

**PROPOSED DEVELOPMENT AT
HANGMANSTONE DEPOT,
SHEFFIELD ROAD, BIRDWELL, BARNSELY**

BY HARTWOOD ESTATES

**REPORT ON RETAIL ISSUES TO SUPPORT
THE PLANNING APPLICATION**

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1.0 INTRODUCTION

- 1.1 This Report has been prepared to support a planning application submitted on behalf of Hartwood Estates for a mixed use development on land comprising part of the former Hangmanstone Depot, Sheffield Road, Birdwell, Barnsley. The application proposes six units for uses falling within A1, A2, A3 and A5 of the Use Classes Order 1987. However, no more than four units would involve uses falling with Class A1 (retail), at least one unit would fall within Class A3 (restaurant/cafe) and at least one unit would comprise either a Class A5 use (hot food takeaway) or A2 use (professional office/service).
- 1.2 The total floorspace proposed by the application is some 1,285 square metres (13,832 square feet). Within this total, a unit would be occupied by a convenience store of 373 square metres (4,011 square feet). The A3 restaurant use would occupy a unit of some 466 square metres (5,014 square feet). The maximum retail floorspace would be 726 square metres (7,815 square feet) gross.
- 1.3 The current application was preceded by application reference 2008/0561 which sought approval for a mixed use development comprising Use Classes A1, A3, A5 and B1 on the site of Hangmanstone Depot. We understand that various pre-application discussions took place with Officers of the Council prior to the submission of the previous application. However, it was only following the submission of the application that Officers expressed the view that a report would be required to address retail issues arising from the proposed development.
- 1.4 The first application was therefore withdrawn in order to review the issues which had been raised by Officers of the Council. To that end, we were instructed to provide an assessment of the scope for retail development at Hangmanstone Depot.
- 1.5 It should be noted that the current proposal is significantly smaller than the withdrawn scheme in terms of the number of units, the total floorspace in A1, A2, A3 and A5 use and the amount of floorspace in A1 (retail) use.
- 1.6 We produced an Initial Assessment for our Clients in October 2008. This assessment has been shared with Officers of the Council subsequently and a copy is attached at Appendix 1 to this Report.
- 1.7 Our report on retail capacity for retail development to serve a local need arising within the area has been used to inform the design process for the scheme which has been discussed with Officers of the Council and forms the basis of the current application. However, that report dealt solely with the issue of retail capacity. Whilst it did not address matters raised in paragraph 3.4 of PPS6 expressly, the assessment and conclusions regarding capacity are, in our view, highly relevant to dealing with the issue of scale, the sequential approach to site selection and the impact on nearby centres. However, this Report deals with those matters, but having regard to advice within paragraphs 3.7 and 3.23 of PPS6 which indicate that the level of detail and type of evidence and analysis

required to address the key considerations should be proportionate to the scale and nature of the proposal.

General Context

- 1.8 Birdwell is a distinct settlement located to the south of the main built up area of Barnsley. In general terms, the settlement is linear in form along the A61 Sheffield Road with an area of 1950's estate semi-detached housing to the north located along Worsborough Road. To the south of Birdwell is Junction 36 of the M1 motorway.
- 1.9 To the east of Birdwell is Hoyland Town Centre. This town centre is about two miles due east of Hangmanstone Depot. There is a local centre at Hoyland Common at the junction of Sheffield Road (the A6135) and Hawshaw Lane (the B6096). Whilst this local centre is a relatively short distance from Hangmanstone Depot it is separated by the relatively new Dearne Valley Link Road (the A6195). The route does not encourage pedestrian access. This is a factor which has been taken into account when defining the study area adopted for the purposes of the initial retail analysis.
- 1.10 There is no shopping centre to serve the residents of Birdwell. Existing shopping provision is sporadic and distributed throughout the settlement. The largest and most significant shop selling convenience goods is the Co-op Late Shop located on Spring Green Avenue which is located in the northern part of the settlement. More centrally within the settlement, Birdwell News is a newsagent which sells a very limited range of convenience items.
- 1.11 Pilley Green is a separate settlement located to the west of the motorway. However, there is direct pedestrian access to Birdwell via a pedestrian footbridge over the motorway. The fact that the motorway is in a cutting at this point mean that crossing the motorway does not entail the inconvenience or disincentive of steps or ramps to use the bridge. Tankersley Post Office located at Pilley Green provides a limited range of convenience items. All of the existing convenience shops are limited in size, the Co-op at Spring Green Avenue being the largest with a net area of around 107 square metres (1,152 square feet). Consequently, the range of goods available within the area is very limited and for all practical purposes is confined to immediate day to day requirements.
- 1.12 In terms of other shops and services, there is a post office located on the eastern side of Sheffield Road within Birdwell. The pharmacy is also located on Sheffield Road. There is a ladies clothing shop, three hairdressers, a dry cleaners and hot food take away, window showroom and a showroom selling fireplaces scattered throughout the settlement.
- 1.13 The following section of this Report sets out the policy context for the proposals. Section 3 sets out the history of the site in respect of the previous planning application, the Planning Officers' consideration of that scheme and pre-application discussions in relation to the current proposal.

- 1.14 The issue of need is addressed in Section 4, scale in Section 5, the sequential approach to site selection in Section 6, and the likely economic effects of the proposal in Section 7. Section 8 comments on the accessibility of the Application Site by a choice of means of transport. Section 9 sets out a summary of the main points and draws conclusions.

2.0 **POLICY CONTEXT FOR THE PROPOSAL**

- 2.1 Within this section of the Report we set out the relevant policy context for the retail component of the proposal starting first with PPS6, then the Proposed Changes to PPS6, followed by a review of Development Plan policy, particularly the "saved" policies of the Barnsley Unitary Development Plan.
- 2.2 It should be noted that whilst the Regional Spatial Strategy (The Yorkshire and Humber Plan Regional Spatial Strategy to 2006, issued in May 2008) forms part of the Development Plan there are no specific policies which are of direct relevance to the current proposals other than to note that Policy E2 aims to support the role and performance of existing city and town centres. However, it should be noted that Hoyland is designated a "Principal Town Centre" to which investment should be directed. For reasons we explain later in our view this has limited relevance to the consideration of the current proposal.

Planning Policy Statement 6: Planning for Town Centres

- 2.3 PPS6 was published in March 2005. Chapter 1 of the Policy Statement sets out the Government's objectives for town centres. Paragraph 1.1 indicates that sustainable development is the core principle underpinning planning and that the planning system has a key role in facilitating and promoting sustainable and inclusive patterns of development, including the creation of vital and viable town centres. Paragraph 1.3 serves to emphasise that the key objective for town centres is to promote their vitality and viability. Other key objectives are set out in paragraph 1.4. These are as follows:
- enhancing consumer choice by making provision for a range of shopping, leisure and local services which allow genuine choice to meet the needs of the entire community, and particularly socially excluded groups;
 - supporting efficient, competitive and innovative retail, leisure, tourism and other sectors, with improving productivity; and
 - improving accessibility, ensuring that existing or new development is, or will be, accessible and well served by a choice of means of transport.
- 2.4 Paragraph 1.5 sets out the Government's wider policy objectives which are relevant to town centres and retail development and which are the promotion of social inclusion, encouraging investment to regenerate deprived areas, promoting economic growth, delivering more sustainable patterns of development and promoting a high quality and inclusive design. In this context it is relevant to note the encouragement in PPG1 for high density mixed use development and reducing demand for travel as key components of delivering sustainable development (paragraph 27).

- 2.5 PPS6 places greater emphasis on the development of a hierarchy and network of town centres than policies it has superseded. Paragraph 1.6 notes that local planning authorities should plan policies positively by inter alia, focussing development in and securing the expansion of existing city, town, district and local centres as appropriate and identifying appropriate sites in plans.
- 2.6 Chapter 2 sets out guidance for the positive planning for town centres. This emphasises a Plan-led approach. Paragraph 2.1 states that in order to deliver the Government's objective of promoting vital and viable town centres, developments should be focussed in existing centres in order to strengthen and where appropriate regenerate them. In general, PPS6 states that Local Planning Authorities should adopt a positive and proactive approach to planning for the future of all types of centres within their area.
- 2.7 Paragraph 2.15 considers the role of plans at the local level. It indicates that Development Plan Documents should set out a spatial vision and a strategy for the network and hierarchy of centres, including local centres. It adds that this should set out how the role of different centres will contribute to the overall spatial vision for the area.

Planning for Local Centres

- 2.8 Paragraphs 2.55 to 2.59 set out advice on the provision for local shopping and other services. Paragraph 2.55 notes that a network of local centres is essential to provide easily accessible shopping to meet people's day to day needs and should be a focus for investment in more accessible local services. Paragraph 2.58 states that the need for local shops and services is equally important within urban and rural areas. It states that Local Planning Authorities should take a positive approach through Development Plan Documents and other strategies to strengthen local centres when planning for local shops and services. It notes that this should include:
- assessing where deficiencies exist in the provision of local convenience shopping and other facilities which serve people's day to day needs and identifying opportunities to remedy any deficiencies in provision;
 - involving the local community and retailers; and
 - working with the private sector to ensure that identified need for new facilities will be delivered.
- 2.9 Paragraph 2.59 notes that guidance on preparing strategies for smaller centres will be published separately. This guidance has not been issued.

Controlling Development

- 2.10 Chapter 3 of PPS6 is concerned with development control and provides advice on dealing with specific proposals for development. Paragraph 3.4 indicates that local planning authorities should require applicants to demonstrate the following:
- (a) the need for development;
 - (b) that the development is of an appropriate scale;
 - (c) that there are no, more central sites for the development;
 - (d) there are no unacceptable impacts on existing centres; and
 - (e) that the locations are accessible.
- 2.11 Paragraph 3.7 states that the level of detail and type of evidence and analysis required to address the key considerations should be proportionate to the scale and nature of the proposal. This advice is reiterated at paragraph 3.23 in the context of assessing the impact of proposals. To that end, the current proposals are small in scale and of only local significance.
- 2.12 Paragraph 3.8 indicates that it is not necessary to assess the need for proposals located within the primary shopping centre. It adds that need must be demonstrated for the proposals in an edge of centre location and which are not in accordance with an up-to-date Development Plan strategy.
- 2.13 Paragraph 3.10 refers to quantitative need and indicates that a "goods based" approach should be adopted, that the assessment should look no more than five years ahead and that the catchment used to assess future needs should be realistic and well related to the size and function of the proposed development and take account of competing centres.
- 2.14 Paragraph 3.11 indicates that qualitative need may also be relevant. It refers back to Chapter 2 of the Statement which is concerned with the plan-led approach. Paragraph 2.35 states that in assessing qualitative need, a key consideration is to provide for consumer choice by ensuring the following:
- that a good distribution of locations is achieved, subject to the application of the sequential test, to improve accessibility for the whole community; and
 - that provision is made for a range of sites which allow genuine choice to meet the needs of the entire community, and particularly socially excluded groups.

