



PEACOCK+
SMITH

Sterling Capitol
Capitol Park Extension, Barnsley

Planning Statement

March 2019

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1. Introduction

Introduction

- 1.1. Peacock and Smith have been instructed by Sterling Capitol ('the Applicant'), to prepare a Planning Statement in support of the proposed extension to the existing Capitol Park business park ('proposed development') on land off Highham Lane, Barnsley ('the site').
- 1.2. Sterling Capitol have submitted a hybrid planning application, seeking outline consent for an extension to the existing Capitol Park business park, comprising demolition of existing bungalow and development of Class B2 (Industrial) / Class B8 (Storage & Distribution) uses and associated landscaping and infrastructure. Full consent is sought for the means of access and initial ground works.
- 1.3. Capitol Park business park has been developed in a number of phases with the first phase comprising of a hotel and pub/restaurant built out in 2006, located at the Whinby Road roundabout. Later phases of Capitol Park, comprising a mix of office and incubator units, are located to the north and east of the proposed development site, beyond Capitol Close which is the principal estate road. This application comprises the latest phase of the Capitol Park business park which is an allocated employment site in the adopted Local Plan.

The Submission

- 1.4. This Statement provides an assessment of the application scheme in light of relevant planning policies in the adopted development plan and other material policy considerations. It will demonstrate that the proposed development is in accordance with the development plan.
- 1.5. In addition, this Statement will demonstrate that the proposed development on the site can proceed in a sustainable manner; and that the likely impacts of the scheme do not significantly and demonstrably outweigh the considerable economic benefits it would generate in respect of job creation. In accordance with the presumption in favour of sustainable development it is therefore considered that the application should be approved.
- 1.6. This Planning Statement should be read in conjunction with the other documents submitted in support of the hybrid planning application. These supporting documents are listed in the table below.

Application Document	Prepared by
Application form and certificates	Peacock + Smith
Planning Statement (this document)	Peacock + Smith
Plans and drawings	Harris Partnership
Design & Access Statement	Harris Partnership
Ecological Phase 1 Survey	Wardell Armstrong
Bat Survey Report	Wardell Armstrong
Great Crested Newt Survey Report (<i>NOTE - to follow post submission due to survey seasons as agreed with Case Officer</i>)	Wardell Armstrong
Tree Constraints and Opportunities Report	Wardell Armstrong
Air Quality Assessment	Wardell Armstrong
Archaeological Desk based Assessment	Wardell Armstrong
Energy Statement	MRB
Coal Mining Risk Assessment	JPG
Phase One Geological Survey Report	JPG
Flood Risk and Drainage Assessment	JPG
Cut/Fill drawing	JPG
Travel Plan	Fore Consultancy
Transport Assessment	Fore Consultancy
Noise Impact Assessment	Hepworth Acoustics

Report Structure

1.7. The remainder of the report is contained within the following Sections:

- Section 2 provides a description of the site and surroundings;
- Section 3 provides a description of the proposed development;
- Section 4 summarises the key elements of the planning policy context;
- Section 5 assesses the proposal against relevant planning considerations;
- Section 6 provides a summary and conclusions.

2. Site Description and Site Surroundings

Site Location

- 2.1. The site is located off Higham Lane, immediately to the north west of the existing Capitol Park business park at Dodworth. It measures 5.58 hectares in size and slopes west to east towards the M1 motorway.



(Site's location as shown on the accompanying Site Location Plan; site outlined in red)

Site Description

- 2.2. The site comprises of two fields in agricultural use divided by a hedge, and a single bungalow (Lane Head Farm) at the southern corner of the site, adjacent to Higham Lane. The Higham Lane boundary is lined with trees and there is a further overgrown hedgerow along the eastern boundary. An overhead telecoms line crosses the northern field from the northwest to the east, before continuing to follow the eastern boundary of the southern field. There is also a telecoms transmitter, surrounded by a metal post and chain link fence, in the eastern corner of the site.
- 2.3. There is an existing track access to the two fields within the site midway along Higham Lane. The bungalow has its own private drive access onto Higham Lane.

- 2.4. The land is not within a conservation area and there are no listed buildings present at the site or in the surrounding area.
- 2.5. The site lies within Flood Zone 1. Flood Zone 1 comprises land assessed as at a low risk of flooding from a watercourse and/or sea with less than a 1:1000 annual probability of river or sea flooding.

Site Surroundings

- 2.6. The site is surrounded by the following uses:
- To the north east/east, the M1 motorway corridor;
 - To the south east, a cluster of hybrid industrial units that form part of the existing Capitol Park business park;
 - To the south, Higham Lane, beyond which is an area of woodland;
 - To the west, 2 no. dwellings (Lane Side Farm), beyond which is Higham Lane and further woodland.
- 2.7. The nearest bus stops are located on Barnsley Road, approximately 550m to the south of the proposed development access. Additionally a bus turning circle on High Common Road, location adjacent to Hermit Lane to the north of the site, provides access to services to Barnsley, Cawthorne, Kexborough and Wakefield. This stop is located 800m north of the proposed development access. Details of the buses serving these stops are set out in Table 1 of the Transport Assessment accompanying this application.
- 2.8. The site has no planning history, confirmed from a search of Barnsley Council's online Public Access systems.

Summary

- 2.9. In summary the site comprises two fields in agricultural use and a single bungalow (Lane Head Farm) which is within the applicant's ownership. It is considered to be in a highly sustainable location and a logical extension to the existing Capitol Park business park.

3. Proposed Development

- 3.1. This section provides an overview of the proposals. Further details relating to the scheme are expanded upon in the accompanying Design and Access Statement, submitted scheme plans, and the various supporting technical documents.
- 3.2. The development of the site for employment use has been promoted throughout the emerging Local Plan process and the site is now allocated within the adopted Local Plan.
- 3.3. The applicant has engaged with the LPA in pre application discussions regarding the proposed development and submission of the planning application. A pre-application meeting was held with the LPA and applicant on 17 December 2018 and the LPA subsequently provided a formal pre-application note.
- 3.4. If successful this hybrid planning application will allow the site to be marketed and provide planning certainty regarding the scale and uses that are appropriate on the site. The applicant has already received interest from a potential occupier for one of the proposed warehouses shown on the indicative layout plan.

