PLANNING SUPPORTING STATEMENT

OUTLINE PLANNING APPLICATION INCLUDING MEANS OF ACCESS FOR INDUSTRIAL DEVELOPMENT COMPRISING GENERAL INDUSTRIAL (B2) USE AND STORAGE AND DISTRIBUTION (B8) USE WITH ANCILLARY OFFICE (B1) USE

LAND AT CAPITOL PARK, DODWORTH, BARNSLEY

June 2016

1.0 Introduction

1.1 This Planning Supporting Statement is prepared in respect of an outline planning application including means of access for industrial development comprising general industrial (B2) use and storage & distribution (B8) use with ancillary office (B1) use on Land at Capitol Park. Dodworth, Barnsley. This Statement should be read in conjunction with the suite of documents which comprises the submission as follows:

- Air Quality Assessment prepared by Aecom
- Design & Access Statement prepared by CDP
- Ecological Appraisal prepared by ERAP
- Flood Risk Assessment & Surface Water Drainage Strategy prepared by JPG
- Geo-Environmental Desk Study prepared by JPG
- Transport Assessment prepared by Aecom
- Travel Plan prepared by Aecom

1.2 The purpose of this report is to consider the proposals generally against existing and emerging Development Plan and the National Planning Policy Framework (NPPF) and, in particular, to set out the necessary analysis required for proposals for employment uses and retail uses in this location.

1.3 A request for a screening opinion under Environmental Assessment Regulations was submitted to Barnsley Metropolitan Borough Council (BMBC) as the Local Planning Authority (LPA) on 28 April 2016 which concluded that this proposed Schedule 2 development would not justify the preparation of formal assessment. A copy of the formal response is attached at Appendix 1.

1.4 This report addresses the key planning issues as follows:

- Section 2 provides a description of the site, its location and history
- Section 3 describes the development proposals
- Section 4 sets out the planning policy context for the application including the key Development Plan policies and national planning guidance against which it should be assessed

- Section 5 presents an assessment of the mixed use employment and retail proposals against relevant policies and guidance
- Section 6 presents the overall conclusions.

2.0 Site Description and History

2.1 This section describes the sites location, its surroundings and sets out the previous planning history for the site.

Site Location

2.2 The site is located to the west of junction 37 on the M1, Barnsley. The approximate centre of the site is located at NGR SE3170006000. The first phase of the Capitol Park development, comprising a hotel and pub/restaurant built out in 2006, is located to the east 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 beyond Capitol Close which is the principal estate road. Higham Road marks the western boundary of the site beyond which there is a densely vegetated area and Whinby Road is located immediately to the south.

2.3 The site is located with excellent access to all areas of the city and the M1 motorway to the east. Leeds Ring Road and Coal Road also form principal bus corridors linking the northern areas of the District to Leeds City Centre.

Site Description and Surroundings

2.4 In total the red line application site boundary covers around 5.61 hectares (13.88 acres) of which 5.11 hectares (12.65 acres) is net developable. This is the area of Capitol Park which has remained undeveloped following planning approval reference B/04/1998/DO dated 23 February 2005 for *"Outline Employment Development proposal comprising Class B1, B2 and B8 Uses, Hotel, Park and Ride and associated works, with Environmental Impact Assessment*".

2.5 Socio-politically, the site is located in the Central Ward of the Barnsley District which is generally an urban seat and has a large majority of its population on middle or low incomes, with most of the large social housing contained within it. Based on Indices of Deprivation 2010, parts of Barnsley are found to be in the top 10% most deprived areas in England and overall 50 out of 326 areas in terms of % of population living in most deprived areas.

2.6 Whilst the development of new housing and wide-scale improvements to existing Council stock are important, improvements to the environment and support for local employment, enterprise and training opportunities through investment by the private sector are also what will underpin the growth of the local economy.

2.7 The proposals for Capitol Park will generate a significant number of jobs for the local economy which will be available to residents in the immediate locality. In addition, we anticipate a start on site in Q4 of 2016, subject to planning permission being granted, which means that this vacant site can be put to immediate use. This will support the socio-economic needs of the local area as well as improving the appearance of the locality.