- 2.15 In terms of the scale of development, paragraph 3.12 notes that the maximum scale which will be acceptable in particular locations for different facilities may be set out in the Development Plan. It adds that where this is the not case, or where the plan is out of date, the factors to be considered are those set out in paragraphs 2.33 to 2.35. Paragraph 2.41 indicates that the scale of development should relate to the role and function of the centre within the wider hierarchy and the catchment served. It adds that the aim should be to locate the appropriate type and scale of development in the right type of centre, to ensure that it fits into that centre and that it complements its role and function.
- 2.16 In relation to the sequential approach for site selection, in paragraph 3.14 it states that in selecting sites, all town centre options should be thoroughly assessed before less central sites are considered. In paragraph 3.15 it advises that in applying the sequential approach and in considering alternative sites, developers and operators should be able to demonstrate that in seeking to find a site in, or at the edge of existing centres they have been flexible about the following:
- the scale of their development;
 - the format of their development
 - car parking provision; and
 - the scope for disaggregation.
- 2.17 Paragraph 3.16 goes on to say that the purpose of this exercise is to explore the possibility of enabling the development to fit onto more central sites by reducing the footprint of the proposal. It adds however, that local planning authorities should be realistic in considering whether sites are suitable, viable and available. It adds that local planning authorities should also take into account any genuine difficulties in operating the retailer's business model from a sequentially preferable site, in terms of scale, format, car parking provision and the scope for disaggregation, such as where a retailer would be required to provide a significantly reduced range of products. It goes on to say that it will not be sufficient for a retailer to claim merely that the class of goods it proposes to sell cannot be sold from the town centre.
- 2.18 Paragraph 3.17 deals with the issue of disaggregation and notes that where a proposal combines a number of separate uses, the applicant should consider the degree to which the constituent parts within the application could be accommodated on more centrally located sites. Paragraph 3.18 indicates that a single retailer should not be expected to split their store into separate sites where flexibility in terms of scale, format, car parking provision and scope for disaggregation has been demonstrated. It emphasises that it is not the purpose of the policy to seek the arbitrary sub-division of proposals, rather, it is to ensure that consideration is given to whether there are elements which could reasonably and successfully be located on a separate sequentially preferable site or sites.

- 2.19 Paragraph 3.19 provides further guidance on availability, suitability and viability of alternative sites. Where potential alternative sites exist and it is argued that they are not appropriate for development, it states that applicants should provide clear evidence why they are not practical alternatives. In respect of availability, any site should be unavailable now and unlikely to become available for development within a reasonable period of time, the period being determined on the merits of each particular case. It adds that where sites become available unexpectedly after the receipt of an application, the local planning authority should take this into account in the assessment of the application.
- 2.20 With regard to suitability, account needs to be taken of the need to demonstrate flexibility in considering the suitability of the site for the type of development proposed. In respect of viability it will be for the applicant to demonstrate that development would not be viable on the site.
- 2.21 In assessing the impact of proposals, paragraph 3.20 notes that an impact assessment should be undertaken where edge of centre or out of centre development is proposed which is not in accordance with an up-to-date Development Plan strategy. In circumstances where a significant town centre development not in accordance with a Development Plan strategy, would substantially increase the attraction of the centre and could have an impact on other centres, the impact on other centres will need to be assessed. Paragraph 3.22 emphasises the need to take account of the cumulative effect of developments in assessing impact. Paragraph 3.22 sets out the specific matters local planning authorities should consider. These are as follows:
- the extent to which the development would put at risk the spatial planning strategy for the area and the strategy for a particular centre or network of centres, or alter its role in the hierarchy of centres;
 - the likely effect on future public or private sector investment needed to safeguard the vitality and viability of the centre or centres;
 - the likely impact of the proposed development on trade/turnover and on the vitality and viability of existing centres within the catchment area of the proposed development and, where applicable, on the rural economy (an example of a positive impact might be if development results in clawback expenditure from the surrounding area);
 - changes to the range of services provided by centres that could be affected;
 - likely impact on the number of vacant properties in the primary shopping area;
 - potential changes to the quality, attractiveness, physical condition and character of the centre or centres and to its role in the economic and social life of the community; and
 - the implications of proposed leisure and entertainment uses for the evening and night time economy of the centre.

- 2.22 Paragraph 3.23 is particularly relevant in the context of the application proposal as it reiterates advice in paragraph 3.7. It states that the level of detail and type of evidence and analysis required should be proportionate to the scale and nature of the proposal. It adds that Retail Assessments which address the issues in paragraph 3.22 should be provided for all retail and leisure developments over 2,500 square metres gross. They may occasionally be necessary for smaller developments. It cites as an example those likely to have a significant impact on smaller centres depending on the relative size and nature of the development in relation to the centre. We refer to the approach taken by the Council in dealing with proposals at Barugh Green in applying this advice later in this Report.

Review of National Policy

- 2.23 One of the key recommendations of the Barker Report (Barker Review of Land Use Planning: Final Report – Recommendations, December 2006) is that there should be support for the “town-centre first” policy, however the requirement to demonstrate the need for development should be removed. She states that turning down retail applications on the basis of there being no need is simply likely to result in more limited choice and higher prices. She adds that the demonstration of need could be removed from policy without weakening the overall objective of seeking to promote the vitality and viability of town centres. She also emphasises that the needs test protects incumbents and gives preference to operators that have lower sales densities. In particular she notes that it may leave out of town shopping centres free to expand in circumstances where a need can be demonstrated when there is no impact on a town centre and there is no scheme for a sequentially preferable site in the town centre. She also notes that incumbents may find it easier to expand incrementally whilst prospective local entrants may fail at any one time to demonstrate sufficient need for a one off increase in space. She argues that the needs test should therefore be removed.
- 2.24 The White Paper “Planning for a Sustainable Future” was published in May 2007. This is intended to take forward Kate Barker’s proposals for the review of the planning system. Under the heading “A Positive Framework for Delivering Sustainable Development” there is the intention to improve the effectiveness of town centre planning policy by replacing the need and impact tests with a new test which has a strong focus on the “town-centre first” policy and which promotes competition and improves consumer choice, avoiding the unintended effects of the current needs test.
- 2.25 Paragraph 7.55 of the White Paper sets out the intention to review the current approach in PPS6 to assessing the impact of proposals outside town centres. It says the Government will replace the need and impact tests with a new test which has a strong focus on our “town-centres first” policy and which promotes competition and improves consumer choice avoiding the unintended effects of the current needs test.

Draft PPS4: Planning for Prosperous Economies

- 2.26 The Proposed Changes to PPS6 were published for consultation in July 2008. However, subsequently the Government took the view that all of the key planning policies relating to the economy should be brought together in one document. In May 2009 the Government issued a Consultation Paper as a new PPS4: Planning for Prosperous Economies. Given the status of the draft changes, little weight should be ascribed to the Consultation Draft for the purposes of assessing the current planning application. However, in the light of the Barker Report and the White Paper the requirement to demonstrate the need for retail proposals where schemes are located outside existing centres and where they do not accord with an up-to-date Development Plan is unlikely to feature in the new policy guidance. On the other hand, the proposed changes, in line with the Barker Report and the White Paper, place greater emphasis on encouraging competition and choice. The proposed policies within Draft PPS4 fall short of introducing a competition test as recommended by the Competition Commission in their final report into the UK Groceries Market Investigation (April 2008).
- 2.27 In particular, Draft PPS4 adopts a different format to policy guidance contained within PPS6 and the Proposed Changes to PPS6 issued for consultation during 2008. Draft PPS4 contains specific policies. The draft policies are in two groups: the first, plan making policies; and secondly, decision making policies. The introduction to these two groups of policies notes the scope of the policy includes development within the "B" Use Classes, town centre uses and other development which achieves at least one of the following:
- providing employment opportunities;
 - generating wealth; or
 - generates economic output or products.
- 2.28 Paragraph 6 sets out the Government's objectives for prosperous economies. These include the following:
- achieve sustainable economic growth;
 - raise the productivity growth rate of the UK economy – by promoting investment, innovation, competition, skills and enterprise and providing job opportunities for all;
 - deliver more sustainable patterns of development;
 - promote high quality design;
 - improving accessibility; and
 - promoting social inclusion.

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- 2.29 The objectives also include the promotion of the vitality and viability of town and other centres. Specifically it states that new economic growth and development should be focussed on existing centres with the aim of offering a wide range of services in an attractive and safe environment and to promote competition between retailers and enhance consumer choice.
- 2.30 Within the group of policies concerned with plan making, Draft Policy EC1 is entitled "Using Evidence to Plan Positively". Draft Policy EC1.3 is concerned with the evidence base at the local level and makes reference to an assessment of the need for additional floorspace for all main town centre uses and an assessment of the capacity of existing centres to accommodate new development, including where appropriate the scope for extending the primary shopping area and/or town centre, and identifying centres in decline where change needs to be managed. It also refers to the identification of any deficiencies in floorspace provision and to identify opportunities to remedy such deficiencies.
- 2.31 Draft Policy EC1.4 is concerned with assessing the need for retail and leisure development within Development Plan Documents. It makes reference to ensuring that there is an appropriate distribution of locations for retail and leisure uses in light of the objective of promoting the vitality and viability of town centres and the application of the sequential approach, to improve accessibility for the whole community.
- 2.32 Draft Policy EC3 is concerned with regional planning for town centres. Draft Policy EC3.1 indicates that regional planning bodies should provide a strategic framework for planning at the local level. Draft Policy EC5 sets out the local planning approach to town centres. Draft Policy EC5.1 indicates that local planning authorities should set out a spatial vision and strategy for the management and growth of the centres in their area over the plan period. It sets out the considerations which local planning authorities should include as part of a vision. These include:
- A definition of the network and hierarchy of lower order centres (not identified in the Regional Spatial Strategy).
 - Make choices about which centres would accommodate any identified growth.
 - Where growth cannot be accommodated in identified existing centres, expand town centres and identify development opportunities, ensuring that any extensions are carefully integrated with the existing centre in terms of design and to allow easy pedestrian access.
 - Have flexible town centre policies which are able to respond to changing economic circumstances and which recognise that designated town centre networks and hierarchies will change over time.
 - Identify opportunities within existing centres for sites suitable for development or redevelopment.
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- Use relevant vitality and viability indicators, market information and economic data to inform the planning of centres.
- 2.33 Draft Policy EC6 refers to planning for consumer choice and promoting competition for town centre development. Policy EC6.1 states that local planning authorities should proactively plan for consumer choice and promote competitive town centre environments.
- 2.34 Draft Policy EC7 is concerned with site selection and land assembly for town centre uses. Draft Policy EC7.1 refers to the selection of sites for development. It indicates that local planning authorities should base their approach on the identified need for development, then identify the appropriate scale of development which should be followed by the application of the sequential approach to site selection. It states that an assessment of the impact of development on existing centres should be undertaken and an assessment should be made to ensure the locations are accessible and well served by a choice of means of transport. It also adds that after addressing the above requirements local planning authorities should also consider the degree to which other considerations such as physical regeneration benefits of developing on previously developed sites; employment opportunities; increased investment in an area; social inclusion and other specific local circumstances, may be material to the choice of appropriate locations for development.
- 2.35 Draft Policy EC7.2 is concerned with ensuring that development is of an appropriate scale and Draft Policy EC7.3 refers to the sequential approach to site selection. Draft Policy EC7.4 is concerned with impact and Draft Policy EC7.5 relates to the accessibility of sites. Each of these policies broadly reflect existing guidance within PPS6 (although the impact of proposals is considered further in Draft Policy E20).
- 2.36 Under the heading "Decision Making Policies", Draft Policy EC12 is concerned with planning applications for economic development. Draft Policy EC12.1 states that local planning authorities should adopt a positive and constructive approach towards planning applications for economic development. Draft Policy EC12.2 states that where applications for economic development, including main town centre uses, is in accordance with a Development Plan, it should normally be approved.
- 2.37 Draft Policy EC18 is concerned with supporting evidence for applications for main town centre uses. Draft Policy EC18.1 refers to circumstances for a use which is not in an existing centre nor allocated in an up-to-date Development Plan. It indicates that such applications should be accompanied by a sequential assessment and an impact assessment. In this regard there is no change to the advice within the Proposed Changes to PPS6.
- 2.38 Importantly, Policy EC18.3 reiterates the current guidance set out in paragraphs 3.7 and 3.23 of PPS6 that the level of detail and type of evidence and analysis required should be proportionate to the scale and nature of the proposal and its likely impact.

