particular units for use at John O'Gaunts, it explores the possibility of installing a mechanical ventilation unit within the property. Having looked at several options to bring ventilation outlets through the roof and walls it is concluded that mechanical ventilation could be installed into John O'Gaunts without causing harm to its significance thereby overcoming both air quality and heritage concerns that have been expressed. Therefore having regard to paragraph 208 of the NPPF we would conclude that the public benefits outweigh the less than substantial harm to the significance of these heritage assets.

The City of Doncaster Council in their responses dated 22nd April 2024 and 6th February 2024 also raised concerns regarding the grade II listed wall in Hickleton and the potential for the proposals to impact on the wall. A third Technical report has been prepared by RPS to address this matter and they conclude that the proposals are very unlikely to cause increases in vibrations high enough to be a threat to the wall, as a result of this, the condition of the pavement and road, location of the wall and its condition the proposals are very unlikely to result in additional impacts to the condition of the wall.

Sustainable Travel Initiatives

Through discussion with BMBC and SYMCA there have been refinements to the package of active travel measures associated with the proposed scheme. These measure can be found on the drawings listed in the above table under 'Sustainable Travel'.

The following measures have been considered feasible with relation to the proposed development and also have synergies with local air quality benefits:

- Funding to support bus service improvements during evenings and Sundays, to accommodate shift patterns;
- Suitable bus stop locations on A635 (eastbound and westbound) where the road lanes flare and associated bus stop infrastructure (including shelter, real time info display);
- Bus stop infrastructure improvements at stops on Carr Field Lane (50245) and Billingley View (55109);
- Improvements to pedestrian and cycle routes along the A635 to Dudley Drive and Hollygrove Roundabout
- Pedestrian crossing facilities on the western A635 arm of the access roundabout, via the splitter island. This crossing would be on the desire line for those walking (or cycling) to the development from Billingley and other residential catchments to the north and west of the development site, or using the bus stops on the A635.
- Improvement to footpath 15 east of site to Billingley View; and
- Wayfinding for level access route / alternative to Footpath 15

A revised Travel Plan has been prepared in accordance with discussions with BMBC officers and representatives of National Highways. This includes the additional measures outline above and sets out quantified targets and appropriate monitoring arrangements. These measures have been agreed with National Highways.

Transportation

In response to discussion and consultation with National Highways, a further sensitivity test was undertaken assuming use of 'workplace population', rather than 'resident population' as the basis for the gravity model, in order to validate the approach. In response to this sensitivity test, National Highways (in their consultation dated 27 March 2024) confirmed that the approach taken to estimate HGV traffic to the site as set out in the submitted Transport Assessment is appropriate, and the resulting traffic impacts assessed are agreed. Similarly, in their formal consultation to the planning application (dated 22 April 2024). the City of Doncaster Council has similarly accepted the methodology and resulting traffic impacts as assessed.

A further Technical Note (Technical Note 2 dated 27th June 2024) was formally submitted to National Highways and the main purpose was to assess the following key junctions:

- The M1 Junction 36 roundabout and "Birdwell Roundabout".
- "Rockingham Roundabout" located 250m north of Birdwell Roundabout.

- A1(M) Junction 37.

Based on the additional assessment work National Highways confirmed no objection to the proposal subject to a number of planning condition in a letter dated 24th July 2024.

Notwithstanding the above, and as specifically requested by BMBC, a further survey of HGV traffic travelling between the M1 (via Dearne Valley Parkway) and A1(M) (via Hickleton) routes and existing commercial development off Dudley Drive / Commercial Road (approximately east of the site, comprising the existing Aldi regional distribution centre) and Park Spring Road (the existing Asos distribution centre, to the north of the site) has been undertaken. The survey was an origin-destination survey undertaken using automatic numberplate recognition (ANPR) technology, allowing HGVs using identified routes to be counted. The ANPR survey represents a 'snapshot' of HGV movements on one day, as an indication of typical HGV route patterns for comparison purposes.

These results confirmed that:

- Routing of operational HGVs varies significantly, both in absolute and proportional terms, by respective operators given their specific requirements and supply chains.
- HGV traffic distribution patterns can be expected to vary significantly through the course of a typical day.