Site History

2.8 There have previously been a number of successful planning applications at or adjacent the site as part of the wider Capitol Park development as follows:

- B/04/1998/DO – Outline employment development proposal comprising B1, B2 and B8 uses, Hotel, Park and Ride site and associated work. With Environmental Impact Statement. Approved 23 February 2005.
- B/04/2272/DO - Phase 1 employment development site – Reserved Matters details. Erection of Class B1/B2 hi-tech units, spine road, landscaping and levelling. Approved 23 February 2005.
- 2005/1636 – Erection of a four storey 117 bed hotel and a two storey public house and restaurant with associated works and car parking spaces. Approved 12 April 2006.
- 2005/1816 – Erection of class B1/B2 industrial units (Reserved Matters). Approved 5 January 2006.

- 2005/2073 – Erection of industrial unit with office space (Reserved Matters). Approved 23 April 2006.
- 2006/0334 – Variation of condition 1 of planning consent B/04/1998/DO relating to expiry dates for the Reserved Matters application. Approved 5 April 2006.
- 2006/2091 – Erection of two storey office unit (Reserved Matters). Approved 14 February 2007.
- 2007/0480 – Extension to footpath (Retrospective). Approved 5 June 2007.
- 2013/1239 – Construction of helipad. Approved 10 December 2013.

2.9 Given that the outline planning permission B/04/1998/DO has lapsed a new planning application is required before future development can take place hence the need for this outline planning application to be approved as soon as possible.

3.0 The Proposed Development

3.1 The proposal is an outline planning application including means of access from Capitol Close for industrial development comprising general industrial (B2) use and storage and distribution (B8) use with ancillary office (B1) use). The precise schedule of development will be determined at Reserved Matters stage when details of scale, layout, appearance and landscaping will be submitted for approval. The reason the application is in outline is to ensure flexibility for future occupiers because at this stage there are no occupiers committed to the development although we are in discussions with various companies who have expressed an interest in taking a unit, subject to planning permission.

3.2 Notwithstanding, in order to give an indication of how the site could be laid out we have prepared an Illustrative Masterplan which shows the following quantum of development:

Description	Use	Floor Area (Sq ft)	Floor Area (Sq m)	No. of Parking Spaces
Unit A	B2/B8	27,500	2,554	42
Unit B	B2/B8	30,000	2,787	63
Unit C	B2/B8	70,000	6,503	118
Unit D	B2/B8	50,000	4,655	74
TOTAL		177,500	16,499	297

3.3 Based on this amount of development, and excluding the ancillary B1(a) office element of the proposals, a development of 177,500 sq ft (16,499 sq m) could generate in the region of between 200 and 450 jobs, based on use for either B2 or B8 use. This figure is derived from employment density calculations undertaken using the HCA Employment Densities Calculations 2nd Edition 2010 which is accepted generally as a useful aid for calculating job densities in new speculative developments.

3.4 With regards to access, there is an existing spur on site which will be retained and utilised to serve a unit directly, primarily due to the fact there is a drain which runs through the site where an easement exists. The main access into the development will be formed from a new access off Capitol Close which will be staggered between the existing access roads off Capitol Close to the north and east.

3.5 The site is well located nearby to existing residential areas and is in an easily accessible location, as is described in the Transport Assessment. Given the proximity of the site to neighbouring communities and the M1 motorway, it is considered that the proposed development will provide an opportunity to enhance the local economy and ensure the final part of Capitol Park is developed in accordance with the Development Plan for the area as is described in the next section.

4.0 Planning Policy and Guidance

4.1 The planning policy context in which the application should be considered is provided by the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) together with policies of the development plan which, in this case, comprises the Barnsley Core Strategy adopted 2011 and 'Saved' policies in the Barnsley Unitary Development Plan (UDP), adopted 2000.

4.2 Section 38(6) of the Planning & Compulsory Purchase Act 2004 identifies that planning applications should be determined in accordance with the statutory Development Plan unless material planning considerations indicate otherwise.

Barnsley Unitary Development Plan

4.3 The UDP was adopted in 2000 and the Proposals Map allocates the site within an Employment Proposal as shown in Figure 1 below.