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- 2.39 Draft Policy EC19 relates to the sequential assessment for planning applications for town centre uses. In broad terms, this reflects current advice contained within PPS6.
- 2.40 Draft Policy EC20 is concerned with impact assessments for planning applications for town centre uses not in accordance with a Development Plan. Draft Policy EC20.1 sets out the key impacts against which proposals are to be assessed:
- whether the proposal has been planned over the lifetime of the development to limit carbon dioxide emissions, and minimise vulnerability and provide resilience to climate change;
 - if located in an edge of centre location, the impact on the spatial planning strategy and in particular the role of the centre in the hierarchy of centres;
 - the impact on existing, committed and planned public and private investment in the centre or centres in the catchment area of the proposal;
 - whether the proposal is of an appropriate scale;
 - the accessibility of the proposal by a choice of means of transport;
 - the impact of the proposal on in-centre trade/turnover and on trade in the wider area, taking account of current and future consumer expenditure capacity up to five years from the time the application is made;
 - the impact on town centre vitality and viability, including local consumer choice and the range and quality of the comparison and convenience retail offer;
 - whether the proposal secures a high quality and inclusive design which takes the opportunities available for improving the character and quality of the area and the way it functions.
- 2.41 Draft Policy EC20.1 also asks local planning authorities to consider whether assessments set out clear conclusions on all town centres and wider impacts which have been assessed; that the assessment should consider any positive and negative impacts, taking account of the cumulative effect of recent permissions, developments under construction and completed developments; and that unless the local planning authority has identified locally important impacts in its Development Plan, they should also assess the wider impacts comprising the impact on allocated sites outside town centres being developed in accordance with the Development Plan; the impact on deprived areas and social inclusion objectives; the impact on local employment; and the impact on economic and physical regeneration of the area.
- 2.42 Consequently, in broad terms, Draft PPS4 maintains the direction taken in the Proposed Changes to PPS6. In particular, where proposals are located within a centre and accord with an up-to-date Development Plan, applications should normally be approved. There is no requirement for the need for proposals to be demonstrated and where proposals are not located in a centre, Draft PPS4 requires evidence of a sequential assessment and the
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impact of proposals to be submitted in support of applications. Draft PPS4 adopts the same approach as the Draft Changes to PPS6 in placing greater emphasis on impact compared to current policy within PPS6, but also it requires the positive impacts of development to be taken into account. In the context of the current proposal, Draft PPS4 maintains the position set out in PPS6 that the extent of works required to support proposals should be proportionate to the scale and nature of the proposal.

The Barnsley Unitary Development Plan

- 2.43 The Barnsley Unitary Development Plan was adopted in 2000. Consequently, it does not reflect current Government guidance set out in PPS6 published in 2005 and obviously it does not anticipate the announced changes in policy within the review of national policy.
- 2.44 The preamble to policies within the shopping chapter identifies the scale and quality of shopping facilities as important factors. It goes on to identify a major concern as being one of the location and accessibility of facilities. Paragraph 5.2 refers to the need for facilities to continue to be highly accessible to all in the community. It adds that Development Plan policies should aim to create a balanced approach which fosters and controls the development of new facilities to achieve this. The preamble to the policies then sets out what has become known as the "town-centres first" approach which a key component of national policy. Paragraph 5.5 makes reference to the sequential approach as set out in PPG6 and paragraph 5.6 sets out the key tests arising within PPS6 which apply to new retail development outside of centres.
- 2.45 Paragraph 5.15 of the Unitary Development Plan Written Statement sets out the local shopping hierarchy. This has Barnsley Town Centre as the principal town centre serving the area. Of relevance to Birdwell, Hoyland is designated an "other town centre" and Hoyland Common is designated a "local centre". The Unitary Development Plan recognises that shopping provision is not confined to the centres specifically identified in the hierarchy as elsewhere there are parades of shops which perform principally a neighbourhood function. Paragraph 5.15 notes that within the Barnsley Urban Community Area these are identified specifically as "other shopping facilities". However, there is no such designation at Birdwell where such provision as exists is scattered throughout the settlement.
- 2.46 The objectives of shopping policies are set out within the Unitary Development Plan Written Statement. There are six objectives. The first is to make adequate provision for retail development consistent with the needs of the community. The second is to reflect the needs of individual communities for access to convenience based facilities. The third is to ensure that less able members of the community have ready access to choice of retail facilities. Each of these objectives is relevant to the circumstances at Birdwell where there is no local centre and day to day shopping facilities.
- 2.47 Policy S1 directs investment in new retail development to the central shopping area of Barnsley Town Centre and the principal shopping and commercial centres defined on the Proposals Map. It indicates that proposals will be assessed on their merits having regard

to their relationship and compatibility with the existing retail uses located within the centre. It adds that new retail developments which extend and enhance the range of goods, consumer choice and the provision of amenities and facilities available to the public within the defined centres will be particularly encouraged.

2.48 Policy S2 is concerned with improving the environment within defined centres of the shopping hierarchy.

2.49 Policy S3 is concerned with retail development outside existing shopping centres. The policy states the following:

"All new retail development (including that for both convenience and comparison goods) which is proposed on a site outside the central shopping area of Barnsley Town Centre and the principal shopping and commercial centres defined on the proposals map will only be permitted:

A) on a site allocated for that purpose in the Plan

B) where there is no suitable site available within a centre defined on the Proposals Map, or where there is no available allocated site, then on a site at the edge of a defined shopping centre so long as it can provide a satisfactory functional connection thereto in terms of distance and physical relationship and where it is likely that the development of the site will generate joint trips to it and the adjacent centre, subject to the provisions of Policy S4 of the Plan

or

C) where there is no suitable site available either within any of the centres defined above or in accordance with the requirements of (a) or (b), then on an out-of-centre site in a location accessible by a choice of means of transport, subject to the provisions of Policy S4 of the Plan."

2.50 It should be noted that paragraph 5.4 refers to the information likely to be required in support of a planning application for retail development. It reflects current guidance set out in paragraphs 3.7 and 3.23 of PPS6 as it notes the type and range of information required to support planning application will depend upon the scale, nature and location of the proposed development.

2.51 Policy S6 is concerned with local shops. It states the following:

"Local shopping facilities, serving day to day needs of an immediate locality will be permitted subject to scale, traffic and environmental considerations."

- 2.52 Policy S6 therefore sets out a clear presumption in favour of granting planning permission for shopping facilities subject to consideration of scale, traffic and environmental considerations. Paragraph 5.52 which supports Policy S6 indicates that local shops which provide a substantially convenience based service to the community are a recognised feature of the retail scene and provide a focus for the community. It adds they are supported and welcomed provided they can be accommodated without detriment to local surroundings and circumstances. It adds that additional facilities may be permitted in existing residential areas or as part of new housing developments in accordance with Policy H4.
- 2.53 Policy S7 is concerned with hot food takeaway shops. It indicates that such uses will only be permitted on sites within existing centres. However, paragraph 5.53 indicates that this locational requirement arises from potential issues of noise, smell, fumes and other disturbance. The purpose of the policy is therefore to avoid these issues arising in residential areas. The current proposal provides the opportunity for a planned development to address the specific issues which may arise with this form of development such that no harm to amenity would arise.
- 2.54 The Birdwell area falls within the Barnsley Urban Community Area, albeit at the southern extreme. Section 5 of the Unitary Development Plan Community Area Written Statement is concerned with shopping. Policy BA24 indicates that in accordance with Policy S1, retail development will be encouraged within the principal shopping and commercial centres defined on the Proposals Map. Policy BA25 is concerned with local shopping and identifies areas of local shopping provision that are expected to remain in their present use without significant change in accordance with Policy S6. It is notable that there is no local shopping facility identified at Birdwell.
- 2.55 Birdwell is located close to the boundary of the Barnsley Urban Community Area with the Hoyland Community Area defined within the Unitary Development Plan. Policy HN15 is concerned with shopping and indicates that in accordance Policy S1, retail development will normally be encouraged to locate within Hoyland Town Centre and Hoyland Common.

Barnsley Local Development Framework

- 2.56 The Council are currently preparing a Local Development Framework. The Core Strategy Preferred Options Report has been the subject of consultations in June to August 2009. In identifying the challenge for town centres in paragraph 9.6, specific reference is made to providing local shops to meet local needs outside existing retail centres. One of the policy solutions set out in paragraph 9.6.15 is to provide flexibility to allow small local shops in appropriate locations.
- 2.57 The shopping hierarchy set out in Policy CSP33 includes Barnsley as the Principal Town Centre, Hoyland as a District Centre and Hoyland Common as a Local Centre.

2.58 Policy CSP34 is concerned with small local shops. It states the following:

"Small Local Shops

Outside existing defined centres we may allow small convenience shops that meet the daily shopping needs of a local community if:

- the shop or shops proposed would be of a type and in a place that would meet local needs and this need is not already met by existing shops; and*
- the shop or shops would be located and designed to encourage trips by pedestrians and cyclists and would not encourage car trips."*

2.59 Paragraph 9.157 states that local shops perform an important role in meeting day to day needs, that they are an important part of creating sustainable communities and reducing the need to travel. It also states that the Council encourages small shops where it can be shown that they meet a local need.