The Proposed Development

- 3.5. The hybrid planning application seeks outline consent for an extension to the existing Capitol Park business park, comprising demolition of existing bungalow and development of Class B2 (Industrial) / Class B8 (Storage & Distribution) uses and associated landscaping and infrastructure. Full consent is sought for the means of access and initial ground works.
- 3.6. A breakdown of the proposed development is set out below:
- Demolition of the existing Lane Head Farm bungalow;
 - Development of 2 no. warehouses (Classes B2 and B8), one of 84,000 sq.ft gross and one of 105,000 sq.ft. These will be sited to make best use of the topography on the site, and to safeguard the amenity of the occupants of Lane Side Farm;
 - Each warehouse will comprise 2.5% ancillary office space, a service yard and employee/visitor parking areas;

- Initial ground works to develop two plateaus for siting the proposed warehouses are submitted in full as part of this hybrid application.
- Extension of the existing access road that serves Capitol Park Business Park, Capitol Close, into the proposed development. Details regarding access are submitted in full as part of this hybrid planning application;
- Retention of the existing hedgerow that divides the two fields within the site, and retention of significant numbers of the existing trees fronting Higham Lane;
- Provision of significant areas of new landscaping and planting, particularly between Lane Side Farm and the southern warehouse, in order to safeguard the residential amenity of occupants of the former dwellings;
- Appearance will form part of the reserved matters and will be dealt with on a plot by plot basis. The overall design objective is to provide buildings that sit comfortably within the site and minimise the impact on the surrounding area through use of materials, visual massing and active frontages to site entrances, etc. A design will be required that reduces the perceived height and mass of the buildings in order to respect their surroundings. One way to do this is by utilising cladding across the upper sections of the elevations that fades out in terms of its colour and ties in shamelessly with the skyline.

Access and Parking

- 3.7. Site access is proposed via an extension to Capitol Close which will run along the eastern boundary and links directly to Whinby Road and Junction 37 of the M1. This route has been carefully chosen to maximise the developable areas of each plot while reducing the length of hedgerow that will be removed to gain access to the northern plot.
- 3.8. Parking for a variety of users will be provided internal to the development including for car sharing, cycles, electric vehicles, motorbikes and scooters. The volume and layout of these will be agreed as part of reserved matters but they will be located in advantageous positions.

Initial Ground Works

- 3.9. The initial ground works to develop two plateaus for siting the proposed warehouses are submitted in full as part of this hybrid application. Due to site constraints, the two plateaus are the only suitable areas of the site for the proposed warehouses. Securing full permission for these ground works will allow the applicant to commence work on this aspect of the proposed development and will allow Sterling Capitol to market the site to potential occupiers as a highly attractive development proposition

Landscaping

- 3.10. The proposed Layout of the development is heavy influenced by the retention of the existing hedgerow which run east to west across the site. This hedgerow splits the site in to two separate development plots. Detailed landscaping proposals are not provided at this stage. These will be submitted as part of a reserved matters application. However, further information on what the landscape proposals could be like is provided in the Design and Access Statement at section 3.7 – Landscaping.

Siting

- 3.11. The proposed masterplan submitted with this planning application has been put together as an indicative layout. This is intended to show how the proposed development could be accommodated. Once the outline application is approved, each plot will be addressed in detail and will be driven by the end users who show interest in locating their business at Capitol Park.

4. Planning Policy Context

- 4.1. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that where regard is to be had to the Development Plan for the purpose of any determination [of planning applications] to be made under the Planning Acts, the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.2. In this case the Statutory Development Plan comprises Barnsley Metropolitan Borough Council's Adopted Local Plan (January 2019).
- 4.3. The National Planning Policy Framework ('the NPPF') (February 2019) and National Planning Practice Guidance (PPG) are also material planning considerations.

The Development Plan

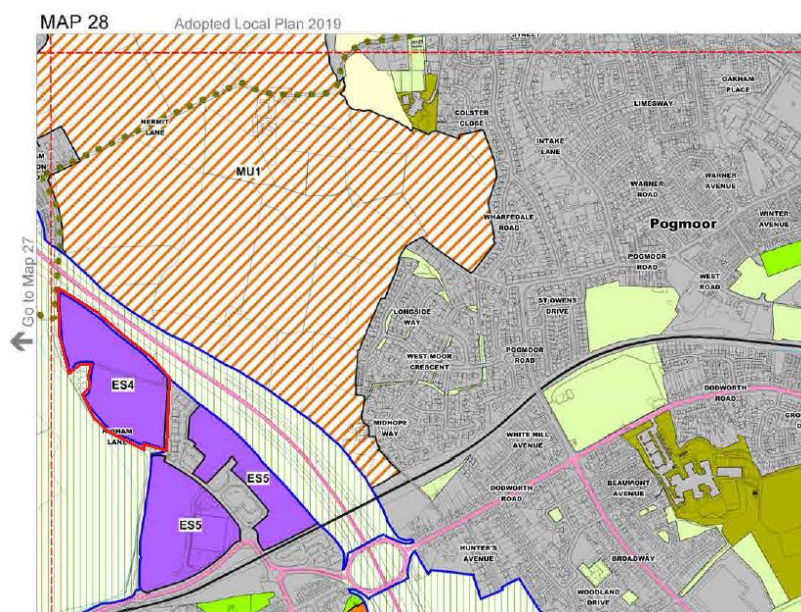
Barnsley's Adopted Local Plan (January 2019)

- 4.4. The new Barnsley Local Plan was adopted in January 2019 and replaces policies from the previous Core Strategy and saved policies from the Unitary Development Plan (UDP).
- 4.5. The Barnsley Proposals Map (inset map number 28) demonstrates that the majority of the site is within the employment allocation '**Site ES4** – Capitol Park Extension 5.4 ha'. This allocation sits within 'Urban Barnsley' as identified by **Policy E2** of the Local Plan. **Policy E2** sets out the approximate locations within the Borough for the distribution of employment land during the Local Plan period.
- 4.6. The Local Plan sets out that development of allocated **Site ES4** will be expected to (*inter alia*):
 - *Consider the impact on residential amenity and include appropriate mitigation where necessary;*
 - *Provide on and off site highways infrastructure works and improvements at Junction 37 as necessary;*
 - *Provide off site highway safety enhancements;*
 - *Retain, buffer and manage the existing hedgerows;*

- *Ensure that development respects the landscape and wider countryside, and where appropriate mitigation measures are incorporated to address impacts on the adjacent Green Belt and countryside; and*
- *Provide air quality assessments in accordance with Policy Poll 1.*