Figure 1: UDP Proposals Map Extract

4.4 Land at Junction 31 employment site, or “Capitol Park”, in Dodworth is included as an employment allocation in the Barnsley Unitary Development Plan (UDP) (2000) as site reference D03/1 covering a total area 15.4 hectares. The site is described in the UDP as:

“a major component of the Council’s re-industrialisation strategy”.

4.5 The UDP still forms part of the Development Plan alongside the Barnsley Core Strategy (2011). The site is also designated as an Enterprise Zone.

Barnsley Core Strategy

4.6 In September 2011, Barnsley Council adopted their Core Strategy which comprises a long-term spatial vision and strategic objectives for the Barnsley Borough area for the period up to 2026. As a result some of the previously saved policies in the UDP were replaced. The Core Strategy policies listed below are those which are considered relevant to the determination of the application.

4.7 Policies CSP1 and CSP2 relate to climate change and require developments to (inter-alia) minimise resource and energy consumption and be located on previously developed land. Policy CSP3 relates to sustainable urban drainage design.

4.8 Policy CSP8 gives priority to Urban Barnsley as the main focus for development. Paragraph 6.8 explains that Urban Barnsley includes Dodworth where Capitol Park is located.

4.9 Policy CSP11 and CSP12 are general policies related to the amount and distribution of employment land to be allocated in the period up to 2026.

4.10 CSP19 specifically deals with protecting existing employment land, setting stringent criteria to be met if redevelopment for non-employment uses is to be considered.

4.11 Policy CSP25 refers to the provision of at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people, and that developments should not provide more than the maximum number of car parking spaces set out in a Supplementary Planning Document.

4.12 Policy CSP27 sets out the Council's Parking Strategy, again replacing a number of the previous UDP policies. It states that the Council's aim is to develop a parking strategy that will help to influence people's travel which will include the application of maximum car parking standards.

4.13 CSP 29 relates to Design and states that development should (inter-alia):

- *"contribute to place making and be of a high quality, that contributes to a healthy, safe and sustainable environment*
- *help to transform the character of physical environments that have become run down and are lacking in distinctiveness*
- *enable all people to gain access safely and conveniently, providing, in particular, for the needs of families and children, and of disabled people and older people*
- *contribute towards creating attractive, sustainable and successful neighbourhoods*"

Emerging Barnsley Local Plan

4.14 At the time of writing a Report to Full Council has been prepared by Barnsley Council Officers recommending to Members that the Council goes out to consultation on the Local Plan Publication Draft 2016. The Report is due to be considered on 26 May 2016 and the Local Plan Publication Draft 2016 includes a Proposals Map showing the land at Capitol Park allocated for employment as site UB8. Accompanying Policy E3 'Employment Site Policies' states that:

"Planning permission will be expected to be granted if details are provided in accordance with the site specific policies in the tables below"...

…"UB8 - Capitol Park – 9 hectares"

4.15 Paragraph 8.10 also reaffirms that Urban Barnsley and existing key employment sites (existing industrial estates and business parks) are the focus for growth and economic development across the District.

4.16 Policy E5 ‘Uses on employment land’ states that:

“On allocated Employment Sites, or land currently or last used for employment purposes, we will allow the following uses:

1. Research and development, and light industry

2. General industrial

3. Storage or distribution

Ancillary uses will be allowed where appropriate in scale. Other uses may be considered on their merits, particularly their contribution to the borough's economic offer and job density”.

4.17 Policy E6 on ‘Protecting Existing Employment Land’ states that:

“Land or premises currently or last used for employment purposes will be retained in order to safeguard existing or potential jobs. The development of employment land and premises for non-employment uses will only take place if:

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

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

- *the land or premises cannot satisfactorily support continued employment use”.*

4.18 Policy T1 ‘Accessibility Priorities’ also establishes objectives for transportation including, inter-alia, the following:

"B) Implement transport network improvements as supported by evidence from modelling, feasibility studies, consultation, surveys, community engagement etc"

4.19 Assuming that Members agree to go out to consultation on the Local Plan Publication Draft 2016, and a subsequent round of consultation the Local Plan Submission Draft will be prepared and lodged with the Secretary of State for determination following an Examination in Public.

