

Planning Statement

Helix @ Gateway 36
Unit 5, Kestrel Way
Birdwell
Barnsley
S70 5SZ

December 2017

Prepared for:
HARWORTH GROUP

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1. Introduction

This Planning Statement has been prepared by Cushman & Wakefield on behalf of Harworth in respect of Unit 5 (known as Helix) of the Gateway 36 – Phase 1 development at Kestrel Way, Birdwell, Barnsley. The Statement has been prepared to accompany a planning application for a flexible change of use of Unit 5 from employment use to a car supermarket.

This Planning Statement examines the planning context for the site and provides analysis of the development proposals. Accordingly, this report is structured as follows:

- Site Context;
- Description of Development;
- Planning Policy Context;
- Planning Analysis, and;
- Conclusions.

2. Site Context

The Site

Unit 5 (Helix) @ Gateway 36 is a vacant industrial building. The building floorspace comprises 6,993sqm (75,277sqft) and is 12m in height (see figure 1). The building has reserved matters planning permission for employment uses (use class B1bc/B8)¹.



Figure 1: Unit 5 (Helix) @ Gateway 36.

Gateway 36

Unit 5 (Helix) @ Gateway 36 is part of a wider mixed use industrial development (known as Gateway 36 - Phase 1). Gateway 36 - Phase 1 comprises a mix of employment uses (B1bc/B8) and food and drink uses i.e. Costa drive through, KFC, Taco Bell and a Green King Pub (see figure 2). Three of the employment units branded “R-evolution @ Gateway 36” have been let to Barnsley Council (see figure 2). Details of relevant planning permissions related to Gateway 36 – Phase 1 are included in table 1 (over page).

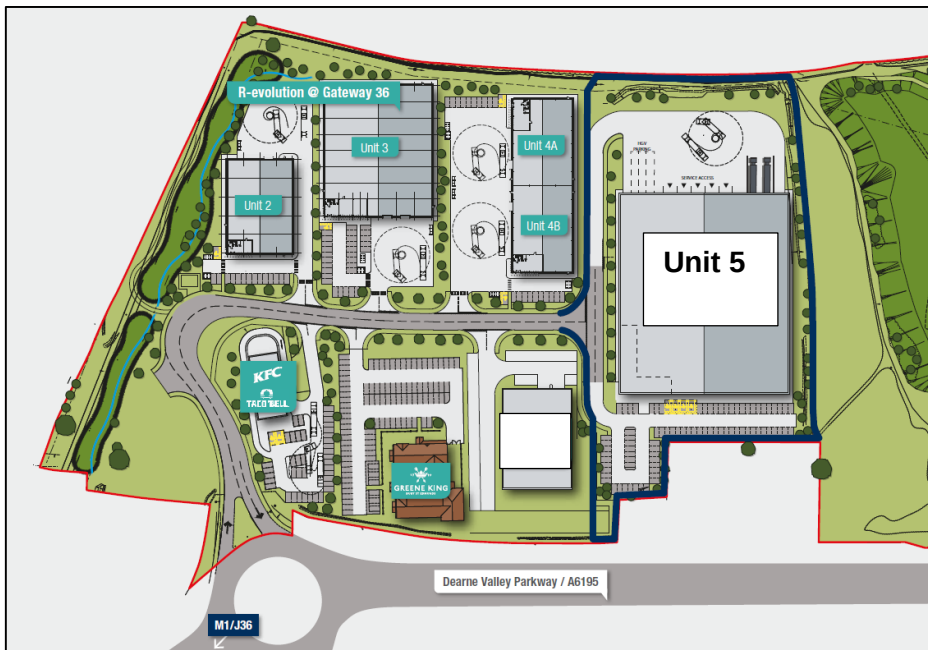


Figure 2: Gateway 36 Plan (c Harworth Group).

1 Application ref: 2015/0954.

Surrounding Area

Gateway 36 is the first phase of employment land development for Harworth located off the Dearne Valley Parkway (A6195). Immediately adjacent to the boundary of Unit 5 (Helix) @ Gateway 36 and to the south of the Dearne Valley Parkway are two large development sites also owned by Harworth. These sites are the subject of draft allocations for employment use within the draft Barnsley Local Plan (sites HOY3 and HOY5). The Local Plan is currently being examined with adoption expected in 2018.

To the west of Gateway 36 is a housing estate with farmland to the north.

