BARNSLEY
Metropolitan Borough Council

Strategy, Growth and Regeneration
Acting Assistant Director: Mahmood Azam
P.O. Box 604, Barnsley S70 9FE

Dear Emma,

APPLICATION FOR DEMOLITION OF EXISTING WAREHOUSE BUILDING & ERECTION OF 9,177 SQM OF A1 RETAIL FLOORSPACE WITH ASSOCIATED CAR PARKING & LANDSCAPING (REF: RB2012/1615)

I am writing to set out the strong objections that Barnsley Metropolitan Borough Council would like to make with regard to the above planning application. The Council has two main objections to the proposal as follows.

1. The scheme is contrary to town centre planning policies in the National Planning Policy Framework (NPPF) with regard to the application of the sequential approach and the likely impact on centres.
2. With regard to highways issues the application as submitted does not provide enough information to enable a detailed assessment and recommendation to be given.

Each objection is detailed below.

1. NPPF Town Centre Policy

The main consideration with regard to town centre policy is the NPPF. It is also noted that Rotherham Council have commissioned independent planning consultants England & Lyle to review the planning statement submitted by the applicant.

There are two main aspects to NPPF town centre policy, both of which are relevant to this application. Each aspect is taken in turn below:

A: The Sequential Approach

The applicants have not carried out the sequential approach correctly. The PPS4 practice guidance remains a material consideration and gives additional advice on this matter. In particular it is clear that a search for alternative sites should occur within the catchment of the proposed scheme. The catchment used in this application has not been properly defined and does not cover a wide enough area. Evidence from recent retail studies commissioned by Barnsley Council shows the trade draw that Cortonwood has over large parts of Barnsley Borough. Without doubt the catchment should extend to include Barnsley town centre.

England and Lyle share this view and have, as part of their review of the planning statement, produced an evidenced based map of what they consider the catchment of this proposal to be. Barnsley Council support this redefined catchment area which clearly shows Barnsley town centre should be included in any sequential approach carried out in line with policy and guidance. The review also identifies in centre and edge of centre sites in

Barnsley town centre that should be considered as part of any correctly applied sequential approach.

B: Impact on Centres

Barnsley has serious concerns about the impact of this proposal both on the vitality and viability of centres in the borough and on investment in in-centre schemes, particularly Barnsley Marketplace. The planning statement accompanying the application is flawed on a number of levels when discussing impact. England & Lyle's review of the application presents a range of evidence demonstrating the flawed nature of the applicant's statement and looks in detail at all aspects of impact. The Council agrees with England and Lyle's approach and conclusions.

The NPPF lays out two considerations with regard to impact:

- Impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal.
- Impact of the proposal on town centre vitality and viability.

With regard to impact on in-centre investment, as discussed above Barnsley town centre lies in the catchment of this proposal. The impact of this proposal with regard to the Barnsley Marketplace scheme is therefore a highly relevant consideration. However, because the applicant has not identified the catchment of the proposal correctly and have excluded Barnsley town centre, they have not considered the impact of their scheme on Barnsley Marketplace. We believe this proposal is likely to have a significant adverse impact on the delivery of this vital scheme in Barnsley town centre, which has full planning permission. The review of the application by England and Lyle reaches the same conclusion, stating at paragraph 7.44 that the proposed schemes are designed to attract the same type of retailers and that 'there is unlikely to be sufficient retail demand within the Barnsley catchment area, which includes Cortonwood, to accommodate the same retailers in both locations. The establishment of these retailers at Cortonwood prior to the completion of the Marketplace scheme would seriously prejudice the successful implementation of the scheme'. As a result this proposal should be refused planning permission with regard to this impact.

Given that a number of centres in Barnsley lie within the catchment area defined by England and Lyle the impact of this proposal on the vitality and viability of these centres is also a key consideration. The relevant centres are Barnsley town centre; and Goldthorpe, Hoyland and Wombwell district centres. The Council considers it likely that this proposal will have a significant adverse impact on some of these centres. This is especially the case with regard to Goldthorpe and Wombwell. It is noted that England & Lyle have considered the impact of this proposal on all centres within its catchment in Barnsley. They conclude that the proposal will not have a significant impact on the vitality and viability of the Barnsley town centre (as the centre has a moderate level of vitality and viability) and Hoyland town centre (due to its localised role). However the proposal is likely to have a significant adverse impact on the vitality and viability of Goldthorpe which has a range of independent comparison goods retailers who are essential to the future vitality and viability of a centre that needs improvement. The proposal is also likely to have a significant adverse impact on Wombwell town centre. Wombwell is an important district centre in the borough that has average vitality and viability. It is vulnerable to increased trade draw of non-bulky comparison goods if provision is allowed to expand at Cortonwood. Barnsley agrees with England and Lyle's conclusions and considers that the significant adverse impact that this proposal will have on the vitality and viability of Goldthorpe and Wombwell town centres means that, under NPPF policy, it should be refused.