National Planning Policy Framework

4.20 The National Planning Policy Framework (NPPF) sets out the Government's planning policies and how these are to be applied. The document constitutes guidance for local planning authorities.

4.21 Central to the NPPF is a presumption in favour of sustainable development and the need for the planning system to support economic growth. Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development and the application of the policy for decision-making:

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

4.22 There is an underlying 'commitment to securing economic growth in order to create jobs and prosperity' (paragraph 18). As such, it states that significant weight is to be placed on the need to support economic growth through the planning system (paragraph 19). In addition, paragraph 20 and 21 set out that 'investment in business should not be over-burdened by the combined requirements of planning policy expectations' and that local planning authorities should be proactive in meeting the needs of business.

4.23 The Government also attaches "great importance" to the design of the built environment and that good design is a key aspect of sustainable development.

Paragraph 58 of the NPPF sets out a number of considerations for plan-making and decision-taking to ensure that developments:

- Will function and add to the overall quality of the area;
- Establish a strong sense of place;
- Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space) and support local facilities and transport networks;
- Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Create safe and accessible environments;
- Are visually attractive as a result of good architecture and appropriate landscaping.

4.24 Furthermore, paragraph 60 of the Framework confirms that:

"*Planning policies and decision should not attempt to impose particular architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles*."

4.25 Other pertinent paragraphs of the NPPF which are referred to later in the report are Paragraph 32 which states that:

"Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe"

And paragraph 109 of the NPPF which refers to the potential for a net gain in biodiversity terms.

Supplementary Planning Documents

4.26 The Council also has a suite of Supplementary Planning Documents (SPD's) which should be taken into account as a material consideration in the determination of the planning application.

4.27 In March 2012 the Council adopted a Car Parking SPD for the Borough which provides detailed guidance on parking standards which is relevant. For all office developments in Urban Barnsley below 2500 sq m the maximum parking standard is 1 space per 30 sq m gross floor area. For general industrial developments in Urban Barnsley the maximum parking standard is 1 space per 1 space per 50 sq m up to 500 sq m and for storage and distribution it is 1 space per 100 sq m up to 1000 sq m and 1 space per 150 sq m thereafter.

5.0 Planning Considerations

5.1 Having considered the adopted planning policy framework there are a number of considerations that are material in determining whether the employment proposals are acceptable. This Section appraises the proposed development including the economic benefits of significant new investment and employment opportunities generated by the development.

Principle of the Development

5.2 The site is allocated for employment purposes in the UDP and the Core Strategy. At this stage it is highly likely that the emerging proposals map contained within the Local Plan Publication Draft is expected to retain the employment allocation for the site up to 2026.

5.3 All of the units will be designed and manufactured by Commercial Development Projects (CDP Ltd) who are the applicant and landowner. CDP Ltd have been in discussions with Knight Frank (as their advising commercial agents) and Shaun Higginbottom at Enterprising Barnsley since purchasing the site at the beginning of 2016. At the time of writing, no firm deal is in place for an occupier to take any of the units however it is hoped that expressions of interest will develop into formal agreements once planning permission is secured.

5.4 In order to retain as much flexibility as possible the application is made in outline form to avoid restricting future demand. However, the illustrative masterplan which has been provided with the planning application has been drawn up based on what we understand there is demand for within the market at the present time.

5.5 Despite its speculative nature at this stage the proposals for B2 and B8 uses at the site which is an allocated employment site is entirely in accordance with the Development Plan and will help fulfil the objectives of the Core Strategy in focussing new economic development within Urban Barnsley.

5.6 Based on the amount of development shown on the Illustrative Masterplan, and excluding the ancillary B1(a) office element of the proposals, a development of 177,500 sq ft (16,499 sq m) could generate in the region of between 200 and 450 jobs, based on use for either B2 or B8 use. This figure is derived from employment density calculations undertaken using the HCA Employment Densities Calculations 2nd Edition 2010 which is accepted generally as a useful aid for calculating job densities in new speculative developments. This is a significant number of jobs which will benefit the local economy.

5.7 In addition it should also be noted that during the construction period we would anticipate around 100 jobs being created by the development. Any opportunities will be advertised locally in the Barnsley press. Contact will also be made with the local employment and council regeneration offices as and when opportunities arise. Contact details for the developer will also be displayed in the site accommodation facilities provided for prospective contractors to use. This in turn will assist in meeting the Core Strategy policies for employment and economic development.