Planning History

The recent planning history for Unit 5 (Helix) @ Gateway 36 is as follows:

Table 1: Planning Application History

Reference	Description	Decision
2015/0954 Unit 5 (Helix) @ Gateway 36 Reserved Matters	Development of one employment unit (Unit 5) at plot 5/6 with associated service yard, parking and landscaping (Reserved Matters) of application 2014/1055 - Formation of access roadway and associated infrastructure (Full). Outline planning application for a phased, mixed-use development comprising employment uses (B1bc/B8 with ancillary office B1a), hotel (C1) and/or car showroom/garage (sui generis/B2) and food & drink (A3, A4, A5) with associated infrastructure.	9.12.15
2015/1118 Gateway 36 – Phase 1 Section 73 Planning Permission	Variation of conditions 3, 4, 6, 10 and 12 of app 2014/1055 - Formation of access roadway and associated infrastructure (Full). Outline planning application for a phased, mixed-use development comprising employment uses (B1bc/B8 with ancillary office B1a), hotel (C1) and/or car showroom/garage (sui generis/B2) and food & drink (A3, A4, A5) with associated infrastructure.	10.12.15
2014/1055 Gateway 36 - Phase 1 Hybrid Planning Permission	Formation of access roadway and associated infrastructure (Full). Outline planning application for a phased, mixed use development comprising employment uses (B1bc/B8 with ancillary office B1a), hotel (C1) and/or car showroom/garage (sui/generis/B2) and food & drink (A3, A4, A5) with associated infrastructure.	23.1.15

3. Description of Development

This planning application seeks approval for the following description of development:

Flexible change of use of building and car park from employment use (B1bc/B8) to a car supermarket (sui generis).

This flexible change of use will enable the building to revert back to the consented employment use (use class B1bc/B8) without requiring further planning permission.

No exterior changes are proposed to the building.

Minimal changes are proposed to the interior of the building to allow cars to be parked inside. The exterior layout will be broadly similar and is illustrated on the proposed site and ground floor plans (refs: 11462B-151 Rev A and 11462-150 Rev B respectively).

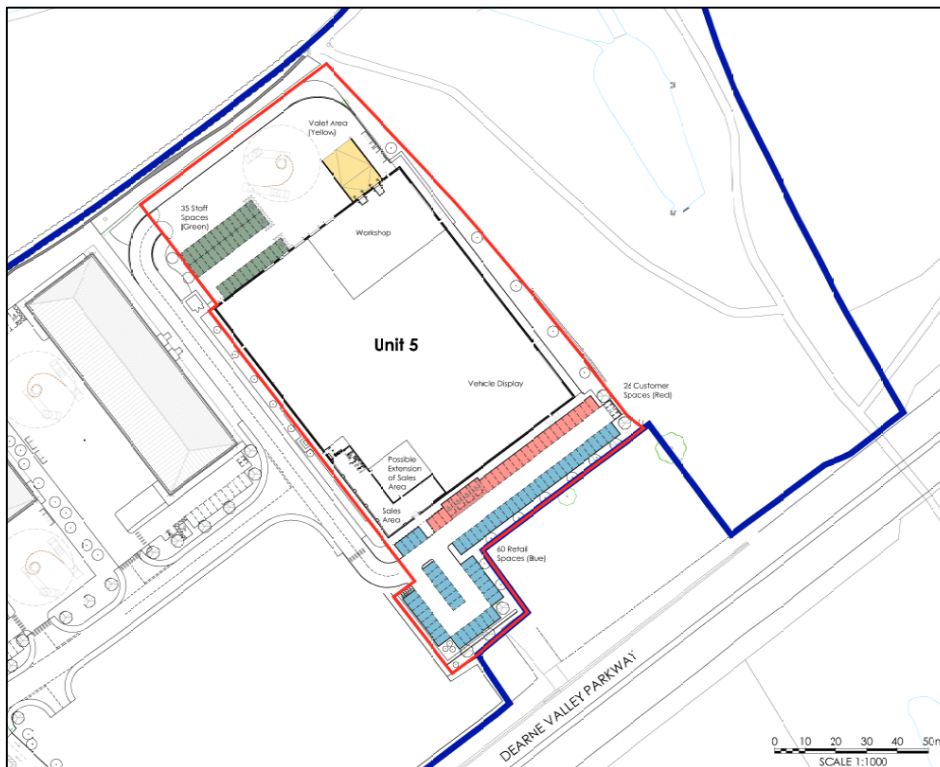


Figure 3: Extract of Proposed Site Plan.

4. Planning Policy Context

This section considers the national, regional and local planning policy context for this site.

Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that development should be in accordance with the approved Development Plan. The Development Plan for this site is the Barnsley Core Strategy (2011) and Unitary Development Plan (2009). The National Planning Policy Framework and draft Barnsley Local Plan (2016) are also of relevance.

National Planning Policy Framework

The National Planning Policy Framework (NPPF) provides details of national planning policy for England and Wales.

The NPPF introduced a presumption in favour of sustainable development. For decision taking, this presumption means:

- Approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless:
 - i) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or
 - ii) specific policies in the Framework indicate development should be restricted.