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

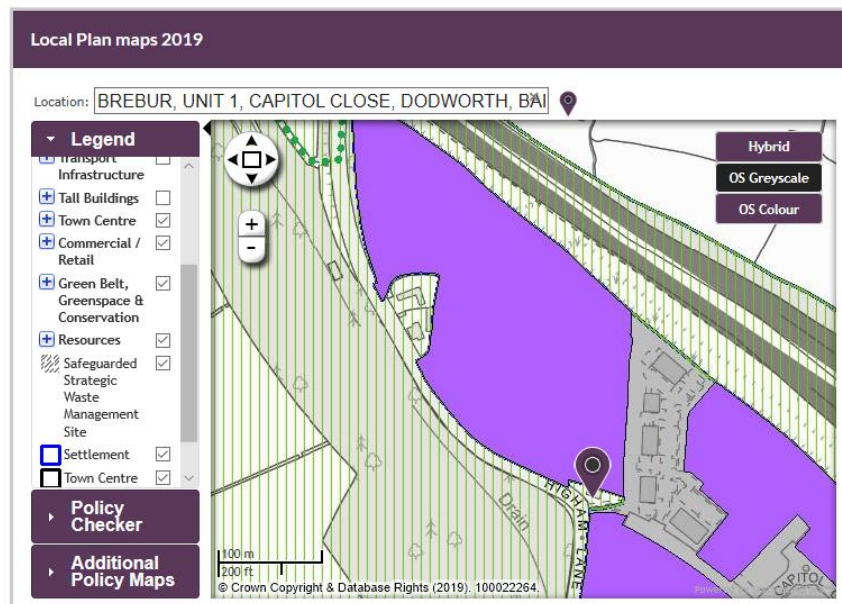
- *Information identifying the likely location and extent of the remains, and the nature of the remains;*
- *An assessment of the significance of the remains; and*
- *Consideration of how the remains would be affected by the proposed development.*



(Extract from Barnsley Local Plan (2019) Proposals Map inset 28; site outlined in red)

4.7. A very small area of the site (the existing bungalow) is located within the Green Belt as indicated on the Local Plan map extract below. This is the area of the site containing the existing bungalow which is proposed to be demolished.

- 4.8. **Policy GB1** of the Local Plan states that Green Belt will be protected from inappropriate development in line with national policy.



(Extract from Interactive Barnsley Local Plan Maps (2019); the area of the site within the Green Belt is indicated by the marker)

- 4.9. Other policies within the Barnsley Local Plan relevant to the proposed development are identified below.

- 4.10. **Policy SD1** sets out that the Council *"will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. We will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area."*

- 4.11. **Policy GD1** sets out general requirements for development, stating that they will be approved if (*inter alia*):

- *They are compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land;*
- *They will not adversely affect the potential development of a wider area of land which could otherwise be available for development and safeguards access to adjacent land;*
- *They include landscaping to provide a high quality setting for buildings, incorporating existing landscape features and ensuring that plant species and the way they are planted,*

hard surfaces, boundary treatments and other features appropriately reflect, protect and improve the character of the local landscape;

- *Any adverse impact on the environment, natural resources, waste and pollution is minimised and mitigated;*
- *Any drains, culverts and other surface water bodies that may cross the site are considered;*
- *Appropriate landscaped boundaries are provided where sites are adjacent to open countryside;*
- *Any pylons are considered in the layout; and*
- *Existing trees that are to remain on site are considered in the layout in order to avoid overshadowing.*

4.12. **Policy LG2** sets out the locations where development will be given priority, listing 'Urban Barnsley' among others. The policy goes on to state that *"Urban Barnsley will be expected to accommodate significantly more growth than any individual Principal Town, and the Principal Towns will be expected to accommodate significantly more growth than the villages, to accord with their place in the settlement hierarchy."* As stated previously, the site sits within allocation ES4 of 'Urban Barnsley'.

4.13. **Policy E1** states that *"297 ha of land in sustainable locations is allocated to meet the development needs of existing and future industry and business up to 2033. This will provide a choice of sites in accessible locations to meet the needs of businesses and their workforce and provide local communities with access to job opportunities. Barnsley Town Centre will be the focus for office development and employment in new technologies such as creative digital media and telecommunications."*

4.14. **Policy E3** sets out the uses which will be allowed on allocated Employment Sites. These are:

- *Research and development, and light industry*
- *General Industrial; or*
- *Storage or distribution*

4.15. The policy also states that *"ancillary uses will be allowed where appropriate in scale."*

4.16. **Policy T3** sets out the Council's approach to encouraging sustainable travel in new developments. The policy states that new developments will be expected to (*inter alia*);

- *Be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists;*
- *Provide a transport statement or assessment in line with guidance set out in the National Planning Policy Framework and guidance including where appropriate regard for cross boundary local authority impacts; and*
- *Provide a travel plan statement or a travel plan in accordance with guidance set out in the National Planning Policy Framework including where appropriate regard for cross boundary local authority impacts. 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.*

4.17. **Policy T4** states that new development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

4.18. **Policy D1** sets out general design principles for development in that they will be expected to be of high quality design and take advantage of and reinforce the distinctive, local character and features of Barnsley, including (*inter alia*):

- *Landscape character, topography, green infrastructure assets, important habitats, woodlands and other natural features;*

4.19. Furthermore the policy advises that through the design and layout, developments should (*inter alia*):

- *Contribute to place making and be of high quality, that contributes to a healthy, safe and sustainable environment;*
- *Provide an accessible and inclusive environment for the users of individual buildings and surrounding spaces;*
- *Provide clear and obvious connections to the surrounding street and pedestrian network*

- 4.20. **Policy LC1** states that new development will be expected to retain and enhance the character and distinctiveness of the individual Landscape Character area in which it is located (as set out in the Barnsley Landscape Character Assessment (2002).
- 4.21. **Policy HE6** requires new development on sites where archaeological remains may be present to be accompanied by an appropriate archaeological assessment.
- 4.22. **Policy BIO1** states that developments in the Borough will be expected to conserve and enhance biodiversity and geological features by (*inter alia*):
- *Protecting and improving habitats, species, sites of ecological value and sites of geological value with particular regard to designated wildlife and geological sites of international, national and local significance, ancient woodland and species and habitats of principal importance identified via Section 41 of the Natural Environment & Rural Communities Act 2006 (for list of the species and habitats of principal importance) and in the Barnsley Biodiversity Action Plan.*
 - *Protecting ancient and veteran trees where identified.*
- 4.23. **Policy CC2** sets out that development will be expected to minimise resource and energy consumption through the inclusion of sustainable design and construction features, where this is technically feasible and viable. The policy also advises that non-residential development will be expected, to achieve a minimum standard of BREEAM 'Very Good' (or any future national equivalent) and that this should be supported by preliminary assessments at planning application stage.
- 4.24. **Policy CC3** concerns the impact on flood risk. Developments will not be permitted where it would be at an unacceptable risk of flooding. The policy requires site-specific Flood Risk Assessments for proposals over 1 hectare in Flood Zone 1. The application site sits within Flood Zone 1 and is over 1 hectare, therefore an assessment on flooding has been submitted alongside this application. The policy also expects proposals over 1000 m² floor space or 0.4 hectares in Flood Zone 1 to demonstrate how the proposal will make a positive contribution to reducing or managing flood risk.
- 4.25. **Policy CC4** requires that all major development will be expected to use Sustainable Drainage Systems (SuDS) to manage surface water drainage, unless it can be demonstrated that all types of SuDS are inappropriate.