5.8 In conclusion, it is considered that the proposed development is on an allocated site and in Urban Barnsley where development for general employment are focused. The proposals are therefore in accordance with policies D03/1 of the Barnsley UDP, CSP8, CSP11, CSP12 and CSP19 of the Core Strategy and UB8, E3, E5 and E6 of the emerging Local Plan Publication Version.

Design

5.9 Policies CSP1, CSP2 and CSP3 requires good design that is sustainable in all new developments and policy CSP29 requires high quality design which contributes positively towards the environment.

5.10 In addition, Paragraph 58 of the NPPF also emphasises that new development should contribute towards a sense of place and reflect local surroundings and materials.

5.11 The accompanying Design and Access Statement submitted with the planning application provide a background to the proposals including details regarding the design principles of the site layout and the proposed development. The Design and Access Statement has been prepared in accordance with CABE guidance 'Design and Access Statements: How to write, read and use them'.

5.12 The proposed development has been carefully considered so that it would be appropriate and sympathetic in scale, design and appearance to the features of the site and its surroundings thereby preserving and enhancing the local environment.

5.13 The proposed development represents a high quality scheme which meets the requirements of both the Core Strategy and paragraph 58 of the NPPF. It is considered that the proposed development will enhance the quality of the area with new, modern units and integrated hard and soft landscaped areas.

Transportation

5.14 The proposed development has been fully assessed in the accompanying Transport Assessment (TA) prepared by Aecom against the relevant policies set out in the Barnsley UDP and Core Strategy and guidance contained within the NPPF.

5.15 In addition, Aecom have prepared a Travel Plan (TP) for the proposed development.

5.16 The TA provides an assessment of the accessibility of the site and concludes that the site is highly accessible as it is located on a major transport corridor with good connections to the town centre and the motorway network. The TA confirms that the traffic generation of the development will result in only a slight increase in vehicle numbers during the peak hours.

5.17 The applicant had engaged in pre-application discussions with Barnsley Council's Highways department and will continue to do so throughout the application process in order to satisfy the LPA that the development can proceed without any detriment to highways safety or the functioning of the nearby highway network including the M1 motorway.

5.18 The TP identifies a range of sustainable travel initiatives in order to mitigate the possible impacts of the development.

5.19 The robust approach taken in respect of establishing the future traffic impacts of the development means that the results presented represent a 'worst case' scenario; in reality, given the measures identified in the TP, these impacts will be reduced.

5.20 Within the context set out above, it is concluded by the TA that the proposed development accords with relevant transport policy and is considered suitable taking into account all available current national and local guidance.

Ecology

5.21 An Ecological Appraisal of the site has been undertaken by ERAP which confirms that the application site is characterised by cleared and levelled ground which has become colonised by self-seeded shrubs, grasses and ruderal vegetation. Young planted saplings are present at the perimeter of the site, and a hedgerow with occasional mature trees is located at the western boundary.

5.22 The impact of the proposals is assessed in the report which concludes that there will be no adverse effect on statutory or non-statutory designated sites.

5.23 The boundary hedgerow and trees are of local value as they provide habitat connectivity and structural diversity in a landscape dominated by built development and farmland. The hedgerow also represents Priority Habitat.

5.24 No other habitats within or adjacent to the site are Priority Habitat. All habitats are common and widespread across lowland Britain and are typical of the local area and the conditions present.

5.25 The boundary hedgerow, trees and planted saplings are suitable habitat for nesting passerine birds. The open undisturbed habitat within the centre of the site is suitable for ground-nesting bird species.

5.26 The boundary hedgerow, trees and saplings also provide suitable habitat for foraging birds and bats.

5.27 No other protected species have been detected. Any impacts of the proposed redevelopment on badger, roosting bats, water vole, great crested newt, reptiles and barn owl are reasonably discounted.

5.28 General recommendations are made in regards to the protection of nesting birds and enhancement of the site for wildlife as part of the new development, and in particular, an opportunity to implement beneficial measures such as habitat creation that will safeguard habitats for wildlife such as birds and bats, with the aim of providing a net gain in biodiversity in accordance with the principles of the NPPF.

