Stainsby Grange Ltd

Land off Bleachcroft Way, Stairfoot, Barnsley

Environmental Statement

June 2009

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1. INTRODUCTION

1.1 This Environmental Statement is submitted in support of a planning application for a residential development on land off Bleachcroft Way, Stairfoot, Barnsley.

1.2 The planning application is submitted on behalf of the applicants Stainsby Grange (Wombwell) Limited who currently own the site. CB Richard Ellis are the agents for this planning application.

1.3 The application proposes a residential development with associated access, parking, open space provision and ancillary facilities with all matters reserved except for means of access.

1.4 Outline planning permission is sought for the residential development with the illustrative plan showing some 272 dwellings, 30% of which will be affordable.

1.5 The total site area is 10.20 hectares (25.2 acres). 15% of this will be open public space. New public footpaths links will be provided within the development and address key pedestrian routes to local shops and public transport. Access will also be provided to the wider countryside and part of the Barnsley canal which will be restored as part of the developer proposals.

EIA REGULATIONS

1.6 The Environmental Impact Assessment and planning decision process requires that the likely significant effects of such a development, including effects on both the natural and man-made environments should be carefully considered alongside any perceived public and private costs and benefits which would arise from such a development.

1.7 The requirement for an Environmental Impact Assessment (EIA) derives from European Directive 85/33/EEC (as amended by 97/11/EC). Environmental Assessment is now an established part of planning procedures.

1.8 These procedures are transposed into national law by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (SI No.293) (EIA Regulations) which came into force on 14th March 1999 and apply to all relevant planning applications lodged after that date.

1.9 The fundamental test is:

> ***'Whether the particular type of development and its specific impacts are likely, in the particular location, to result in significant effects on the environment.'***

1.10 The proposed development was subject to a request for screening submitted to Barnsley Metropolitan Borough Council on 20 April 2009. In response to this, the Council ratify's, in their letter of 5 May 2009, that while the proposed development falls within Schedule 2 Class 10(b) "urban development projects" of the Town and Country Planning (Environmental Impact Assessment) England and Wales) Regulations 1999, it is not an EIA development as defined in the 1999 Regulations and would not be likely to have significant effects on the environment.

1.11 As part of the Screening and Scoping process the Environmental Statement is one of a suite of documents prepared in support of this outline planning application and responds to those issues raised by the Council in pre-application discussions.

APPLICATION DOCUMENTS

1.12 The following documents form the planning application:

- Covering letter
- Planning Application forms
- Site Location Plan and Masterplan illustrations
- Application Fee
- Planning Statement, including:
    - Statement of Consultation; and
    - Community Engagement
- Design and Access Statement
- Employment Land Assessment
- Housing Land Assessment
- Environmental Assessment, including:
    - Transport Assessment,
    - Air Quality Statement
    - Noise Assessment
    - Ecological Assessment, and
    - Flood Risk Assessment

BACKGROUND/ SUMMARY OF POSITION

1.13 The land at Bleachcroft Way, Stairfoot has been owned by Stainsby Grange (Wombwell) Limited since 2002. The site was and continues to be marketed for employment use purposes. It was purchased by Stainsby from Barmik Properties who had owned and marketed the site for industrial purposes since 1967.

1.14 In March 2000 Barnsley Metropolitan Borough Council (BMBC) granted planning permission for a B&Q Warehouse unit immediately north of the site. This was completed six years ago. Both prior to the planning application and since opening the B&Q Warehouse in May 2003 there has been little interest for employment use in the remaining available land, south of the B&Q warehouse which extends to approximately 10.20 hectares (25.2 acres gross).

1.15 Stainsby Grange (Wombwell) Limited has therefore proposed to advance a planning application for residential development. Discussions have taken place with BMBC on the reuse of the site for housing. However, despite the lack of market demand, the Council continue to promote the site for employment use. Notwithstanding the suggestion by Barnsley Development Agency (BDA) that the location is an important employment site in Barnsley, the Council have alternatively raised the possibility of locating a waste transfer station on the site.

THE PROJECT TEAM

1.16 The Core Team for the Bleachcroft Way site comprises:

- Stainsby Grange (Wombwell) Limited – Developer
- CB Richard Ellis – Planning Consultants / Project Management
- D J Curtis and Associates – Architects
- Byran G Hall – Transport Consultants
- Arcadis – Environmental, Flood Risk ,Air Quality and Ecology Consultants
- S D Garritt- Noise Consultants

1.17 This ES production has been coordinated by CB Richard Ellis and presents the results of an EIA carried out by a number of specialist designers and consultants appointed by the Applicant.