It should be noted that the NPPF, at paragraph 27, is clear that where an application fails the sequential test or is likely to have a significant adverse impact it should be refused.

2. Highway Safety

Whilst the site is located within Rotherham Metropolitan Borough the highway network which serves it is entirely within the Barnsley Metropolitan District and Barnsley is the relevant Highway Authority. The site is located off the A6195, a strategic route within the borough extending from Junction 36 of the M1 motorway in an easterly then generally northerly direction to its junction with the A628 at Shafton/ Cudworth, bypassing local centres enabling the development of adjoining land, and connecting with other strategic routes such as A635, A633, A6023 and A630 to provide access to the A1. It is, therefore, a key route within the borough.

As Highway Authority, the Council are already aware of some issues with the route, in particular Cortonwood, Broomhill and Cathill roundabouts where there is extensive queuing at peak times, and in the case of Broomhill and Cathill which are operating at or over capacity. These were key issues when dealing with the recent BDR Waste Facility and vehicular movements had to be restricted accordingly. Investigations are currently being undertaken to establish whether capacity can be increased to deal with the existing problem and the potential land allocations indicated in the emerging Sites and Places DPD.

There are areas of concern within the submitted information and it is also considered that insufficient information has been submitted to enable a detailed assessment of the potential impact on the highway network, whether there are any mitigation measures which would ameliorate the impact of the development, or whether the development would result in a "residual cumulative impact" which would be classed as "severe" as set out by the NPPF. The submitted information maintains that the existing road network is sufficient and has enough capacity to accommodate the proposed development. Barnsley objects to this statement as the submitted Transport Assessment clearly demonstrates that the development causes the RFC to exceed the acceptable limit and queuing almost doubles on some arms. In addition, there has been no assessment of the Broomhill and Cathill roundabouts which is considered essential given the existing known problems, the fact that England and Lyle conclude that the retail catchment area extends further than the submitted documentation suggests which would result in more traffic using these junctions, and the emerging Development Sites and Places Development Plan Document (DPD). The accessibility of the site must be questioned as the Council understands that "the consented residential development of land the east of the retail and business park (RB 2008/1326) which would involve extending Cortonwood Drive through to Knollbeck Lnae, thereby improving local access and facilitating modal shift by encouraging cycling and walking" was subject to the completion of a legal agreement which has not been sealed and, in any event, may now have lapsed. Whilst public transport information has been submitted, again the adequacy must be questioned, two of the three services only operate ever hour, and none of the services operate in the evening and none on a Sunday. The other services referred to are on Knollbeck Lane, some 600m away and rely on a link being created by the residential development to which I have previously referred. It should also be noted that there are towns within the retail catchment area, for example Goldthorpe, which do not have the benefit of a service to the business park.

The Trans Pennine Trail (TPT) crosses the site access road close to its junction with the Cortonwood roundabout. Pedestrians, cyclists and equestrians all currently experience difficulties crossing at this point at peak times due to the speed and volume of vehicles entering and exiting the business park and queuing vehicles. Measures to improve or obviate the need for the TPT to cross at this point are currently being investigated. It is considered that the roundabout will cease to operate efficiently in future years with traffic

growth and the proposed development traffic, which will further exacerbate the current difficulties and safety of the users of Trail.

Consequently, in highway terms it is considered the information submitted is not adequate to enable a detailed assessment and recommendation to be given, in that mitigation measures are not proposed for the Cortonwood roundabout or the TPT crossing, and it is the view of Barnsley Council that the scope of the assessment of the highway network does not extend far enough to include critical junctions on the A6195 which are known to be at or over capacity, and key to delivery of the emerging Development Sites and Places DPD. As a result the application should be refused.

Conclusion

This proposal is contrary to NPPF policy with regard to:

- The application of the sequential approach
- The significant adverse impact it is likely to have on in-centre investment in Barnsley town centre, specifically the Barnsley Marketplace Scheme.
- The significant adverse impact it is likely to have on the vitality and viability of Goldthorpe and Wombwell district centres

Individually any of these considerations would justify refusal of this scheme. Cumulatively the case is much stronger if not overwhelming.

With regard to highways issues not enough information has been submitted to enable a detailed assessment of the potential impact on the network in Barnsley. Subsequently a recommendation about these issues cannot be given and the application should be refused. If Rotherham members are inclined to approve this application Barnsley requests that any decision is deferred in order to allow the Council to suggest draft conditions with regard to highways.

Please take the above objections into account in the determination of this application. The Council would be grateful if it can be kept up to date with progress on the application. Additionally the Council would like to be advised when officers have reached a decision with regard to a recommendation to members and when the application will be considered by the planning board.

Yours Sincerely

Robert Ellis BA(Hons) MA MRTPI
Planning Officer