5.29 In conclusion, the proposed development is designed in accordance with paragraph 109 of the NPPF, as there is potential for a net gain and to enhance the biodiversity of the site. It is considered that the proposals are feasible and acceptable in accordance with ecological considerations and relevant planning policy. The proposed development at the site will provide an opportunity to secure ecological enhancement for wildlife.

Trees and Landscaping

5.30 The majority of the trees along the site boundary will be retained as part of the proposals. The self-seeded trees within the centre of the site will have to be removed. The perimeter areas can be enhanced through wildflower mix planting and additional tree planting to create landscaped embankments as indicated on the indicative masterplan. However, as the final layout is yet to be agreed we would request that the structural and detailed landscaping proposals including a planting and maintenance schedule can be conditioned for future approval at the reserved matters stage.

Ground Investigation

5.31 A Geo-Environmental Desk Study has been prepared by JPG which accompanies this planning application which describes the site as comprising an engineered level plateau which is currently undeveloped. The report confirms that the site was previously used as farm land and farm buildings where present up to when the site was cleared and regraded and left as it is now.

5.32 The report speculates that potential sources of contamination may be present on the site from made ground associated with site history, site regrade and stockpiles and hazardous gases/soil vapours associated with made ground. Consequently, development and maintenance workers and site end users, i.e. employees and customers, could come into contact with soils containing elevated concentrations of potential contaminants and hazardous gases. The underlying Secondary A Aquifer and nearby drain (Tertiary River) could become contaminated due to the leaching and migration of contaminants from soil into surface water via surface run-off. Buildings and services could be affected by potentially aggressive contaminants in the soils. Planting in landscape areas could be affected by phytotoxic elements within the soils.

5.33 Accordingly, the report recommends further investigative works should be carried out. However, given the previous consent for employment use at the site and the fact that development has already taken place on previous development sites we do not expect there will be any ground contamination found which will render the site undevelopable and accordingly we would request that the further ground investigations, any necessary remediation work and subsequent verification reports can be required by conditions attached to the outline planning permission.

Flood Risk and Drainage

5.34 The application site falls within Flood Zone 1, as defined on the Environment Agency's Flood Risk Maps, and is therefore not considered to be at risk from fluvial or tidal sources. The accompanying Drainage and Flood Risk Assessment (FRA) prepared by JPG demonstrates that the proposed development does not pose any flood risk and that in accordance with the NPPF Technical Guidance all uses of land are appropriate to this site.

5.35 It is proposed to discharge the surface water via the existing tails provided into the existing adopted drainage network running through the site.

5.36 Foul water domestic waste should discharge to the existing adopted sewer network currently running through the site.

Air Quality

5.37 The site is located in proximity of two air quality management areas and during pre-application discussions with the LPA it was determined that an air quality assessment is required.

5.38 The Air Quality Assessment prepared by Aecom in conjunction with a methodology agreed with the Council's Technical Officer (pollution control) in Regulatory Services concludes that with regard to potential impacts during the construction phase, overall the impacts will be of Negligible significance. With regard to potential impacts during

the operational phase, the assessment concludes the overall impact to annual mean NO2 were considered to be not significant.

6.0 Summary and Conclusions

6.1 The proposals will have significant social, environmental and economic benefits to the site which has remained vacant for some time and is located in an area where employment and development are focused. This Planning Supporting Statement, together with the suite of accompanying documents, have confirmed that development can be achieved without any detriment to the local environment.

6.2 There are no constraints to the development of the site and the scheme represents an efficient use of the land, which is allocated for employment uses, with the delivery of a multi-million pound investment in the locality which will generate around a number of construction jobs and in the region of 200 and 450 jobs following occupation.

6.3 We are committed to starting the development in Q4 of 2016 which means the first phase of the units will be delivered by mid-2017 following an 18 month build period, subject to planning permission being granted.

6.4 The proposals are in full accordance with national and local planning policy. For the reasons set out in this Planning Supporting Statement we respectfully request that this application for full planning permission is granted without delay.