- 4.26. **Policy AQ1** states that development which impacts on areas sensitive to air pollution in air quality management areas will be expected to demonstrate that it will not have a harmful effect on the health or living conditions of any future users of the development in terms of air quality. Additionally the policy advises that development which impacts on areas sensitive to air pollution due to traffic emissions will be expected to demonstrate suitable and proportionate mitigation relative to the increased traffic emissions generated by the development.
- 4.27. **Policy I1** concerns infrastructure and planning obligations, stating that (*inter alia*) development must be supported by appropriate physical, social, economic and communication infrastructure.

Other Planning Policy Considerations

National Planning Policy Framework (February 2019)

- 4.28. An amended NPPF was adopted by the Government on 19 February 2019. Paragraph 2 confirms that planning law requires that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions in that regard.
- 4.29. Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 explains that there are three overarching objectives to 'sustainable development':
- an **economic** objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - a **social** objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

- an **environmental** objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.30. Paragraph 10 of the NPPF explains that there is a presumption in favour of sustainable development. Paragraph 11 details the presumption in favour of sustainable development and adds that plan-making and decision-taking should also apply a presumption in favour of sustainable development.

4.31. For **decision-taking** this means:

- *Approving proposals that accord with an up-to-date development plan without delay; where there are no relevant development plan policies, or*
- *Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - *i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - *ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

4.32. Paragraph 12 confirms that “*the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.*”

4.33. In relation to decision making, paragraph 38 set out how “*local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.*”

- 4.34. Paragraph 80 states that *"planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential."*
- 4.35. Paragraph 82 sets out that planning decisions should *"recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations."*
- 4.36. Paragraph 108 advises that, when *"assessing sites that may be allocated for development in plans or specific applications for development, it should be ensured that:*
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
 - b) safe and suitable access to the site can be achieved for all users; and*
 - c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree."*
- 4.37. Paragraph 109 confirms that *"development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."*
- 4.38. Paragraph 110 continues to state that *"applications for development should:*
- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
 - b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*

- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations."*

4.39. Paragraph 111 confirms that *"all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed."*

4.40. In relation to achieving well-designed places, paragraph 124 confirms *"that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process."*

4.41. Paragraph 143 to 147 set out the national policy on proposals in the Green Belt. Paragraph 143 sets out that *"inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances."* Paragraph 146 goes on to set out forms of development which are not considered to be inappropriate in the Green Belt *"provided they preserve its openness and do not conflict with the purposes of including land within it."* These include criteria 'b' *"engineering operations"* and criteria 'c' *"local transport infrastructure which can demonstrate a requirement for a Green Belt location."*

4.42. In relation to flood risk, paragraph 155 confirms that *"inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future)."*

4.43. Paragraph 180 states that *"planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well*

as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (inter alia):

- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life”*

4.44. Paragraph 181 discusses matters of pollution further, advising that *"planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas."*

4.45. In relation to implementing the policies set out in the NPPF, paragraph 212 in Annex 1: Implementation, confirms that *"the policies in this Framework are material considerations which should be considered in dealing with applications from the day of its publication."*

5. Assessment of the Proposals

Introduction

5.1. This section provides an assessment of the proposed development against the key planning policy considerations identified in Section 4 of this Statement. The main material planning considerations are considered to be as follows:

- Principle of Development;
- Transport and Accessibility;
- Residential Amenity (Noise and Air Quality);
- Design;
- Archaeology;
- Geology;
- Flood Risk and Drainage;
- Impact on Trees;
- Impact on Ecology.

Principle of Development

- 5.2. The policy framework indicates that there are a number of development plan and national policies that support the proposed location of the development at the application site.
- 5.3. The site is located within Urban Barnsley which is identified by **Policy E2** of the Local Plan as the location for 64.6ha of employment land during the plan period. Urban Barnsley is therefore identified as the location for the largest amount of employment development within the Plan period.
- 5.4. The Local Plan also allocates 5.4ha of land at the development site (almost the entire site) for employment use. This allocation is identified as **Site ES4: Capitol Park Extension**. This allocation demonstrates that the principle of employment development on the site has already been considered and established through the Local Plan process.
- 5.5. A small area of the site to the south, where the existing bungalow is located (which is proposed to be demolished) is located within the Green Belt. Paragraph 146 of the NPPF identifies that criteria 'b' "*engineering operations*" and criteria 'c' "*local transport infrastructure which can demonstrate a requirement for a Green Belt location*" are considered appropriate development

in the Green Belt. This area of this site will not contain any buildings and will be used to deliver the site access, therefore it will comprise highway infrastructure only which is set out in the NPPF Paragraph 146 as an acceptable use. The requirement for this highway infrastructure (access) is to enable access to a significant employment site. In addition, the existing bungalow on this part of the site will be demolished, therefore increasing the openness of the site and having a positive impact on the openness of the Green Belt. The proposed development does not therefore conflict with Green Belt policy.

- 5.6. The Policy for **Site ES4:** Capitol Park Extension sets out a series of criteria which future development will be expected to meet. These criteria are set out in Section 4 of this Statement and the proposed development is considered against each of these criteria below.

Consider the impact on residential amenity and include appropriate mitigation where necessary

- 5.7. As previously stated, to the west of the site are 3 no. residential dwellings (Lane Side Farm) located off Higham Lane. The potential impact on the residential amenity of these dwellings, specifically in terms of noise impacts and air quality, has been considered in designing and refining development proposals. This assessment is detailed in the Noise Survey Report and Air Quality Assessment. Appropriate mitigation has been proposed in the form of an acoustic fence to address potential adverse noise impacts arising from the proposed service yard to the north west of the existing Lane Side Farm. The proposed acoustic fence is shown on the proposed site plan and mitigation is further detailed in the accompanying Noise Survey Report and Air Quality Assessment. These documents are summarised in more detail later within Section 5 of this Statement.

Provide on and off site highways infrastructure works and improvements at Junction 37 as necessary

- 5.8. Fore Consulting have undertaken a Transport Assessment which is submitted in support of this application.
- 5.9. The Transport Assessment demonstrates that impact of the proposed development on the future operation of Junction 37 will be negligible, in terms of the modelled DoS and queuing. Development traffic would increase queues by less than 1 pcu on each approach during the peak hour scenarios.

5.10. The Assessment indicates that Junction 37 would operate satisfactorily with the development in place.

5.11. Fore Consulting (on behalf of the applicant) has been engaging with Highway Officers at the Council prior to submission of the application and discussions are currently still taking place. Further detail is provided in the Transport Assessment.