1.18 These designers and consultants are presented in Table 1.1 along with their respective contribution (EIA Chapters and technical appendices) to the EIA:

Table 1.1 EIA and Design Team

AREA OF INVESTIGATION	CONSULTANT
Chapter 4: Planning Policy Review	CB Richard Ellis
Appendix 3 : Transport Assessment,	Byran G Hall
Appendix 4: Air Quality Statement	Arcadis
Appendix 5: Noise Assessment	S &D Garritt
Appendix 6: Ecological Assessment	Arcadis
Appendix 7: Flood Risk Assessment	Arcadis

2. METHODOLOGY

INTRODUCTION

2.1 This chapter sets out the methodology for undertaking the Environmental Impact Assessment (EIA) and, in particular, details the process of identifying the environmental issues to be included in the EIA and the method of assessing the significance of the resulting effects.

2.2 The content and conclusions of the Environmental Statement (ES) are based on assessments, baseline surveys and desk studies of the site and surrounding land.

GENERAL EIA APPROACH

2.3 The ES has been prepared to comply with the EIA Regulations and reference has also been made to currently available good practice guidance in EIA, including:

- Environmental Impact Assessment – A Guide to Procedures, Office of the Deputy Prime Minister (ODPM) (2000);
- Preparation of Environmental Statements for Planning Projections that require Environmental Assessment – A Good Practice Guide, Department of the Environment (DoE) (1995) (this document recommends the procedures and methodology that should be used and the issues that should be considered for a high quality ES);
- Circular 02/99 – Environmental Impact Assessment, Department for Environment, Transport and the Regions (DETR);
- Impact Assessment Guidelines and ES Review Criteria, Institute of Environmental Management and Assessment (IEMA); and
- Town and Country Planning (Environmental Impact Assessment) (England) (Amendment) Regulations 2007.

2.4 The EIA has considered the likely environmental effects of the development, based upon current knowledge of the site and the surrounding environment. Following the findings of various studies contributing to the EIA, ways of avoiding, reducing or off-setting any potential significant adverse effects (collectively known as 'mitigation measures') have been identified, and are set out in the technical reports included in the appendices.

2.5 In line with both the EIA Regulations and best practice guidance, a screening and scoping opinion which identified the environmental issues to be addressed and set out the requirement of the EIA, was sought from Barnsley Metropolitan Borough Council (Appendix 1). This responded to discussions with BMBC and the informal view that the Environmental

Statement would be required along the lines scoped. In anticipation the documents were undertaken. Subsequently a Scoping Opinion was received from Barnsley Metropolitan Borough Council (Appendix 2) on 5 May 2009 which confirmed that;

> ***'having taken into account the criteria set out in Schedule 3 to the 1999 Regulations, ... the development would not be likely to have significant effects on the environment by virtue of factors such as its nature, size or location.'***
>
> ***'Accordingly the Local Planning Authority has adopted the opinion that on the basis of the submitted information the development[Stairfoot, Barnsley], for which planning permission is to be sought, is not EIA development as defined in the 1999 Regulations'.***

2.6 Technical studies have been ongoing throughout the design process, providing information about environmental issues and constraints affecting the proposals. The EIA considers both positive and negative impacts during both the construction phase of the development and the operational phase following its completion.

2.7 In line with legislative and best practice requirements, direct, indirect, secondary and cumulative, short, medium and long term, permanent and temporary, positive and negative effects have been addressed where applicable.

'ROCHDALE COMPLIANCE' OF THE EIA

2.8 The application comprises an outline planning application. As set out in Chapter 3 'The Site and Characteristics', the level of detail submitted in this application is appropriate for the size and nature of the site and the development proposed. This is deliberately the case in order to avoid over-engineering the EIA where remote environmental impacts are expected, while also avoiding previously well-documented problems where "skeleton" outline planning applications have proved difficult to subject to EIA in line with the appropriate regulations (the "Rochdale Cases").

2.9 The background to the Rochdale Cases and the issues they highlight is set out by the Office of the Deputy Prime Minister in a document entitled "A Note on Environmental Impact Assessment Directive for Local Planning Authorities (April 2004)." Both cases dealt with a legal challenge to a decision of the LPA to grant outline planning permission for a business park. In both cases an ES was provided. In ex parte Tew, the Court upheld a challenge to the decision and quashed the planning permission. In ex parte Milne, the Court rejected the challenge and upheld the LPA's decision to grant planning permission.

2.10 The approved outline permission was restricted so that the development that could take place would have to be within the parameters of the matters assessed in the ES. Reserved matters would be restricted to matters that had previously been assessed in the ES. Any

application for approval of reserved matters that went beyond the parameters of the ES would be unlawful, as the possible environmental effects would not have been assessed prior to approval.

2.11 The level of detail for this planning application and contained within the ES is therefore such that it allows realistic and appropriate regard to be taken of significant *potential* environmental impacts and as such can be developed within the parameters stipulated, which in turn can be controlled via suitable planning conditions or legal obligations.