M Steadman MRTPI
Commercial Development Projects Ltd June 2016

APPENDIX 1 – Environmental Impact Assessment Screening Opinion

EIA Screening Opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended).

2016\ENQ\00301

Proposal – Land at Capitol Park, Junction 31 M1 Dodworth

This document constitutes a screening opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended), to determine the necessity for an Environmental Impact Assessment (EIA), in respect of the above.

The request for a screening opinion was accompanied by a supporting statement.

The land lies off Capitol Close immediately to the west of the existing Capitol Park developments, close to Dodworth and Junction 37 of the M1 motorway. Of roughly triangular shape, it is bounded to the east by Higham Lane, Capitol Close with a level access to the land, and the A628 Whinby Road. The site is comprised of scrubby grass with some ephemeral wet areas lighting at a slightly higher elevation than Whinby Road.

The adopted Barnsley Unitary Development Plan designates the proposed site as part of the larger (15.4 hectares) Capitol Park employment allocation as site reference D03/1.Green Belt land adjacent to the existing Capitol Park Employment Area.

It is allocated as part of employment allocation UB8 in the draft Local Plan (9.02 ha). Whilst this draft Local Plan does not currently carry any weight in the determination of planning applications, it does nevertheless indicate the direction of travel for land use allocations.

There are no listed buildings or scheduled ancient monuments within the vicinity. There are no sensitive areas in the vicinity.

The following screening opinion is based on the information available in respect of the proposal and the Council reserves the right to undertake a re-screening should further material information become available.

Assessment

Having examined Schedule 1 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011, the proposal clearly does not fall within any of the descriptions of development.

The proposal does fall however under description of development 10(a) (column 1), 'Industrial Estate Development Projects.2. No part of the proposed development however, is located wholly or in part in a sensitive area as defined in regulation 2(1) (which includes scheduled ancient monuments). The area of the proposed development (5.61 hectares) exceeds the applicable threshold in column 2 of Schedule 2 the applicable threshold of 5 ha in column 2 of Schedule 2 of the 2011 Regulations (as amended by The Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015. The proposed development therefore is Schedule 2 development and potentially requires an EIA. However, the size is only marginally larger than the threshold and is well below the indicative criteria and threshold as set out in column 3 of Schedule 2 as set out in the NPPG at which an EIA is likely to be required is where the site area of the new development is

more than 20 hectares. The proposal is for only 5.6 ha and so the scale is therefore unlikely to require an EIA.

Government guidance advises that, in general, EIA will be needed for Schedule 2 developments in three main types of case:

a) For major developments which are of more than local importance;
b) For developments which are proposed for particularly environmentally sensitive or vulnerable locations; and
c) For projects with unusually complex and potentially hazardous effects.

Based on the information provided, the proposal is not considered to fall into any of the above criteria.

The question is therefore, is the proposed development likely to have significant effects on the environment by virtue of its characteristics, location and the nature of the potential impacts as set out in Schedule 3 of the Regulations?

Characteristics
The NPPG states respectively that 'in general, each application (or request for an opinion) should be considered for EIA on its own merits. The development should be judged on the basis of what is proposed by the developer' and 'however, in judging whether the effects of a development are likely to be significant, local planning authorities should always have regard to the possible cumulative effect with any existing or approved development. There are occasions where the existence of other development may be particularly relevant in determining whether significant effects are likely, or even where more than one application for development should be considered together to determine whether or not EIA is required'.

In considering characteristics, whilst the proposal exceeds the 5 ha threshold criteria is column 2 of Schedule 2, it does not exceed the indicative criteria and threshold set out in column 3 of the NPPG. Even in cumulation with the Existing Capitol Park it does not exceed the indicative and threshold criteria set out in column 3 of the NPPG. The proposal is not expected to result in excessive use of natural resources, and is not expected to result in significant pollution and nuisances.

It is further considered that there is no higher risk than average of accidents during construction and operations and that the project is neither unusually complex nor has potentially hazardous environmental effects in view of its scale and character. The development is unlikely to generate any significant pollution.

Location
In considering the location of development, the site lies within an existing employment area and the site has been previously cleared, so the proposal would not have a significant impact on the exiting nature of the site. The site is not within a sensitive area as set out in Regulation 2(1). It is considered that the impact, including the impact on landscape, would be less significant than if it was in an isolated Green Belt or other countryside location.