Provide off site highway safety enhancement

5.12. Fore Consulting (on behalf of the applicant) have engaged with Highways Officers at the Council from an early stage in the pre-application process and discussions are ongoing. Further detail is provided in the Transport Assessment regarding these discussions.

Consider the potential impact on the nearby Hugset Wood Local Wildlife Site and include appropriate mitigation where necessary

5.13. The Ecological Appraisal Report submitted in support of this planning application concludes that the application site lies wholly outside the designated area of Hugset Wood LWS and Ancient Woodland (all infrastructure will be approximately 1 km distant), with no obvious ecological connectivity.

Retain, buffer and manage the existing hedgerows

5.14. The indicative proposed layout of the development is heavily influenced by the retention of the existing hedgerow which runs east to west across the site. The proposed access route has been carefully chosen to maximise the developable areas of each plot while reducing the length of hedgerow that will be removed to gain access to the northern plot. As layout is indicative at this stage, full details of the proposed site layout will be sought through Reserved Matters planning applications.

Ensure that development respects the landscape and wider countryside, and where appropriate mitigation measures are incorporated to address impacts on the adjacent Green Belt and countryside

5.15. As previously stated, a small area of the site where the existing bungalow is located falls within the Green Belt. This area of this site will not contain any buildings and will be used to deliver the

site access, therefore will comprise highway infrastructure only which is set out in the NPPF Paragraph 146 as an acceptable use. The requirement for this highway infrastructure (access) is to enable access to a significant employment site. In addition, the existing bungalow on this part of the site will be demolished, therefore increasing the openness of the site and having a positive impact on the openness of the Green Belt. The proposed development does not therefore conflict with Green Belt policy.

- 5.16. In addition Appearance will form part of the reserved matters and will be dealt with on a plot by plot basis. The overall design objective is to provide buildings that sit comfortably within the site and minimise the impact on the surrounding area through use of materials, visual massing and active frontages to site entrances, etc. A design will be required that reduces the perceived height and mass of the buildings in order to respect their surroundings. One way to do this is by utilising cladding across the upper sections of the elevations that fades out in terms of its colour and ties in shamelessly with the skyline.

Provide air quality assessments in accordance with Policy Poll 1

- 5.17. An Air Quality Assessment has been undertaken and accompanies this planning application submission. The findings of this are summarised under the Residential Amenity heading within Section 5 of this Statement.

Provide an appropriate archaeological assessment

- 5.18. A desk based archaeological assessment has been undertaken and accompanies this application. The findings of this are summarised under the Archaeology heading within Section 5 of this Statement.

Summary

- 5.19. The site is in a sustainable location and is a logical extension to the existing Capitol Park business park. The majority of the site is allocated for employment use as Site ES4 within the adopted Local Plan which demonstrates the principle of employment development has already been established.
- 5.20. A small area of the site (where the existing bungalow is located) is within the Green Belt. This area of this site will not contain any buildings and will be used to deliver the site access, therefore will comprise highway infrastructure only which is set out in the NPPF Paragraph 146 as an acceptable

use. The requirement for this highway infrastructure (access) is to enable access to a significant employment site. In addition, the existing bungalow on this part of the site will be demolished, therefore increasing the openness of the site and having a positive impact on the openness of the Green Belt. The proposed development does not therefore conflict with Green Belt policy

- 5.21. The site not within a Conservation area, has no listed buildings or scheduled ancient monuments on or in close proximity to the site. The site is not covered by any other designation such as a tree preservation order.
- 5.22. In summary, the residential redevelopment of the site is considered acceptable when considered against the presumption in favour of sustainable development and the NPPF when taken as a whole.

Transport and Accessibility

- 5.23. It is proposed that vehicle access to the development will be taken by extending the existing Capitol Close road to the north and into the site.
- 5.24. The planning application is supported by a Transport Assessment and Travel Plan in accordance with **Policy T3** of the Local Plan.

Public Transport

- 5.25. In accordance with **Policy T4** of the Local Plan, there are good public transport links to provide users within and surrounding the development with safe, secure and convenient access and movement.
- 5.26. The closest bus stops to the site are located on Barnsley Road, approximately 550m to the south of the proposed development access. Additionally a bus turning circle on High Common Road, location adjacent to Hermit Lane to the north of the site, provides access to services to Barnsley, Cawthorne, Kexborough and Wakefield. This stop is located 800m north of the proposed development access. Details of the buses serving these stops are set out in table 1 of the accompanying Transport Assessment. As such and in accordance with **Policy T4** of the Local Plan there is an adequate bus service from the stops within a 550m walk of the proposed development.
- 5.27. The nearest rail station to the development is Dodworth Rail Station located approximately 1.1km from the site on the Penistone Line. The station operates an hourly service to both

Huddersfield and Sheffield (Monday – Sunday). The station is unstaffed and provides 10 cycle spaces. Barnsley Rail Station is located approximately 3.5km from the development and provides regional services towards Sheffield, Huddersfield, Leeds and Nottingham. The station is staffed and 24 cycle stands are provided, along with a bicycle hire facility.

Pedestrians and Cyclists

- 5.28. A footway is provided along the western side of Higham Lane, between A628 Whinby Road and the Higham area. Elsewhere, footways are provided along both side of most local roads, including Capitol Close, connecting the site to Barnsley town centre and the wider area. Street lighting is provided on all of the main pedestrian routes.
- 5.29. Dropped kerbs are provided at M1 Junction 37 which can be used by pedestrians, along the A628 Dodworth Road corridor and at locations close to Barnsley Hospital. Elsewhere, uncontrolled crossing points are typically present at junctions and other locations on the local road network where there is an adjacent footpath.
- 5.30. A public footpath starts from Higham Lane, adjacent to the western boundary of the site, and heads west before directing south towards Dodworth Business Park and connecting to A628 Whinby Road. From this point, public footpath 24 heads southwest connecting to Dodworth Rail Station.
- 5.31. To the south of the site, there is a pedestrian underpass of A628 Whinby Road, which links Higham Lane with the Dodworth area.
- 5.32. National Cycle Route 62 passes to the south of Dodworth, approximately 2km to the south of the site, and connects Fleetwood on the Fylde region of Lancashire with Selby in North Yorkshire.
- 5.33. Starting from close to Barnsley Interchange, a local cycle route heads east out of Barnsley town centre, connecting National Cycle Route 67 in Stairfoot approximately 6km to the east of the site. National Cycle Route 67 runs from Long Whatton near Loughborough to join National Cycle Route 71 near Northallerton in North Yorkshire.
- 5.34. The Barnsley Cycle Hub is located in Barnsley Interchange and offers a range of cycle support services to Barnsley residents and businesses. Amongst other things, the hub features free secure indoor cycle parking, toilet and shower facilities, and bike servicing and repairs.
- 5.35. The proposed access arrangements include new footways adjacent the access road. These footways connect to existing provision at Capitol Close and allow for pedestrian access to the

site and links to existing bus stops. Staff based at, and visitors travelling to, the development will therefore be able to make use of sustainable transport modes. A Framework Travel Plan has been prepared as part of the planning application. This provides a 'framework' within which individual occupiers of the development will formulate their own, occupier-specific Travel Plan. In this way, employees based at the development will be given practical support to encourage the use of sustainable modes of transport when travelling.