Consequently, assuming HGV traffic patterns for the development based on existing occupiers is not considered to be a reasonable basis on which the traffic impacts of the proposed development can be definitively confirmed. However, the HGV routing assumptions used for the submitted assessment is within the range of HGV traffic patterns observed locally, and therefore the results of the ANPR survey appropriately validate the assessment approach.

A further response from BMBC's Highway section dated 30 July 2024 has confirmed a 'no objection' comment to the trip generation assessment on the proviso that the HGV Distribution survey results are shared with both CDC and National Highways alongside our comments. We have therefore provided a further Technical Note on this matter which sets out our position so it can be shared with the relevant consultees.

Archaeological

Archaeological Services WYAS (ASWYAS) was commissioned to undertake the excavation of 141 trenches which were investigated between the 5th of February and the 5th of April 2024.

The trial trenching confirmed the presence of a large co-axial field system, formed of eighteen ditches. The features investigated are evidence of an agricultural landscape of field systems. The fields investigated represent the continuation of systems identified during previous excavations to the east and northeast of the application site.

Importantly, the trenching has not found any evidence for smaller corner enclosures within the field system, which have previously been shown to be the focus for

settlement in the excavations to the east and northeast: Therefore, the current site contains evidence for fields but nothing more intensive or sensitive in heritage terms.

In terms of the submitted Written Statement of Investigation (WSI) this has been drafted on the basis of a phased approach so that the WSI can confirm where no further works are required and identify the areas of works. The WSI would address the first strand of the proposed condition and make provision for further method statements for the different plots to give flexibility on when and where these works are undertaken. This approach should be read in conjunction with the wording of a draft WSI planning conditions that we intend to share with you as part of a wider discussion on these matters.

ES Addendum

Having regard to the changes undertaken, the ES addendum confirms there is no material change to the impacts assessed and the overall conclusions.

Draft Planning Conditions

We are in the process of finalising a comprehensive set of draft planning conditions which we intend to circulate shortly for your consideration. We think it would be sensible to organise a meeting with you to discuss and agree these once you have reviewed them in detail.

Draft S106 Agreement

The draft S106 document was independently circulated to you on an informal and confidential basis on 2nd August 2024 for you to review internal and also to pass on to CDC for their consideration. The draft S106 aligns with the heads of terms submitted with the application, plus the additional requirements that have arisen since submission

It is important we receive feedback so we can reach agreement on the planning obligation prior to the determination of the planning application.

Planning Policy Changes

Since the submission of the planning application last year, Government released a revised version of the NPPF in December 2023 and following the General Election the new Labour Government has subsequently issued a revised consultation draft NPPF on 30th July 2023 together with a Ministerial Written Statement.

We consider the revised 2023 vision of the NPPF doesn't contain any significant changes that would materially affect the decision making process in relation to considering employment development other than requiring a greater focus on design quality. From the detailed design work that features in the initial Design and Access Statement we believe we were already achieving a high quality scheme that satisfies key design principles and objectives. Through further discussion with BMBC's urban design officer proposed revisions and illustrative images have been provided to give

the Council the necessary degree of comfort that the scheme will deliver a high standard of design.

The Written Ministerial Statement can immediately be considered a material consideration in planning decisions and a key paragraph states:

'With respect to commercial development, the Government is determined to do more to support those sectors which will be the engine of the UK's economy in the years ahead. We will therefore change policy to make it easier to build growth-supporting infrastructure such as laboratories, gigafactories, data centres, electricity grid connections and the networks that support freight and logistics.'

This approach clearly shows strong support to the type of development that relates to this submission.

Whilst only limited weight can be given to the recent release of the draft NPPF, it does provide a clear direction of travel in terms of the underlying ambitions and intentions of how the planning system and the related planning policies will be used to facilitate the future economic growth the Government envisages. Against this background we would highlight the following change in the text:

Paragraph 85

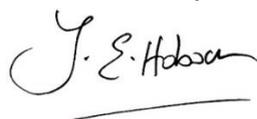
'Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for: storage and distribution operations at a variety of scales and in suitably accessible locations. that allow for the efficient and reliable handling of goods, especially where this is needed to support the supply chain, transport innovation and decarbonisation.'

Our development should be recognised as a scheme that would deliver this provision and so should be supported.

Conclusions

We consider the changes and additional supporting information satisfies the concerns raised and we respectfully request that the planning application can be progress with a positive recommendation for determination.

Yours faithfully



JAMES HOBSON
MANAGING DIRECTOR
JEH Planning Ltd.