2.60 Paragraph 9.158 defines small shops as units having a gross floor area of 500 square metres or less. All of the units within the proposed development meet this requirement.

2.61 In our view Policy CSP34 is not consistent with emerging national policy for town centres and retail development because it places a requirement on applicants to demonstrate a need for local shops. The requirement to address the issue of need is to be removed from national policy.

Summary

2.62 The Draft Changes to PPS6 which have been published for consultation and subsequently Draft PPS4 which ultimately will replace PPS6, propose the removal of the requirement to demonstrate the need for a proposal. Consequently, irrespective that there is no obligation to address the issue of the need for the current proposal, the Government has signalled that this requirement is to be removed and consequently less weight should be attached to this aspect of Government policy in any event. The Proposed Changes to PPS6 and Draft PPS4 place greater emphasis on promoting choice and competition and having regard to the wider impact of proposals.

2.63 The Barnsley Unitary Development Plan contains policies for controlling shopping development. Policy S3 relates to development outside defined centres. It indicates that development will only be permitted on sites allocated for that purpose or where there is no suitable site available within or adjacent to an existing centre. Policy S4 requires out of centre development to be acceptable in terms of the likely economic impact on existing

centres, that it is readily accessible to residential areas for pedestrians and cyclists, and that the development is acceptable in terms of highways impact.

- 2.64 However, Policy S6 is also relevant as this relates to local shops. It states that local shopping facilities serving day to day needs of an immediate locality will be permitted subject to scale, traffic and environmental considerations.
- 2.65 The Barnsley Local Development Framework Core Strategy Preferred Options Report has been the subject of consultation. Whilst focussing retail development in existing centres it encourages the provision of local shops where there is a need. Local shops are defined as units having a gross floor area of 500 square metres or less.

3.0 RECENT HISTORY OF THE APPLICATION SITE

- 3.1 In the introduction to this Report we made reference to the previous application for a mixed use development on the site submitted in March 2008 (application reference 2008/0561). The application sought outline approval for a development comprising a two storey building with units for A1, A3 and A5 uses on the ground floor with office accommodation above, and a separate single storey building primarily for retail use. The floorspace for uses falling within Use Classes A1, A3 and A5 were as follows:

A1 use (shops)	961 sq.m.	10,344 sq.ft.
A3 use (restaurants and cafes)	416 sq.m.	4,478 sq.ft.
A5 use (hot food takeaway)	117 sq.m.	1,259 sq.ft.

- 3.2 Consequently, the total floorspace for uses A1, A3 and A5 within this scheme was some 1,494 square metres (16,082 square feet) gross. It should be noted that the current scheme is appreciably smaller with a total gross floorspace of 1,235 square metres (13,832 square feet).
- 3.3 The response to the Development Control consultation from the Council's Planning Policy Group in respect of this application is attached at Appendix 2. With regard to retail issues, the consultation response notes that the retail element of the proposal comprised eight units including shops, hot food takeaway and a restaurant (the current scheme proposes six units). The consultation response describes the Application Site as an out of centre location not allocated for retail use. It adds that the Applicant would need to undertake a sequential test to show that no alternative sites are available within Hoyland and Hoyland Common.
- 3.4 The application was due to be considered by the Council at the Planning Committee meeting in June 2008. Whilst the application was withdrawn before the Committee date, the Officer's Report to Committee in respect of the planning application had been published. The main points relevant to retail issues contained within the Committee Report are as follows:
- PPS6 provided the most up to date national planning policy advice. This required an applicant to demonstrate the need for the development, that it was of an appropriate scale, that there were no more central sites for the development, that there were no unacceptable impact on existing centres and that the location was accessible.
 - The scale of the development was a cause for concern in that the units would appear to serve not only Birdwell but a wider area.
 - No evidence had been provided to demonstrate a need for the development or whether any alternative sites had been considered.

- Sufficient investigation as to the impact on existing centres, particularly Hoyland and Hoyland Common had not been undertaken.
- 3.5 A copy of the Committee Report is attached at Appendix 3.
- 3.6 Comments on the location of the site are also relevant. The Committee Report noted that the Dearne Valley Parkway separates Birdwell from Hoyland Common and that the Parkway together with Junction 36 of the M1 formed a significant barrier for pedestrians such that the site was not considered particularly accessible on foot from anywhere outside Birdwell. It went on to say that in the context of Birdwell, the site was not centrally located and while Sheffield Road was relatively well served by public transport, it expressed the opinion that the proposed location and the scale of the proposal would inevitably increase dependence on the use of the car. They noted that this was reflected in the amount of car parking provision included within the scheme.
- 3.7 The Committee Report referred to Policy S1 which indicated that new retail developments would be permitted only within the central shopping area of Barnsley and the principal shopping and commercial centres. It also referred to Policy S7 which concerns hot food takeaways which indicates that these should in local or principal centres to avoid unnecessary trip generation by car dependent developments. It added that if approved, the development would significantly increase retail provision in Birdwell which is not a recognised retail or commercial centre. It asserted this will be contrary to Policy S2 as it would create unnecessary competition between the existing local centres and perhaps even put the existing "pepper potted" local businesses, which exist along Sheffield Road, out of business. The proposal was not assessed against Policy S6 which is concerned with local shopping.
- 3.8 The Committee Report also referred to Policy YH5 of the Regional Spatial Strategy which indicates that all new retail and commercial developments should be directed towards existing principal towns. It notes that Hoyland is designated a principal town. Any new development outside the principal town would run counter to the policy and the aims of regeneration and revitalisation. The Committee Report referred to Policy S3 and it notes that it replicates points covered by Policies S1, S2 and PPS6. It added that the applicant had not demonstrated that there was a lack of suitable alternative sites available, within existing centres on sites which are geographically or functionally associated with an existing centre. It stated that whilst the site was located on a main transport route and accessible by a variety of means of transport, it was nevertheless contrary Policy S3. It noted that the lack of any information on alternative site options for the development left the site in conflict with Unitary Development Plan Policy S3 and the requirement of PPS6 for evidence of a sequential approach to site selection. The conclusion of the report noted that no evidence had been submitted to demonstrate a need for the development or that it would not have an adverse impact on other local centres.
- 3.9 Following the withdrawal of the application further discussions took place with Officers of the Council which led to the email correspondence setting out the views of the Policy Team which is attached at Appendix 4 to this Report. The advice from the Policy Team identified three main points. These are that any retail development on the Application

Site would need to be small in scale and designed to meet local needs that were not already being met by local shops. It added that the need must be demonstrated as part of any subsequent application. Secondly, it noted that the size of the unit must be in keeping with other local shops in Birdwell. The third matter raised in that the retail element of any proposal must be designed in such a way as not to encourage additional car trips.

Commentary on the Approach Towards Assessing the Previous Scheme

- 3.10 Before addressing the key issues raised by national and Development Plan policy it is appropriate to comment on the approach Officers of the Council have taken towards retail development on the Application Site so far.
- 3.11 It is acknowledged that current planning policies require the issues of need, scale, sequential approach to site selection, impact and accessibility by a choice of means of transport to be addressed for all proposals for retail development located outside a defined centre and which are not allocated for development in an up-to-date Development Plan, subject to the advice within PPS6 (and the Written Statement of the Unitary Development Plan) that the level of detail and type of evidence and analysis required to address these issues should be proportionate to the scale and nature of the proposal.
- 3.12 However, the Government has indicated that the requirement to demonstrate a need for retail development is to be removed from national policy (it should be noted that the current Unitary Development Plan policies pre-date current national policy and therefore do not include a requirement to demonstrate need in any event). It is notable that in considering proposals elsewhere within the Borough, Officers have taken the view that it is not necessary for applicants to demonstrate there is a need where proposals are small in scale. Emphasis is placed upon Draft Revised PPS6 which it notes advocates a move away from this particular test. The Council adopted this approach when considering proposals on land adjacent to the Chestnut Tree at Barugh Green/Claycliffe Road at Barugh Green (application reference 2009/0191. These proposals were for a mixed use scheme incorporating offices, two trade units (B8) and two retail units, one of which was for a foodstore. The retail floorspace proposed is some 647 square metres (6,964 square feet). A copy of the Committee Report for this scheme is attached at Appendix 5.
- 3.13 Within the report, reference is made to paragraph 3.22 of PPS6 which indicates that impact assessments, addressing matters raised in paragraph 3.4, should only be occasionally necessary for developments smaller than 2,500 square metres gross. It notes that in that case the current proposal included 529 square metres net of retail floorspace which was significantly below the threshold. In considering the issues, in respect of need, the Committee Report notes that the area was not served by a defined local centre nor a supermarket. However, it notes that the absence of provision suggests that relatively modest foodstore and retail unit would not materially impact on any existing centre as long as they are not combined to create a larger unit. In terms of impact, it notes that whilst local shops may be affected by a proposed foodstore, PPS6 states that it is not the role of the planning system to restrict competition, preserve existing

commercial interests or to prevent innovation (paragraph 1.17 of PPS6). It adds that the scale of floorspace proposed is sufficiently modest not to have a detrimental impact on existing centres. However, it goes on to say that the effects of the two units could increase if they were combined to create a larger foodstore and consequently, in the event that permission is granted a condition should be included to prevent the units from being combined.

- 3.14 In terms of the sequential approach to site selection, the Committee Report notes that as there are no local centres in the area the development is intended to serve, it has been difficult for the applicants to identify more central sites. Clearly in those particular circumstances a concern was raised about pedestrian accessibility. In this context, Officers of the Council requested an assessment of potential alternative (out of centre sites) on which to accommodate retail provision within the area. No better sites were found that would be more appropriate in terms of pedestrian access which did not raise other significant planning problems. The overall conclusion was that whilst pedestrian accessibility to the site was not ideal, on the whole the development would be primarily accessed by car and would capture traffic already on the highway. It goes on to say that in many cases the units could reduce journey distances for local residents who currently drive to retail outlets outside the immediate locality.
- 3.15 In terms of the advice to the current applications in respect of proposal at Hangmanstone Depot which is set out in the email of 10 July 2008, there was no suggestion in the Committee Report for the Barugh Green proposal that the proposed size of the retail component of the scheme must be in keeping with other local shops or that retail provision should be designed to meet needs that are not already met by local shops.
- 3.16 Turning to the Committee Report for the previous scheme on the current Application Site, reference is made to the previous proposals significantly increasing retail provision in Birdwell which it notes is not a recognised retail or commercial centre. It adds this would be contrary to Policy S2 as it would create unnecessary competition between existing local centres and perhaps even put the existing "pepper potted" local businesses which existing along Sheffield Road out of business. Whilst the impact on existing local centres is a legitimate planning consideration, PPS6 is clear that it is not the purpose of the planning system to protect existing commercial interests and therefore competition between individual shops with the proposed development and existing local businesses is not material to the determination of the application (reference paragraph 1.7 of PPS6).