Traffic Generation

- 5.36. For the purposes of robustly assessing the impacts of the development, the scenario in which all of the development is used for B2 industrial use (as the worst-case scenario in terms of vehicle trip generation) is assumed. This is detailed in full in the Transport Assessment.
- 5.37. The Transport Assessment demonstrates that suitable access arrangements can be accommodated, and development traffic can be safely and efficiently accommodated by the existing highway network.

Parking

- 5.38. The proposed number of spaces is 193 parking spaces which includes 10 electric vehicle charging spaces and 9 disabled spaces. The proposed number of disabled parking spaces meets BMBC's minimum requirements as set out in the accompanying Transport Assessment.
- 5.39. However, should the site come forward as B2 industry then the proposed number of spaces would be slightly less than the maximum provision and therefore in line with the parking standards. On the other hand, should the development be made up entirely of B8 storage or distribution then the proposed number of spaces is higher than the parking standards. However, the proposed parking provision is considered adequate given the likely need to accommodate overlapping shift patterns that are typically associated with B8 uses.
- 5.40. Given the application is in outline form for B2 and/or B8 uses, the eventual level of parking to be provided will need to respond to the precise requirements of end users. A degree of flexibility on parking is therefore necessary in the outline planning permission that is being sought. The indicative layout demonstrates that a level of parking can be provided to meet the potential requirements for B2 or B8 uses.

Transport and Accessibility Summary

- 5.41. Opportunities exist to travel to the site by sustainable modes. A Travel Plan has been prepared to further encourage sustainable travel to the site and reduce the number of single occupancy car trips.
- 5.42. Suitable access arrangements can be accommodated, and development traffic can be safely and efficiently accommodated by the existing highway network.
- 5.43. The proposed development accords with both national and local transport policy and the Transport Assessment demonstrates that the proposals can be safely and efficiently accommodated by the local transport network.

Residential Amenity

Noise

- 5.44. A Noise Impact Assessment has been prepared by Hepworth Acoustics to support the planning application. Whilst the site is located away from major residential areas, there are two houses in Higham Lane (Higham Manor and Lane Side Farm) which need to be protected from potential noise. A 24 hour environmental noise survey has been carried out near to the houses in order to quantify the prevailing background noise climate of the area.
- 5.45. An initial BS4142 assessment has been carried out which indicates that noise mitigation is necessary for the service yard of Unit 1 in the form of a noise screening barrier to protect residential amenity at Higham Manor, and the possible location of an acoustic fence is included in the illustrative layout drawings. An acoustic fence is also recommended for the western end of the service yard of Unit 2 in order to fully protect residential amenity at Lane Side Farm.
- 5.46. The Noise Impact Assessment sets out a range of possible noise barrier heights and the calculated noise reductions. The higher the noise barrier fence, the greater the sound reduction will be. Noise mitigation will need to be subject to detailing and discussions with the Local Planning Authority.
- 5.47. The assessment concludes that noise mitigation measures will need to be detailed at reserved matters stage but provision of such measures can be ensured at this outline planning stage by an appropriate condition attached to any future Planning Permission.

Air Quality

- 5.48. An Air Quality Assessment has been prepared by Wardell Armstrong to support the planning application.
- 5.49. The Air Quality Assessment found that for the construction phase, the risk of dust soiling effects is classed as medium for earthworks and construction and is classed as low for trackout; the risk of human health effects is classed as low for earthworks, construction and trackout. Mitigation measures have been proposed to further reduce any potential impacts based on best practice guidance. With site specific mitigation measures in place, the significance of dust and fine particulate effects from earthworks, construction and trackout is considered to be not significant.
- 5.50. For the operational phase, the assessment concluded that the development will result in concentrations of NO₂, PM₁₀ and PM_{2.5} remaining below the air quality objectives/target values, both without and with the development for the proposed 2024 opening/future year. The impact of the development is predicted to be negligible at all six existing sensitive receptors that were assessed. Air quality effects are therefore considered to be 'not significant'. The assessment has demonstrated that the proposed development will not lead to an unacceptable risk from air pollution, or to any breach in national objectives.

Design

- 5.51. As the application is a hybrid application, with full details provided for initial ground works and access only, full detail on the layout of the proposed development will be submitted as a reserved matters application at a later date. However, an illustrative proposed masterplan and site layout have been prepared in support of this planning application. This is intended to show how the proposed development could be accommodated and is not a definitive layout. A Design and Access Statement has also been produced by the Harris Partnership.
- 5.52. The proposed layout of the development is heavily influenced by the retention of the existing hedgerow which runs east to west across the site. Part of the hedgerow will need to be removed to gain access to the northern building, although the site access has been designed to minimise the length of hedgerow which will need to be removed.
- 5.53. The initial ground works to develop two plateaus for siting the proposed warehouses are submitted in full as part of this hybrid application. Due to site constraints, the two plateaus are the only suitable areas of the site for the proposed warehouses. Further detail is shown on the Cut and Fill Analysis drawing.

- 5.54. Further details on the indicative layout, scale, appearance and landscaping are included within the Design and Access Statement, however, these matters will be addressed through Reserved Matters applications at a later date.

Archaeology

- 5.55. An Archaeological Desk Based Assessment has been undertaken by Wardell Armstrong and is submitted as part of this planning application.
- 5.56. The report concludes that no designated heritage assets would be physically impacted upon by the proposals. Neither would the setting of any designated heritage assets be affected by the proposals. In respect of non-designated heritage assets, the remains of an earlier structure are possible beneath the modern bungalow in the extreme south of the site; a cottage pair dating to at least the seventeenth century. In respect to earlier buried archaeological remains, the baseline assessment undertaken as part of this report has indicated that there is no evidence to indicate the presence of remains which could preclude development. Therefore it is anticipated that any archaeological fieldwork, if deemed necessary, could be undertaken as a condition to consent.
- 5.57. The scope and extent of mitigation would need to be agreed in advance with the Planning Authorities Archaeologist. This is likely to comprise a staged approach including geophysical survey in the first instance followed by targeted trial trenching as necessary.
- 5.58. In this instance the 'field evaluation' referred to within paragraph 189 of the NPPF and Policy HE6 of the Barnsley Local Plan is not considered necessary at the predetermination stage; it being reasonably assumed that if evaluation was a prerequisite of all applications potentially affecting archaeological remains then this would be expressly stated within the policy. As it is not, the 'where necessary' should be applied proportionally, most likely being required on Site's where remains of potential high (national) importance could be located which could preclude development.