Part of the site lies within a Coal Authority Standing Advice area. A coal mining risk assessment and geo-environmental Ground Investigation report should determine the extent of coal mining legacy risks.

The location of the site otherwise is of less concern in terms of environmental sensitivity, as no agricultural land or land of nature conservation value would be affected

Overall it is considered that the natural environment is capable of absorbing the development, as it is not within a wetland, coastal zone, mountain area or nature reserve. It is not designated under the Habitats Directive and environmental quality standards laid down in EU legislation have not been exceeded in this area. The site lies on the edge of a populated area, impact on quality of life is not considered to be an issue for a significant number of people.
Heritage assets are not considered to be affected to a significant degree as there are none on the site or within the vicinity likely to be affected.

Nature of potential impacts
For Industrial Estate Development Projects, the National Planning Policy Guidance document and Column 4 of Schedule 2 of the Regulations as set out in the NPPF advises that in addition to the physical scale of such developments, particular consideration should be given to the potential increase in traffic, emissions and noise.

In terms of the potential impacts of the proposed development, there would no doubt be adverse visual, noise and disturbance, and traffic impacts during the construction period. However, these would be relatively short term and in the medium to long term, a modern employment site is likely to generate only additional traffic associated emissions. There are unlikely to be any other significant impacts as a result.

In consideration of all of the above, it is the view of the Local Planning Authority that the proposed development is unlikely to have significant effects on the environment and an Environmental Impact Assessment is therefore not required.

Formal Screening Opinion Summary

1. Having examined Schedule 1 of The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (as amended), the proposal clearly **does not** fall within any of the descriptions of development.

2. Interpreting Schedule 2 widely, the proposal falls under description of 10(a) Industrial Estate Development Projects, and is therefore Schedule 2 development.

3. No part of the proposed development is located wholly or in part in a sensitive area as defined in Regulation 2(1).

4. The area of the site (red line boundary) **exceeds** the applicable threshold of 5 ha in column 2 of Schedule 2 of the 2011 Regulations (as amended by The Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015 . The proposed development therefore **potentially requires an EIA.**

Conclusion
In coming to the decision below the authority has taken into account whether the proposed development is likely to have significant effects on the environment by virtue of its characteristics, location and the nature of the potential impacts.
Government guidance in the National Planning Policy Guidance states that, in general, EIA will be needed for Schedule 2 developments in three main types of case:

a) For major developments which are of more than local importance;
b) For developments which are proposed for particularly environmentally sensitive or vulnerable locations; and
c) For projects with unusually complex and potentially hazardous environmental effects.

In assessing the submitted information in the light of the above it is considered that the proposal will not have significant environmental impacts within the meaning set out in The

Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 2011 (as amended) for the following reasons:

5. Reasons:

1 **Thresholds in Schedule 2**

With regard to the scale of the development , whilst the scale of the development at 5.3ha exceeds the threshold in Schedule 2 column 2 (Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 2011 as amended by The Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015), it does not exceed the indicative threshold criteria of 20ha as set out in the NPPG), even taking into account the cumulation with the adjacent Capitol Park Development.

2 **Characteristics of the development**

The proposals are not of unusual scale, nature or type and the site is not unusually contaminated or of challenging landform. There would not be an excessive use of or impact on natural resources or excessive production of waste or pollution. It is considered that there is no higher risk than average of accidents during construction and operations.

3 **Location**

In terms of location, the site is not in a sensitive area as defined in Regulation 2(1). There are no protected features on the site and the proposed Local Nature Reserve at Langford Wood would be unaffected. Overall, it is considered that the local environment can absorb the proposal.

4 **Scale Of Impacts**

The impact of the proposed development is likely to be limited to noise, traffic and potentially traffic emissions. There will be impacts as a result of the loss of the agricultural land. However, all impacts are expected to be in the local area only. The impacts are not considered to be unduly complex or of a significant scale following the construction period.

The proposal is unlikely to have significant effects on the environment and an EIA **is not** therefore required.

OFFICER SIGNATURE	**Elaine Ward**	**DATE 27/05/2016**