Summary

- 3.17 The previous scheme for a mixed use development on the Application Site was larger than the current proposal. In considering those proposals Officers took the view that the scale of development was such that it would serve a catchment wider than the immediate locality such that the proposal would generate demand for travel by private car and potentially impact on existing local centres. The Committee Report notes that no information was submitted in support of the application with regard to those matters raised in paragraph 3.4 of PPS6 concerning impact, scale, the sequential approach to site selection, the economic effects on existing centres or accessibility by a choice of

means of travel. With regard to accessibility, the previous Committee Report notes that the site is located on a main transport route and is accessible by a variety of means of transport.

- 3.18 It is also significant that the Committee Report comments on the relationship between Birdwell and Hoyland Common, located beyond Junction 36 of the M1 and the Dearne Valley Parkway. The Committee Report notes that these highways form a significant barrier for pedestrians such that the Application Site is not particularly accessible on foot from anywhere outside Birdwell. The counter point to this is that retail provision at Hoyland Common is not accessible on foot to people living in Birdwell for the same reasons. Consequently, whilst the view expressed in the Committee Report is that the proposal would inevitably increase dependence on use of the car, the strong likelihood is that people are already having to use their car to access even basic day to day shopping provision.
- 3.19 The consideration of the proposals at Barugh Green is more recent. In dealing with those proposals the Council adopted the position that there was no requirement to demonstrate a need for the proposals; that a full Retail Assessment was not required because of the scale of development; there were no centres serving the area which might provide sequentially preferable sites for development; and so long as conditions were attached to prevent the amalgamation of the proposed retail units, there was unlikely to be an adverse impact on centres nearby. It should also be noted that Officers recommended permission should be granted notwithstanding the relatively poor accessibility of the site.
- 3.20 There was no requirement or consideration in the Barugh Green case as to whether the proposals duplicated existing provision available locally; whether the proposed retail units were of a similar scale to existing retail provision; or to the impact of the proposals on existing local shops.

4.0 THE ISSUE OF NEED

4.1 This section of the Report addresses the issue of the need for the proposed development. As indicated earlier in this Report, we were instructed by the Applicants following the withdrawal of the earlier proposals for development on the site to advise on retail capacity and the scale of development which may be justified on the Application Site. We have also noted that in the context of the earlier proposals and in pre-application discussions on the current scheme, Officers of the Council have taken the view that the need for the proposed development should be demonstrated.

4.2 In addressing the issue of need it is relevant to note the following points:

- The requirement to demonstrate need arises from paragraph 3.4 of PPS6. This is subject to the caveat in paragraph 3.7 of PPS6 that the extent of the work required to support applications should be proportionate to the scale of the proposal. This advice is reiterated in paragraph 5.4 of the Unitary Development Plan.
- The requirement to demonstrate the need for retail development does not arise within Unitary Development Plan policies. The adoption of the Unitary Development Plan pre-dates the introduction of the requirement to demonstrate need for retail developments in particular circumstances within Government policy.
- There is a requirement within Policy CSP34 of the emerging Local Development Framework Core Strategy to address the issue of the need for small local shops.
- The requirement to consider need for the current proposal has been raised in discussions with Officers of the Council in pre-application discussions. The absence of any needs assessment is recorded in the Committee Report for the previous, larger scheme for development on the site.
- The Government has indicated the intention to withdraw the needs test from national policy and to that end neither the Consultation Draft Changes to PPS6 nor the subsequent publication of Draft PPS4 contain any reference to a requirement to demonstrate the need for retail proposals.
- Officers of the Council took the view in dealing with proposals in Barugh Green in May 2009 that it was not necessary for the applicant to demonstrate the need for those proposals. The Committee Report notes that the Proposed Changes to PPS6 advocate a move away from the needs test.

4.3 In addition to the points above, it should be noted that it has been suggested by Officers of the Council that the scale of units within a scheme for the Application Site should be similar to those presently serving Birdwell and that there should be no duplication of existing shops or services presently serving the area. There is no basis in national, regional or local planning policies for development to comply with either of these requirements. A key part of national policy is to encourage an efficient and innovative retail sector and to encourage choice and competition. These considerations apply to all types of retail provision, including local shopping facilities. None of the existing business

premises occupied by shops and services at Birdwell are modern or purpose designed. An insistence that the scale of units within the development should be similar to those presently within Birdwell will inhibit the delivery of efficient retail businesses to serve the area. Furthermore, an insistence that only businesses which are not presently represented in Birdwell would be acceptable is inconsistent with the Government's objectives to improve choice and competition, particularly bearing in mind the fact there is no defined centre at Birdwell to serve the area.

- 4.4 It is also important to bear in mind that Class A1 of the Use Classes Order 1987 includes types of business which although defined as retail for the purposes of planning control are in fact service uses which do not attract retail expenditure. For example, a hairdresser, dry cleaners or travel agency fall within the scope of Class A1 but do not attract retail expenditure as defined for the purposes of statistical analysis. It may be the case that a retail service use such as a hairdresser, occupies a unit within the proposed development and in which case the amount of retail activity arising within the proposed development would be less than we have anticipated in the assessment of capacity and impact on existing centres.

Quantitative Assessment of Need

- 4.5 Our initial assessment of the scope for retail development dated October 2008 is attached at Appendix 1 to this Report.
- 4.6 In undertaking the initial assessment we defined a study area based upon a potential walk-in catchment. This area is shown on the plan attached at Appendix 1 to our October 2008 Report. It was based upon a 2 kilometre radius from the site. The study area was defined so as to exclude residential areas which were more conveniently located for the local centre at Hoyland Common and Hoyland Town Centre. Consequently, within the 2 kilometre radius of the site the study area comprised the residential areas of Birdwell located along Sheffield Road to the north of the site and the rural settlements of Pilley and Tankersley located to the west of the M1 motorway (which can be accessed by a footbridge).
- 4.7 Expenditure and demographic data was purchased from Experian Business Strategies for the defined study area. This provided estimates of local expenditure based upon the socio-economic characteristics of people living within the area. The original Experian data was acquired in September 2008. More recent data was acquired in August 2009 which contains revised estimates of expenditure for the area.
- 4.8 In undertaking the initial assessment of capacity we had regard to the Council's Retail Study published in April 2008 (the DTZ Retail Analysis and Healthcheck of Barnsley Town Centre 2008). This Retail Study incorporates a household survey of shopping habits and a retail capacity assessment relating specifically to the town centre. In addition, Donaldsons produced a study of smaller centres within Barnsley for Barnsley Metropolitan Borough Council in 2003.

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- 4.9 The tables attached at Appendix 6 set out our up-dated quantitative assessment of the capacity for retail development at the Hangmanstone Depot site. This is based upon the same study area as our initial assessment but has been up-dated to take account of more up-to-date local expenditure estimates from Experian and more recent advice from Experian on expenditure growth.
- 4.10 The scope for additional convenience goods (food and groceries) shopping is more critical than non-food retailing. Per capita expenditure on convenience goods is lower than for comparison (non-food) goods. Furthermore, the rate of growth in expenditure on convenience goods is significantly lower than for comparison goods. In addition, the issues arising from proposals for Hangmanstone Depot in terms of retail provision are focussed on the prospects of securing a development to meet the needs of the local area. Local needs will be principally for convenience shopping and local businesses. Consequently our analysis focuses on the scope for convenience shopping on the site.
- 4.11 Table 1 sets out estimates of population and available expenditure. Population is derived from the Experian Retail Planner Report for the defined study area. At 2008, population within the area is about 4,500. In estimating population levels at 2013 and 2015, the Experian projections show a marginal fall in population within the area. However, the DTZ Retail Study published in April 2008 indicates there will be an increase in population within the Barnsley area in the immediate future. Consequently, we have adopted the rates of population growth employed within the Council's Retail Study. These indicate a growth of about 100 to 4,600 at 2014 with growth continuing to 2015.
- 4.12 With regard to per capita expenditure for convenience goods and comparison goods, base data has been derived from the Experian Retail Planner Report (August 2009). With regard to convenience goods, at 2008, per capita expenditure is about £1,600 (at 2004 prices).
- 4.13 It should be noted there is a significant difference between the figure for per capita expenditure derived from Experian that we have used within our initial assessment and the estimate of per capita expenditure within the DTZ Retail Study. The equivalent figure for per capita expenditure on convenience goods within the DTZ Retail Study is about £1,300. Consequently, the DTZ Retail Study will invariably produce lower estimates of retail capacity. An explanation for the difference is that the DTZ, MapInfo derived figure is for the whole of the area covered by the Retail Study (the whole of Barnsley and the wider area) whereas the figures we have used are specific to the Birdwell area.
- 4.14 In terms of growth rates in per capita expenditure, the DTZ Retail Study utilised growth rates of 0.9% per annum for expenditure on convenience goods and 3.8% per annum for expenditure on comparison goods. Our initial assessment of capacity utilised these growth rates. However, since then, Experian have produced an advisory on growth rates in expenditure because of the current economic climate (April 2009) and have subsequently produced a new Retail Planner Briefing Note (Experian Retail Planner Briefing Note 7.0), in August 2009. As a consequence of the new advice on forecasts and growth trends, we have adopted a lower rate of growth in per capita expenditure of 0.5% per annum for convenience goods and 3.5% per annum for comparison goods.
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These lower growth rates are reflected in the estimates of total expenditure contained within Table 1.

- 4.15 In terms of total available expenditure arising from households within the study area, Table 1 shows that for convenience goods, total expenditure arising within the study area is about £7.22 million at 2008 increasing to about £7.54 million at 2014. For comparison goods, total available expenditure is a little over £13.78 million at 2008 increasing to about £16.8 million at 2014.
- 4.16 Table 2 sets out estimate of convenience expenditure in existing shops in the study area. Since our initial assessment in October 2008 one unit occupied by a sandwich shop/off licence has ceased trading and is now occupied by a business selling ladies fashions. This table employs broad assumptions regarding the estimate of the net floor area within each of the shops and the appropriate sales density to apply to the floor area. However, we estimate that total turnover in shops within the study area on convenience goods is about £0.6 million. Assuming that 10% of turnover is derived from households living outside of the study area (this will include people working locally but living outside of the defined study area), convenience expenditure in local shops arising from within the study area is likely to be about £0.54 million. The allowance of 10% of turnover from outside the area reflects the modest scale of provision and the fact that the Co-operative store is not located on the A61 Sheffield Road. Therefore the Co-op is likely to attract only limited passing trade.
- 4.17 Table 3 sets out the scope for additional convenience shopping at 2014. The table first shows that available convenience expenditure arising within the study area at 2014 is about £7.54 million. This is derived from Table 1. The convenience expenditure in local shops arising from within the study area is about £0.54 million. This is derived from Table 2. Consequently, the percentage of convenience expenditure currently spent within the study area is about 7.2%.
- 4.18 If the proposed development is to be confined to meeting local needs, the extent to which expenditure is available for top-up shopping trips is a key consideration. Within Table 3 we have assumed that 25% of available expenditure on convenience goods is an appropriate percentage to establish the amount of money available on top-up trips to spend within the study area (the DTZ Barnsley Retail Study assumes that 25% of expenditure would be on top-up trips). Applying this to the total convenience expenditure arising within the study area produces £1.89 million being spent on top-up trips.
- 4.19 In addition to top-up trips, if appropriate shopping provision was provided within the area there is a prospect that it would also attract some main food shopping trips. Assuming that 75% of expenditure is spent on main food trips, the total arising on main trips within the study area is about £5.66 million. On the basis that 10% of this might be attracted to a store located within the study area, the total amount of expenditure available arising from main trips is about £0.57 million. Consequently, the total potential spend in the study area taking account of top-up trips and main food trips is about £2.45 million.