Geology

- 5.59. A Geoenvironmental Desk Study Report has been produced by JPG and is submitted as part of this planning application.
- 5.60. The report confirms the history of the site which has remained farmland. Two small ponds were previously located on the western/north western boundary and later infilled. Farm buildings

associated with Lane Head farm were shown in the south from 1850 to 1961 and from 1970 to 2014. A building associated with Lane Side farm possibly encroached on to the site from 1961 to 1991. The surrounding area generally remained farmland. The M1 motorway was constructed in 1970 and the land to the southwest was used as a spoil heap associated with Old Silkstone Colliery and Higham Colliery.

- 5.61. The recorded underground coal workings are not considered to pose a risk to the surface stability of the site based on their depth and respective thicknesses. There are no known coal mine entries within, or within 20m of, the site boundary.
- 5.62. The report concludes that the site should be considered to be a low to moderate risk with respect to contamination. The report recommends that a rotary borehole investigation is required to investigate the coal seams and the presence of coal workings. If any shallow coal workings within influencing depth of the surface are proven beneath the site, then these will require stabilising, e.g. drilling and grouting, or extraction prior to development. A rotary borehole investigation is required to investigate the presence of the infilled opencast in the north and north east of the site.
- 5.63. Earthworks, in the form of 'cut and fill', are required in order to achieve a suitable development platform. An assessment of the suitability of the natural 'cut' soils for re-use in earthworks will be required. The earthworks design will need to take into consideration the presence of shallow coal below the site. Earthworks should be carried out in accordance with the Manual of Contract Documents for Highway Works, Volume 1 Specification for Highway Works, Series 600 Earthworks.
- 5.64. In areas of fill, it is considered that a raft foundation will be the most appropriate foundation solution. The earthworks will be required to provide sufficient bearing capacity and settlement characteristics of the underlying engineered fill. Where the soils/rock are to be cut into natural bedrock strata, then the use of shallow traditional strip or trenchfill foundations and ground-bearing floor slabs are likely to be suitable. If poor ground is encountered or high load areas are required, then consideration could be given to ground treatment options, e.g. vibro -stone columns or a deeper foundation solution, e.g. piles. Foundation design will need to take into account the presence of coal workings below the site, if proven.
- 5.65. It is recommended that a ground investigation is carried out in order to further assess the potential environmental and geotechnical constraints to development. It is recommended that the investigation is carried out in a phased approach, as detailed in the report.

Flood Risk and Drainage

- 5.66. A Drainage and Flood Risk Statement has been prepared by JPG and is submitted as part of the planning application.
- 5.67. The site is located within Flood Zone 1. Flood Zone 1 comprises land assessed as at a low risk of flooding from a watercourse and/or sea with less than a 1:1000 annual probability of river or sea flooding. NPPF Technical Guidance states that flood risk should be considered from all sources, including:
- Adjoining land
 - Groundwater
 - Flooding from sewers
 - Flooding from reservoirs, canals and other artificial sources
- 5.68. The risk of flooding from all of the sources listed above is considered to be low for the site.
- 5.69. The proposed site drainage will consist of a separate surface and foul water drainage system.
- 5.70. Sustainable Urban Drainage System (SUDS) may be used in conjunction with conventional drainage systems to improve water quality as well as manage surface water discharge. This should be considered at the detailed design stage of the project.
- 5.71. The discharge of surface water drainage via infiltration methods is not considered to be viable due to ground conditions and topography of the site and there is no available watercourse for a connection of surface water flows. As such, surface water run-off is proposed to discharge at a restricted rate to the public surface water sewer system in Capitol Close. Various plots at Capitol Park have now been developed and the detailed model of the existing surface water sewer system will be revisited and reanalysed for the actual connected impermeable areas and assessed to identify the allowable discharge for this site. The allowable discharge will set such that there is no increase in flood risk on the public surface water system downstream.
- 5.72. The detailed analysis and assessment will be undertaken as part of the detailed design of the development and submitted to Yorkshire Water for agreement. At this stage a de minimis value of 5l/s has been used to estimate the surface water storage volume required.

- 5.73. Given the discharge rate and current design requirements, on-plot surface water attenuation will be required. Due to the topography at the site, a surface water pumping station will be required to connect the restricted discharge to the public surface water sewer system in Capitol Close.
- 5.74. Yorkshire Water has confirmed that foul flows can connect to the 150mm public foul sewer system in Capitol Close. Given the topography at the site, a foul pumping station will be required and Yorkshire Water has stated that pumped flows would be restricted to 5 l/s.
- 5.75. In summary, surface water is proposed to discharge to an existing public surface water sewer in Capitol Close at a restricted rate. On plot surface water attenuation will be provided. Foul water is proposed to discharge to the public foul sewer system in Capitol Close.

Impact on Trees

- 5.76. An Arboriculture Constraints and Opportunities Report was produced by Wardell Armstrong and is submitted in support of the planning application. The initial BS 5837:2012 tree survey was undertaken in February 2019.
- 5.77. There are currently no trees within or immediately adjacent to the site protected by CA or TPO status. There are no veteran or ancient trees on and immediately adjacent to the site.
- 5.78. As the site layout is indicative and the detailed site layout will be submitted through a Reserved Matters Planning Application, the arboricultural constraints information presented in the report will inform detailed site layout planning for the site at the next stage.
- 5.79. If the proposed development is approved by the LPA and when the proposed development is constructed, retained trees will need to be protected with tree protection fencing as per the recommendations set out in BS 5837:2012.
- 5.80. Where there are impacts within retained tree and hedgerow RPAs, mitigation measures will be required.

Impact on Ecology

5.81. The planning application is supported by an Ecological Phase 1 Survey Report, prepared by Wardell Armstrong.

5.82. The following designated sites, habitats and species (receptors) have been evaluated as being likely subject to adverse effects, and may therefore require further consideration in scheme design, further survey and/or mitigation:

- BAP Hedgerows;
- Badger;
- Bats;
- Reptiles;
- Great crested Newt;
- Birds (house sparrow, tree sparrow, grey partridge, lapwing, reed bunting,
- Grasshopper warbler, yellowhammer); and
- Nesting birds (general).