The NPPF sets out 12 core planning principles that should underpin both plan-making and decision-taking. The 12 principles include (inter alia):

- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.
- take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
- contribute to conserving and enhancing the natural environment and reducing pollution;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land);
- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas.

Paragraph 18 of the NPPF states that the government is committed to securing economic growth in order to create jobs and prosperity.

Paragraph 20 of the NPPF states that to help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.

Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 35 of the NPPF states that developments should be located and designed where practical to (inter-alia) accommodate the efficient delivery of goods and supplies.

Paragraph 109 of the NPPF states that the planning system should enhance the natural environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.

Paragraph 123 of the NPPF states that decisions should aim to (inter-alia) avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development and seek to mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.

Paragraph 216 of the NPPF states that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to (inter-alia) the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given).

Barnsley Core Strategy (2011)

Policy CSP19 states that land and buildings identified for employment use or last within employment use will be retained in order to safeguard future jobs. The policy states that development for non employment uses will only be permitted where:

- redevelopment would not result in a loss of existing jobs or employment potential; and
- there will still be an adequate supply of employment land in the locality.

Policy CSP8 states that priority will be given to development in the following locations (inter-alia) Hoyland.

Barnsley Unitary Development Plan (UDP) (2009)

Gateway 36 (of which Unit 5 (Helix) @ Gateway 36 forms part) is identified as a site to be developed for employment uses (Saved Policy HN3/2).

Draft Barnsley Local Plan (2016)

The draft Barnsley Local Plan is currently being examined in public (the stage 2 hearings closed in November) and the stage 3 hearings are to be confirmed. It is understood that the Council is currently still working on the employment land supply figures for Barnsley. Neighbouring employment sites HOY3 and HOY5 are currently being promoted through the Local Plan process.

5. Planning Analysis

Principle of Development

The principle of a car showroom (sui generis) use was established as part of the original hybrid planning permission for the Gateway 36 – Phase 1 site (ref: 2014/1055). The proposed development is a car supermarket (sui generis) which is effectively the same use as a car showroom.

The committee report for the original permission stated that:

‘Given wider objectives and the need to secure a planning permission that would help secure the funding for the four industrial units, it is considered that the conflict with policy CSP19 (loss of employment land) is not considered significant. The proposal is therefore considered to be an appropriate employment-led, mixed use development.’

The development has since been largely constructed and many of the employment and food and drink uses are operational.

Reserved matters planning permission was granted for Unit 5 (Helix) @ Gateway 36 on 9th December 2015. The building was duly constructed. The building has been vacant since September 2016. It has been fully marketed for employment use in the intervening time with little success (to date).

The proposed use is an employment generating use. It will create 35 new jobs with the potential to generate further jobs in the future.

It is therefore considered that the proposed development will complement the existing mix of uses at Gateway 36 – Phase 1.

Noise

A Noise Assessment was prepared as part of the original hybrid Planning Permission for the site. An update note has been prepared by the noise consultant (WYG) and is included in this submission. The note concluded that based on the proposed change of use, it can be reasonably assumed that the level of noise generated at Unit 5 (Helix) @ Gateway 36 would be less than that previously assessed. Therefore, it is considered that the conclusions of the previous assessment remain valid and that the proposals are in accordance with the requirements of the NPPF.

Transport

An updated Transport Statement has been prepared which has assessed the proposed use. The Statement is included in this submission. The Statement concluded that the proposed development will result in a reduced level of traffic using the local highway network than if the building was occupied by a B1c tenant as is permitted.

6. Conclusions

This Statement can be summarised as follows:

- A flexible change of use is sought to a car supermarket. The flexible change of use would allow the building to revert back to the permitted use (use class B1b/c/B8).
- Planning Permission was granted for mixed use employment development (including a car showroom) in 2015 at Gateway 36 – Phase 1.
- The principle of a Car Showroom/Car Supermarket is therefore established.
- The development has since been largely constructed and many of the employment and food and drink uses (i.e. Costa/Taco Bell and Green King) are operational.
- Reserved Matters Planning Permission was granted for an employment unit (use class B1b/c and B8) at Unit 5 (Helix) @ Gateway 36. This unit has since been constructed and is vacant.
- The proposed use is an employment generating use. It will create 35 new jobs with the potential to generate further jobs in the future
- An updated Noise Note has been undertaken, this concluded that the level of noise generated at Unit 5 (Helix) @ Gateway 36 would be less than that previously assessed.
- An updated Transport Statement has also been prepared for the site. This report concluded that the proposed use would result in a reduced level of traffic using the local highway network than if the building was occupied by a B1c tenant (as is permitted).

It is considered that the proposed development will complement the existing mix of uses at Gateway 36 – Phase 1. It is also considered that there are no material considerations which should prevent planning permission from being granted. The development is therefore acceptable and should be approved without delay.