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- 4.20 In calculating the capacity for additional retail development, account needs to be taken of existing shops within the study area. On the basis that convenience expenditure at existing local shops arising from within the study area is about £0.54 million (see Table 2), the capacity arising from within the study area is about £1.91 million.
- 4.21 Any new development within the study area is likely to attract a small percentage of turnover from outside the study area. We have assumed that this might be 20% which amounts to about £0.38 million.
- 4.22 Taking account of the total potential capacity arising from households within the study area and expenditure that might be attracted from outside the study area, the total potential convenience spend in shops is about £2.29 million.
- 4.23 Applying a turnover to floorspace ratio of £4,500 per square metre, which is typical of a convenience store, the potential capacity in terms of net floorspace is about 509 square metres (5,479 square feet). Assuming a net to gross ratio of 70% (which is an appropriate ratio for new development), this relates to a gross floor area of 727 square metres (7,826 square feet).
- 4.24 Turning to comparison goods, the assessment of capacity is less critical because total expenditure arising within the area is significantly higher compared to convenience goods and levels of growth are also significantly higher.
- 4.25 The total gross floorspace of the three units which might be utilised for convenience shopping (the unit for the convenience store, Unit 1 and Unit 4) amounts to 559 square metres (6,017 square feet), with a net floor area of 391 square metres (4,209 square feet). Consequently, the floorspace within the proposed development falls comfortably within the capacity which is identified in Table 3.

Alternative Scenario

- 4.26 In discussions with Officers of the Council criticism was made of the defined study area on the basis that it included Pilley Green to the west of the M1 motorway. It was argued that if Hoyland Common was excluded from the study area on the grounds of severance created by Junction 36 of the motorway and the Dearne Valley Link, Pilley Green should also be excluded because of the severance created by the M1 motorway. However, we have explained earlier that Pilley Green has a direct footpath link over the motorway which is convenient and because the motorway is located in a cutting, does not involve steps or ramps normally associated with footbridges over major roads. Consequently, our view is that Pilley Green can legitimately be included within the study area utilised to define the capacity for local shopping at Birdwell.
- 4.27 Notwithstanding this, we have undertaken an assessment based on an alternative scenario of excluding Pilley Green from the defined study area. A plan showing the

alternative study area is attached at Appendix 7 and the tables are attached at Appendix 8. Population at Pilley Green is about 1,100 which represents about 25% of the population within the study area we have defined. Total available expenditure at 2008 based upon the alternative, smaller study area, is about £5.4 million in convenience goods.

- 4.28 Table 2 within Appendix 8 indicates that the turnover of the Co-op at Spring Green Avenue and Birdwell News is about £0.5 million from within the alternative study area (the alternative study area does not include Tankersley Post Office). Table 3 shows the scope for additional convenience shopping at 2014 based on the alternative scenario. It shows that the potential capacity in convenience goods is some 374 square metres (4,026 square feet) net and assuming a net gross ratio of 70%, 534 square metres (5,748 square feet) gross. On this basis the potential convenience floorspace within the proposed development is marginally in excess of the capacity which has been identified. However, the difference is only 25 square metres (269 square feet) net/36 square metres (387 square feet) gross. This is insignificant in terms of available expenditure arising within the area.

Qualitative Need

- 4.29 The exercise we have undertaken to address the issue of retail capacity demonstrates that more than 90% of expenditure arising within Birdwell is spent elsewhere. Whilst higher order centres in the retail hierarchy have legitimate claims on expenditure arising within the area, nevertheless, the exercise that we have undertaken indicates that existing local shops have a turnover of a little over £500,000 which represents only 20% of the potential spend in the study area (£2.45 million - see Table 3, Appendix 6). This is evidence of insufficient shops and those shops which are present being of insufficient quality to retain retail expenditure within the area.
- 4.30 We have noted earlier that none of the existing retail units at Birdwell are modern or purpose built. The age and configuration of the units impacts on the service retailers are able to provide and ultimately the efficiency of the retail operation. Furthermore, the nature and character of the existing retail units limits the range of goods retailers are able to stock and compromises the efficiency of the retail operation.
- 4.31 Taking the above factors into account, there is a clear qualitative need to improve shopping at Birdwell which arises from the level of existing shopping provision, the fact that existing shops retain only a small part of the potential spend within the area and the size and character of existing retail provision which inhibits efficient retailing and limits the service the shops can provide to their customers.

Summary

- 4.32 The previous larger proposals for a mixed use development on the Application Site were criticised because they were not accompanied by an assessment of need. However, it is

evident that those larger scale proposals were not treated as small scale development intended to meet local needs. The approach to dealing with the current proposal should be consistent to that taken by the Council in dealing with the proposals at Barugh Green where the proposals were deemed to be meeting a local need and the view was taken that it was not necessary for the applicant to demonstrate need. Weight was given to the impending changes in national policy to remove the requirement on applicants to show a need in circumstances where proposals are located outside a centre. Such an approach is entirely consistent with the current Unitary Development Plan which indicates a presumption in favour of supporting shops and services to meet local needs.

- 4.33 We have noted that the requirement to demonstrate need arises from paragraph 3.4 of PPS6 although this is subject to the caveat in paragraph 3.7 that the extent of the work necessary to address the matters raised in paragraph 3.4 should be proportionate to the scale and nature of the development.
- 4.34 We have undertaken an assessment of the capacity for local shopping provision at Birdwell having regard to local consumer expenditure estimates and the nature and amount of shopping provision available within the area. The exercise we have undertaken demonstrates clearly that there is sufficient scope to accommodate the proposed development in terms of expenditure likely to be available to local shops.
- 4.35 Officers of the Council have been critical of the study area defined for the purposes of our exercise because it included Pilley Green located to the west of the M1 motorway. However, this ignores the direct and convenient pedestrian route between Pilley Green and Birdwell and to that end, the relationship between Birdwell and Pilley Green can be contrasted with the relationship between Birdwell and Hoyland Common where Junction 36 of the motorway and the Dearne Valley Link effectively sever two settlements. Notwithstanding this, we have undertaken the assessment of capacity based on an alternative scenario focussing solely on Birdwell. This alternative assessment indicates that the scale of development, assuming three units were occupied by retailers selling convenience goods, is marginally in excess of the capacity arising locally. However, in our view the difference is not material and even on the basis of the alternative study area there is clear capacity to support additional convenience shopping at Birdwell.
- 4.36 There is a clear qualitative need to improve shopping provision at Birdwell because of the poor retention of potential expenditure by existing shops and the scale and character of existing retail accommodation which is not in the interests of encouraging efficient retailing or providing appropriate facilities and services for customers.

5.0 SCALE

- 5.1 The issue of scale is raised by paragraph 3.4 of PPS6. There is no reference to scale in Policy S3 or Policy S6 of the Adopted Unitary Development Plan. Policy CSP34 of the Local Development Framework Core Strategy Options Report refers to small local shops. The text supporting this policy defines small local shops as units having a gross floor area of 500 square metres or less (paragraph 9.158). All of the units within the proposed development fall within the guideline figure of 500 square metres as set out within the Draft Core Strategy Options Report.
- 5.2 In terms of retail capacity, the scale of development is commensurate with the need which arises locally.
- 5.3 In discussions with Officers of the Council the issue has been raised as to whether the proposed development would create a new local centre. The table at Appendix 9 sets out a comparison of the application proposal with other local centres within Barnsley. The data on the number of units and number of retail units within each of the local centres set out within the table is derived from the Barnsley Smaller Centres Retail Study undertaken in 2003 by Donaldsons on behalf of the Council. The table shows that the number of units in all local centres is significantly greater than the application proposal. This serves to demonstrate that the proposed development would have neither the scale nor character to justify the description of "local centre".
- 5.4 The proposed development is clearly small in scale and has been designed to meet needs arising within Birdwell.

6.0 THE SEQUENTIAL APPROACH TO SITE SELECTION

- 6.1 The application proposal is intended to meet a local need arising within Birdwell. We have noted earlier in this Report that there is no shopping centre designated within Birdwell for planning purposes. Furthermore, in a practical sense, there is no commercial centre within the settlement. Shops and services are scattered along Sheffield Road and the largest convenience store, the Co-op is located at Spring Green Avenue, the northern extremity of the settlement.
- 6.2 In view of the fact there is no designated centre at Birdwell nor indeed any commercial centre which is not designated for planning purposes, there is obviously no sequentially preferable centre at Birdwell in which to seek to locate development.
- 6.3 Similar circumstances arose in the Council's consideration of the retail proposals at Barugh Green in respect of the site adjacent to the Chestnut Tree at Barugh Green Road/Claycliffe Road. The Committee Report which is attached at Appendix 5 refers to the absence of a defined local centre within the immediate locality. It also notes that as there were no local centres in that part of the Borough, it was difficult for the applicants to identify any more central sites. Whilst alternative sites were considered by the applicants at Barugh Green, it is clear from the Committee Report that this exercise was to establish whether there were alternative sites that were more accessible than the application site. The Barugh Green site was not particularly accessible on foot. This situation does not apply to the current Application Site and it can be noted that in the Officer's Report to Committee in relation to the previous, larger proposals on the Application Site, the site is referred to as being located on a main transport route and accessible by a variety of means of transport. Notwithstanding this, there are no alternative sites located on the A61 corridor through Birdwell that would be capable of supporting the proposed development or indeed part of the scheme.
- 6.4 In summary, there is no local centre designated in the Adopted Unitary Development Plan at Birdwell. Furthermore, there is no commercial centre which has not been designated for planning purposes. Consequently, given that the proposed development is intended to serve the built up area of Birdwell, there are no sequentially preferable sites to which the development should be directed.