BAP Hedgerows

5.83. Where hedgerow removal cannot be avoided, any losses should be compensated for by the provision of a new hedgerow elsewhere on site of at least equivalent length. In this event, appropriate woody species of local provenance should be selected.

Badger

5.84. No further surveys are considered necessary however in order to ensure compliance with the relevant legislation, it is recommended that a check for the presence of mammal burrows with an entrance diameter exceeding 100mm should be undertaken prior to the onset of works.

Bats

- 5.85. The site contains a single building (B1), which is considered to be of 'moderate' suitability for roosting bats. In the event that the building B1 (Lane Head Farm) is to be demolished or modified as part of the proposed development, further surveys would be required in advance of planning determination to establish whether bats are roosting within the building and what the likely impacts will be.
- 5.86. Following the recommendations of the Phase One Ecological Survey, a bat roost assessment and dusk emergence survey were undertaken by Wardell Armstrong. The findings are presented in the Bat Survey Report dated February 2019. No roosts were recorded within the building on site (existing bungalow) that is to be demolished.
- 5.87. Bats of six species were found to be using the site during the walked bat transect and the automated bat survey. It is considered that the site is of Local value to bat populations.
- 5.88. Whilst some habitat will be lost on site, it is considered that this is of low value to bats, and significant impacts will be avoided as a result of more suitable habitat being located to the west of the site, and the retention of the hedgerow to the east of the site. The report recommends a series of mitigation and compensation measures which will reduce impacts associated with the proposed development.

Reptiles

- 5.89. Given that the majority of the suitable reptile habitat is located around the site periphery, surveys are not considered necessary.

Great Crested Newts

- 5.90. The majority of the habitats are sub-optimal for this species due to the intensively farmed nature of the arable land. In addition, the off-site ponds are sub optimal breeding habitats, based on the defined HSI assessments undertaken during 2017. Furthermore, Higham Road presents a barrier to GCN dispersal into the site from the ponds to the west. The internal site areas, which are regularly disturbed by farming operations are therefore considered unlikely to support great crested newt. However, in the event that suitable terrestrial habitats (woodland and established grassland) around the periphery of the site are to be cleared, the likelihood of incidental killing or injury would be greater. In this instance presence/absence surveys for great crested newt are likely to be required by the local planning authority in advance of the determination of planning

consent. Should they be required, presence /absence surveys are undertaken over four visits, between mid-March to mid-June.

- 5.91. Following the recommendations set out in the Phase One ecological Survey, the applicant has instructed Wardell Armstrong to undertake presence /absence surveys in 2019. Once completed these will be submitted to the LPA during the course of the planning application, pre-determination.

Birds

- 5.92. The proposals are not anticipated to result in any reduction in the conservation status of bird species identified from the desk study/field surveys; given the small scale of the development, the low quality of the habitats and the wide availability of available nesting/foraging opportunities within the locality. On this basis no further bird surveys are recommended.

Nesting Birds

- 5.93. Due to the potential presence of nesting birds within the site, it is recommended that initial development works are undertaken outside of the usual bird breeding season (normally taken to be March – July inclusive). If such timescales cannot be accommodated, a check for the presence of active nests, and nesting birds should be undertaken by a suitably qualified ecologist prior to the commencement of works.

Positive Benefits

- 5.94. The proposed development would give rise to a number of important positive impacts.
- 5.95. The proposed development will support the extension and growth of an existing and successful business park, creating a significant number of jobs both in construction and operational phases. Based on Section 4 of the Employment Density Guide 2015, development of the site for B2 use would create circa 464 jobs and development of the site for B8 use would create circa 217 jobs once operational. Construction jobs would be in addition to this. The proposed development will also create business revenue.
- 5.96. A significant and high quality economic investment on a prominent site would be statement of investor confidence in the District as a whole.
- 5.97. It is our view that the above positive impacts significantly outweigh any limited negative impacts, and importantly outweigh any perceived harm that would arise from the proposed development.

Planning Considerations Summary

- 5.98. In light of the preceding assessment, we consider that that the proposed development performs well when reviewed against the local and national planning policies which are set out within Section 4 of this Planning Statement.
- 5.99. The principle of employment development on this site has already been established through the Local Plan process as the majority of the site is allocated in the Local Plan for employment.
- 5.100. It is our view that the proposed development constitutes sustainable development. Accordingly, there is a strong presumption in favour of the development and no material considerations have been identified to outweigh this presumption.
- 5.101. In this regard, and in line with advice contained at paragraph 11 of the NPPF, it is considered that the application should be approved.

6. Summary and Conclusions

- 6.1. Peacock and Smith have been instructed by Sterling Capitol, to prepare a Planning Statement in support of the proposed Capitol Park business park extension in Barnsley.
- 6.2. Section 2 confirms that the 5.58ha site is located on land off Higham Lane, immediately to the north west of the existing Capitol Park business park at Dodworth. It comprises two fields in agricultural use (divided by a hedge) and a single bungalow (Lane Head Farm) at the southern corner of the site, adjacent to Higham Lane. The site slopes west to east towards the M1 motorway. Section 2 confirms that the site is considered to be in an appropriate and sustainable location and is a logical extension to the existing Capitol Park business park.
- 6.3. Section 3 describes how the planning application submitted by Sterling Capitol seeks outline consent for an extension to the existing Capitol Park business park, comprising demolition of existing bungalow and development of Class B2 (Industrial) / Class B8 (Storage & Distribution) uses and associated landscaping and infrastructure. Full consent is sought for the means of access and initial ground works.
- 6.4. Section 4 sets out the relevant planning policy and material considerations in the context of the proposed development, most specifically that the majority of the site is allocated in the adopted Local Plan for employment. A very small area of the site (the existing bungalow) falls within the Green Belt. However, this area of this site will not contain any buildings and will be used to deliver the site access, therefore will comprise highway infrastructure only which is set out in the NPPF Paragraph 146 as an acceptable use. The requirement for this highway infrastructure (access) is to enable access to a significant employment site. In addition, the existing bungalow on this part of the site will be demolished, therefore increasing the openness of the site and having a positive impact on the openness of the Green Belt. The proposed development does not therefore conflict with Green Belt policy.
- 6.5. Section 5 confirms that the principle of the development of the site for Class B2 (Industrial) / Class B8 (Storage & Distribution) uses is considered to be acceptable for a number of reasons, including compliance with the allocation in the adopted Local Plan. Section 5 also confirms that the proposals would deliver considerable economic benefits. Section 5 considers all other relevant policy issues and demonstrates that any limited impacts would not significantly and demonstrably outweigh these positive impacts.

6.6. The proposed development therefore constitutes sustainable development in accordance with the adopted Local Plan and the provisions of the NPPF. Taken with the presumption in favour of suitable development, these are considered to constitute compelling reasons to approve the planning application.