7.0 LIKELY ECONOMIC EFFECTS OF THE PROPOSAL

- 7.1 This section of the Report considers the likely economic effects of the proposal on existing centres. We would normally look to a retail study undertaken on behalf of the Council to inform the assessment of trade diversion from existing centres. The most recent study undertaken for Barnsley is the DTZ Retail Study undertaken in 2008. However, this is of limited value for assessing the current proposal. The DTZ Retail Study focuses on the role and function of Barnsley Town Centre in the shopping hierarchy; the definition of the survey zones within the Study do not provide a useful basis to assess the local shopping patterns at Birdwell; there is limited information within the household shopping survey on top-up shopping for day to day needs; and the detailed tabulations setting out the results of the household shopper survey are not readily available (Appendix 5 to the Retail Study sets out a summary interpreting the survey results but it does not contain the tabulations setting out the survey results). Consequently, in the absence of detailed information on shopping patterns within the Birdwell area, the assessment of trade diversion has been based upon our assessment of existing shopping provision and assumptions as to existing shopping patterns.
- 7.2 Earlier in this Report we have noted existing convenience shopping provision within the defined study area. This comprises the Co-op store at Spring Green Avenue located in the northern part of Birdwell, Birdwell News located on Sheffield Road and Tankersley Post Office located at Pilley Green.
- 7.3 Table 5 sets out our estimate of the convenience turnover of nearby centres and stores. At Hoyland Town Centre there is a Co-op store of some 700 square metres gross (7,500 square feet) plus other convenience shops comprising a newsagents, butchers and bakers with an aggregate floorspace of about 701 square metres (about 7,500 square feet). At Hoyland Common there is a Co-op store of some 530 square metres (5,705 square feet) gross and a butchers which we estimate is about 72 square metres (775 square feet).
- 7.4 To the north of Birdwell there is a Netto store at Worsborough with a gross floor area of 1,560 square metres (16,790 square feet). Other convenience shops amount to about 255 square metres gross (2,745 square feet).
- 7.5 Elsewhere within the vicinity of Birdwell there is a "Today Express" at the Crosskeys Filling Station at Hoyland Common. This provides a convenience store facility located close to Hoyland Common although it is situated outside the boundaries of the designated local centre.
- 7.6 There is also a Tesco Express located at West Street, Hoyland. This is located between Hoyland Common and Hoyland Town Centre. These shops located outside existing centres (and outside the study area defined in respect of Birdwell) are likely to be highly significant in catering for top-up shopping within the wider area.

- 7.7 Table 5 sets out estimates of turnover at each of the major centres and stores which are identified. This has been calculated by applying a net to gross ratio of 65% and by applying a turnover to floorspace ratio appropriate to the character of the retail outlet.
- 7.8 Table 6 sets out estimates of potential trade diversion in convenience goods. The first column sets out estimates of turnover which are derived from Table 5. The second column sets out estimates of trade draw from existing shops and facilities to the Application Site. The trade draw rates are based upon the current anticipated pattern of expenditure and have regard to our view of the likelihood of competition between the proposed development and existing provision.
- 7.9 The third column in the table sets out trade diversion. It indicates that the highest level of diversion would be from Netto at Worsborough, followed by the Today Express outlet at the Crosskeys Filling Station Hoyland Common. In terms of impact, trade diversion from Hoyland Town Centre is likely to be in the order of £0.6 million which represents a trade diversion of about 2% of convenience expenditure. At Hoyland Common, trade diversion in convenience goods is likely to be a similar amount, £0.6 million. This represents a diversion of about 3.8% at Hoyland Common. At Worsborough, total trade diversion is likely to be in the order of £0.43 million which represents a diversion of about 6.2% of convenience trade. For shops elsewhere, the proposed development is likely to divert almost 10% of trade, for Tesco Express at West Street, Hoyland about 6.5%, and the Co-op at Spring Green Avenue, Birdwell, about 7.3%. None of these shopping facilities fall within an existing centre and therefore they do not have the protection of planning policy.
- 7.10 With regard to the centres which are identified in the shopping hierarchy of the Unitary Development Plan and emerging Core Strategy, trade diversions of about 2% at Hoyland Town Centre and 3.8% at Hoyland Common are very modest and are unlikely to have any material effect on the performance of those centres. Indeed, the percentage impacts on these centres can be judged in the context of the average annual growth in retail expenditure on all goods of between 2% and 3% per annum notwithstanding the current economic conditions. It should also be remembered that convenience shopping represents only part of the range of facilities offered by these centres. Consequently, the levels of impact we have anticipated are unlikely to have any material effect whatsoever on the vitality and viability of these centres.
- 7.11 Worsborough (Park Road) is identified in Policy BA24 of the Adopted Unitary Development Plan as a Principal Local Centre. This is focussed on the Netto supermarket. However, it is not included as a centre within the retail centre hierarchy set out in CSP33 of the Local Development Framework Core Strategy Options Report. Consequently, applying current adopted policy, there is a need to have regard to the effects of the proposed development on the vitality and viability of Park Road, Worsborough. However, emerging policy does not identify Park Road, Worsborough as a centre and therefore it would lose the policy protection afforded by Government policy and other development control policies. However, the status of Park Road, Worsborough in terms of planning policy is somewhat academic when considering the likely effects of trade diversion arising from the proposed development. Netto at Worsborough is a busy supermarket and all evidence points to it trading at a level significantly above any other

shops within the wider area. A trading impact in the order of 6.5% is unlikely to have any material effect on the trading performance of this store.

7.12 In overall terms, the levels of impact likely to arise as a consequence of the proposed development on the existing defined centres of Hoyland and Hoyland Common are likely to be insignificant. Impact is unlikely to have any material effect whatsoever on the vitality and viability of those centres. Consequently, the proposal is unlikely to have any effect whatsoever on the range of factors set out in paragraph 3.22 of PPS6 which are pertinent to addressing the issue of impact. In particular:

- The proposed development would not compromise the Spatial Planning Strategy for the area or undermine the role of any centre in the retail hierarchy.
- The scale and nature of the proposed development would not have any material effect on public or private sector investment needed to safeguard the vitality and viability of the defined centres.
- Whilst the proposed development would attract some trade which might otherwise go to defined centres, the amount is likely to be insignificant and would not have any material effect on the vitality and viability of the centre or the performance of individual retailers within the centre.
- The proposed development would not impact on the range of services provided by the centres that could be affected.
- The proposal is unlikely to result in an increase in vacant properties.
- The proposed development would not lead to any changes in the quality, attractiveness, physical condition and character of nearby centres or to their role in the economic and social life of the community.

Summary

7.13 Appendix 5 to the DTZ Retail Study 2008 makes reference to top-up shopping. It notes that Morrisons and ASDA at Barnsley attract a small proportion of top-up shopping trips, Tesco at Wombwell and Morrisons at Cortonwood, an even smaller proportion. Beyond this, it notes that the rest of expenditure is spread very thinly among a wide variety of national retailers, local shops, discount stores and corner shops. The likely trading impact arising from the proposed development will reflect this highly dispersed pattern of shopping.

7.14 We have noted that there is no centre defined at Birdwell for planning purposes. Consequently, existing shops, including the Co-op at Spring Green Avenue are not protected by planning policy and the effects of the proposed development on specific and individual retailers are not material to the determination of the application.

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- 7.15 Elsewhere, we have noted there are convenience shopping facilities at the Crosskeys Filling Station at Hoyland Common and Tesco Express at West Street, Hoyland. Neither of these shops fall within a centre defined for planning purposes and consequently the likely impact on these shops is also not material to the determination of the application.
- 7.16 In respect of Hoyland Town Centre and Hoyland Common Local Centre we have estimated that the impacts likely to arise are very modest and wholly insignificant when account is taken of the annual average growth in expenditure on all goods likely to arise in the coming years, notwithstanding the current economic climate. There is no evidence that the proposed development would have any material effect on the vitality and viability of these centres. Worsborough, Park Road, is a centre identified in the Adopted Unitary Development Plan but is not identified as such in the emerging Local Development Framework Core Strategy. Irrespective of this, the key convenience retailer within the centre is Netto. There is unlikely to be any material effect on the performance of this store as a consequence of the application proposal.
- 7.17 Bearing in mind advice within paragraph 3.7 and paragraph 3.23 of PPS6 about the level of detail required in work supporting planning applications being proportionate to the scale of the proposals, it is evident from the analysis we have undertaken that all indicators point to the proposal having no material effect on the vitality and viability of existing centres.

8.0 ACCESSIBILITY OF THE APPLICATION SITE

- 8.1 Paragraph 3.4 of PPS6 places an obligation on applicants to demonstrate that the location of the proposal is accessible. The Committee Report in respect of the previous, larger proposal on the Application Site (see Appendix 3) considered the accessibility of this site by a choice of means of transport. The report acknowledges that the site is located on a main transport route into and out of Barnsley and accessible by a variety of means of transport. However, the Committee Report also serves to highlight the need for appropriate convenience shopping facilities at Birdwell.
- 8.2 The Committee Report refers to the site being as being at the southern tip of Birdwell. It refers to Junction 36 of the M1 and the Dearne Valley Parkway which form a significant barrier for pedestrians from Hoyland Common. It states that the site is not considered particularly accessible on foot from anywhere outside Birdwell. It must follow therefore that shopping facilities at Hoyland Common are not convenient for residents of Birdwell because of severance created by the major highways comprising Junction 36 of the M1 and the Dearne Valley Parkway. The lack of appropriate provision at Birdwell is likely to result in people presently having to use their car for top-up shopping provision. Locating new convenience shopping provision at Birdwell provides the option for people living in Birdwell to undertake their top-up shopping on foot. At present they are likely to be discouraged from doing this because of poor accessibility to facilities at Hoyland Common. Consequently, whilst the Committee Report asserts that the scale of the proposal would increase dependence on car travel, the opposite is likely to be true because providing appropriate facilities at Birdwell provides people living locally the option of walking to use local shops and services.

9.0 **SUMMARY AND CONCLUSIONS**

- 9.1 This Report has been prepared to support a planning application submitted on behalf of Hartwood Estates for a mixed use development on land comprising part of the former Hangmanstone Depot, Sheffield Road, Birdwell, Barnsley. The application proposes six units for uses falling within A1, A2, A3 and A5 of the Use Classes Order 1987. However, no more than four units would involve uses falling with Class A1 (retail), at least one unit would fall within Class A3 (restaurant/cafe) and at least one unit would comprise either a Class A5 use (hot food takeaway) or A2 use (professional office/service).
- 9.2 The total floorspace proposed by the application is some 1,285 square metres (13,832 square feet). Within this total, a unit would be occupied by a convenience store of 373 square metres (4,011 square feet). The A3 restaurant use would occupy a unit of some 466 square metres (5,014 square feet). The maximum retail floorspace would be 726 square metres (7,815 square feet) gross.
- 9.3 The current application was preceded by application reference 2008/0561 which sought approval for a mixed use development comprising Use Classes A1, A3, A5 and B1 on the site of Hangmanstone Depot. We understand that various pre-application discussions took place with Officers of the Council prior to the submission of the previous application. However, it was only following the submission of the application that Officers expressed the view that a report would be required to address retail issues arising from the proposed development.
- 9.4 The first application was therefore withdrawn in order to review the issues which had been raised by Officers of the Council. To that end, we were instructed to provide an assessment of the scope for retail development at Hangmanstone Depot.
- 9.5 It should be noted that the current proposal is significantly smaller than the withdrawn scheme in terms of the number of units, the total floorspace in A1, A2, A3 and A5 use and the amount of floorspace in A1 (retail) use.
- 9.6 Birdwell is a distinct settlement located to the south of the main built up area of the Barnsley. In general terms, the settlement is linear in form along the A61 Sheffield Road with an area of 1950's estate semi-detached housing to the north located along Worsborough Road. To the south of Birdwell is Junction 36 of the M1 motorway.
- 9.7 To the east of Birdwell is Hoyland Town Centre. This town centre is about two miles due east of Hangmanstone Depot. There is a local centre at Hoyland Common at the junction of Sheffield Road (the A6135) and Hawshaw Lane (the B6096). Whilst this local centre is a relatively short distance from Hangmanstone Depot it is separated by the relatively new Dearne Valley Link Road (the A6195). The route does not encourage pedestrian access. This is a factor which has been taken into account when defining the study area adopted for the purposes of the initial retail analysis.

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- 9.8 There is no shopping centre to serve the residents of Birdwell. Existing shopping provision is sporadic and distributed throughout the settlement. The largest and most significant shop selling convenience goods is the Co-op Late Shop located on Spring Green Avenue which is located in the northern part of the settlement. More centrally within the settlement, Birdwell News is a newsagent which sells a very limited range of convenience items.
- 9.9 The Draft Changes to PPS6 which have been published for consultation and subsequently Draft PPS4 which ultimately will replace PPS6, propose the removal of the requirement to demonstrate the need for a proposal. Consequently, irrespective that there is no obligation to address the issue of the need for the current proposal, the Government has signalled that this requirement is to be removed and consequently less weight should be attached to this aspect of Government policy in any event. The Proposed Changes to PPS6 and Draft PPS4 place greater emphasis on promoting choice and competition and having regard to the wider impact of proposals.
- 9.10 The Barnsley Unitary Development Plan contains policies for controlling shopping development. Policy S3 relates to development outside defined centres. It indicates that development will only be permitted on sites allocated for that purpose or where there is no suitable site available within or adjacent to an existing centre. Policy S4 requires out of centre development to be acceptable in terms of the likely economic impact on existing centres, that it is readily accessible to residential areas for pedestrians and cyclists, and that the development is acceptable in terms of highways impact.
- 9.11 However, Policy S6 is also relevant as this relates to local shops. It states that local shopping facilities serving day to day needs of an immediate locality will be permitted subject to scale, traffic and environmental considerations.
- 9.12 The Barnsley Local Development Framework Core Strategy Preferred Options Report has been the subject of consultation. Whilst focussing retail development in existing centres it encourages the provision of local shops where there is a need. Local shops are defined as units having a gross floor area of 500 square metres or less.
- 9.13 The previous scheme for a mixed use development on the Application Site was larger than the current proposal. In considering those proposals Officers took the view that the scale of development was such that it would serve a catchment wider than the immediate locality such that the proposal would generate demand for travel by private car and potentially impact on existing local centres. The Committee Report notes that no information was submitted in support of the application with regard to those matters raised in paragraph 3.4 of PPS6 concerning impact, scale, the sequential approach to site selection, the economic effects on existing centres or accessibility by a choice of means of travel. With regard to accessibility, the previous Committee Report notes that the site is located on a main transport route and is accessible by a variety of means of transport.
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- 9.14 It is also significant that the Committee Report comments on the relationship between Birdwell and Hoyland Common, located beyond Junction 36 of the M1 and the Dearne Valley Parkway. The Committee Report notes that these highways form a significant barrier for pedestrians such that the Application Site is not particularly accessible on foot from anywhere outside Birdwell. The counter point to this is that retail provision at Hoyland Common is not accessible on foot to people living in Birdwell for the same reasons. Consequently, whilst the view expressed in the Committee Report is that the proposal would inevitably increase dependence on use of the car, the strong likelihood is that people are already having to use their car to access even basic day to day shopping provision.
- 9.15 The consideration of the proposals at Barugh Green is more recent. In dealing with those proposals the Council adopted the position that there was no requirement to demonstrate a need for the proposals; that a full Retail Assessment was not required because of the scale of development; there were no centres serving the area which might provide sequentially preferable sites for development; and so long as conditions were attached to prevent the amalgamation of the proposed retail units, there was unlikely to be an adverse impact on centres nearby. It should also be noted that Officers recommended permission should be granted notwithstanding the relatively poor accessibility of the site.
- 9.16 There was no requirement or consideration in the Barugh Green case as to whether the proposals duplicated existing provision available locally; whether the proposed retail units were of a similar scale to existing retail provision; or to the impact of the proposals on existing local shops.
- 9.17 The previous larger proposals for a mixed use development on the Application Site were criticised because they were not accompanied by an assessment of need. However, it is evident that those larger scale proposals were not treated as small scale development intended to meet local needs. The approach to dealing with the current proposal should be consistent to that taken by the Council in dealing with the proposals at Barugh Green where the proposals were deemed to be meeting a local need and the view was taken that it was not necessary for the applicant to demonstrate need. Weight was given to the impending changes in national policy to remove the requirement on applicants to show a need in circumstances where proposals are located outside a centre. Such an approach is entirely consistent with the current Unitary Development Plan which indicates a presumption in favour of supporting shops and services to meet local needs.
- 9.18 We have noted that the requirement to demonstrate need arises from paragraph 3.4 of PPS6 although this is subject to the caveat in paragraph 3.7 that the extent of the work necessary to address the matters raised in paragraph 3.4 should be proportionate to the scale and nature of the development.
- 9.19 We have undertaken an assessment of the capacity for local shopping provision at Birdwell having regard to local consumer expenditure estimates and the nature and amount of shopping provision available within the area. The exercise we have undertaken demonstrates clearly that there is sufficient scope to accommodate the proposed development in terms of expenditure likely to be available to local shops.

- 9.20 Officers of the Council have been critical of the study area defined for the purposes of our exercise because it included Pilley Green located to the west of the M1 motorway. However, this ignores the direct and convenient pedestrian route between Pilley Green and Birdwell and to that end, the relationship between Birdwell and Pilley Green can be contrasted with the relationship between Birdwell and Hoyland Common where Junction 36 of the motorway and the Dearne Valley Link effectively sever two settlements. Notwithstanding this, we have undertaken the assessment of capacity based on an alternative scenario focussing solely on Birdwell. This alternative assessment indicates that the scale of development, assuming three units were occupied by retailers selling convenience goods, is marginally in excess of the capacity arising locally. However, in our view the difference is not material and even on the basis of the alternative study area there is clear capacity to support additional convenience shopping at Birdwell.
- 9.21 There is a clear qualitative need to improve shopping provision at Birdwell because of the poor retention of potential expenditure by existing shops and the scale and character of existing retail accommodation which is not in the interests of encouraging efficient retailing or providing appropriate facilities and services for customers.
- 9.22 The proposed development is clearly small in scale and has been designed to meet needs arising within Birdwell.
- 9.23 There is no local centre designated in the Adopted Unitary Development Plan at Birdwell. Furthermore, there is no commercial centre which has not been designated for planning purposes. Consequently, given that the proposed development is intended to serve the built up area of Birdwell, there are no sequentially preferable sites to which the development should be directed.
- 9.24 Appendix 5 to the DTZ Retail Study 2008 makes reference to top-up shopping. It notes that Morrisons and ASDA at Barnsley attract a small proportion of top-up shopping trips, Tesco at Wombwell and Morrisons at Cortonwood, an even smaller proportion. Beyond this, it notes that the rest of expenditure is spread very thinly among a wide variety of national retailers, local shops, discount stores and corner shops. The likely trading impact arising from the proposed development will reflect this highly dispersed pattern of shopping.
- 9.25 We have noted that there is no centre defined at Birdwell for planning purposes. Consequently, existing shops, including the Co-op at Spring Green Avenue are not protected by planning policy and the effects of the proposed development on specific and individual retailers are not material to the determination of the application.
- 9.26 Elsewhere, we have noted there are convenience shopping facilities at the Crosskeys Filling Station at Hoyland Common and Tesco Express at West Street, Hoyland. Neither of these shops fall within a centre defined for planning purposes and consequently the likely impact on these shops is also not material to the determination of the application.

- 9.27 In respect of Hoyland Town Centre and Hoyland Common Local Centre we have estimated that the impacts likely to arise are very modest and wholly insignificant when account is taken of the annual average growth in expenditure on all goods likely to arise in the coming years, notwithstanding the current economic climate. There is no evidence that the proposed development would have any material effect on the vitality and viability of these centres. Worsborough, Park Road, is a centre identified in the Adopted Unitary Development Plan but is not identified as such in the emerging Local Development Framework Core Strategy. Irrespective of this, the key convenience retailer within the centre is Netto. There is unlikely to be any material effect on the performance of this store as a consequence of the application proposal.
- 9.28 Bearing in mind advice within paragraph 3.7 and paragraph 3.23 of PPS6 about the level of detail required in work supporting planning applications being proportionate to the scale of the proposals, it is evident from the analysis we have undertaken that all indicators point to the proposal having no material effect on the vitality and viability of existing centres.
- 9.29 In respect of accessibility of the site, the Committee Report for the previous, larger proposals on the Application Site recognised that the site was located on a principal bus route and accessible by a choice of means of transport. However, whilst the Committee Report asserted that the proposed development was likely to increase dependence on the private car, in reality, the provision of appropriate shops and services on the Application Site would provide the option for residents to visit the site on foot.
- 9.30 Overall the current application proposal is small in scale designed to meet a specific need arising within Birdwell and the immediate surrounding area. An assessment has been undertaken of the need for additional facilities although in considering proposals elsewhere in the Borough, the view was taken that this was no longer a determining factor in dealing with retail proposals. Notwithstanding this, the scale of retailing proposed in the application can be justified. Furthermore, there is no centre at Birdwell designated for planning purposes. Bearing in mind that the proposal is intended to serve the Birdwell area there is no centre in which to search for sequentially preferable sites. In terms of impact, we have explained that the proposal would have no material effect on the vitality or viability of existing centres. Competition with existing retailers at Birdwell, and indeed elsewhere in the surrounding area, is not material to the determination of the planning application. Taking all of these factors into account and bearing in mind that Policy S6 of the Unitary Development Plan supports the development of local shopping facilities, the proposed development is compliant with policies for town centres and therefore there is no reason to justify a refusal of planning permission.