SCOPING THE EIA

2.12 The 'Scoping' of the EIA process has involved pre-application discussions with the Council on the requirement for an Environmental Statement and the scope which the assessment should encompass and involves focusing the study (and the ES) on those issues of potential significance. It is also important in identifying all of the potential impacts of the development through design, construction and once it is completed to ensure that appropriate mitigation options are considered.

2.13 Following earlier discussions the Scoping Report was produced using a combination of the following:

- Discussions with BMBC planning officers;
- Reference to the 'Checklist of matters to be considered for inclusion in environmental statement' in Appendix 5 of Environmental Impact Assessment – A Guide to Procedures (DETR, 2000) and best practice guidance;
- An in-house review of the development in conjunction with the Applicant and project team; and
- Expert opinion from the project team and external consultants.

POTENTIALLY SIGNIFICANT ISSUES

2.14 As part of our scoping exercise the following environmental issues were identified to be addresses in the EIA in association with the development proposed:

- Design and Access;
- Planning Policy Review;
- Transportation;
- Ecology;

- Flooding;
- Air Quality; and
- Noise;

CONSULTATION

2.15 A number of statutory and non-statutory organisations have been consulted regarding the proposals and in preparing the technical chapters of the ES, including Barnsley Metropolitan Borough Council members, the local community and residents residing in the surrounding area of the site, and key stakeholders, including local businesses such as Tesco and B&Q occupiers and the local community, along with:

- Stairfoot and Worsbrough Area Forum Officer: Ruth Steedman
- Senior Environmental Health Officer: Lucy Allen
- Environment Agency
- Yorkshire Water

MEANS OF ASSESSMENT

2.16 The content and extent of coverage of the ES is based on the following:

- Review of the current situation through existing information, data and reports;
- Desk-top studies;
- Site surveys;
- Consideration of relevant planning policies (national, regional and local);
- Identification of likely environmental impacts and an evaluation of their likely duration, magnitude and significance;
- Expert opinion;
- Use of technical guidance and best practice; and
- Specific consultations with appropriate bodies.

STRUCTURE OF TECHNICAL APPENDICES

2.17 Through the EIA process, the likely significant environmental impacts of the development have been assessed. Each key environmental study has been assigned a separate appendix (Appendix 3-7).

2.18 A summary of all the technical reports is set out in Chapter 5. Each summary will highlight the salient points and provide and overview.

EVALUATION OF SIGNIFICANCE

- The ES identifies and assesses the likely significant impacts of the development in relation to both the construction works and completed development. Environmental impacts have been predicted with reference to definitive standards and legislation where available. Where it has not been possible to quantify impacts, qualitative assessments have been carried out, based on available knowledge and professional judgement.

2.19 In order to provide a consistent approach to expressing the outcomes out the various studies undertaken as part of the EIA, and thereby enable comparison between impacts upon different environmental components, the following terminology (7-point scale) has been used throughout the ES. Impacts have been expressed as:

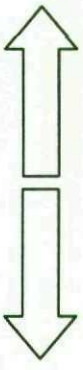
- **Adverse** – Detrimental or negative impacts to an environmental resource or receptor;
- **Negligible** – No significant impacts to an environmental resource or receptor; and
- **Beneficial** – Advantageous or positive impact to an environmental resource or receptor.

2.20 Where adverse or beneficial impacts have been identified these have been assessed against the following scale:

- **Minor** – Slight, very short or highly localised impact of no significance consequence;
- **Moderate** – Limited impact (by extent, duration or magnitude) which may be considered significant; and
- **Substantial** – Considerable impact (by extent, duration or magnitude) of more than local significance or in breach of recognised legislation, policy and standards.

Table 2.2 Significance Criteria

Substantial Benefit
Moderate Benefit
Minor Benefit
Negligible
Minor Adverse
Moderate Adverse
Substantial Adverse



2.21 Each technical chapter provides the criteria, including sources and justifications, for quantifying the different levels of impact. Where possible, this has been based upon quantitative and accepted criteria, together with the use of value judgements and expert interpretations to establish to what extent an impact is environmentally significant.

2.22 In the context of the Development proposals, **short term** impacts are considered to be those associated with the construction phase, **medium term** impacts are those likely related to the first few years after completion, and **long term** impacts are those associated with the completed and ongoing development.

2.23 **Local** impacts are those affecting neighbouring receptors in the proximity of the site. Impacts upon receptors within the wider Barnsley Council administrative boundary are considered to be at a **Borough-wide** level. Impacts affecting the wider South Yorkshire area are considered to be at a **Regional** level. Impacts affecting different parts of the country, or England as a whole, are considered to be at a **National** level.

ASSUMPTIONS AND LIMITATIONS

2.24 The principal assumptions that have been made and any limitations that have been identified in undertaking the EIA are set out below. Assumptions specifically relevant to each topic have been set out in each ES chapter.

- The assessments contained within each of the technical chapters are based upon the Parameter Plans submitted as part of the outline application, these set out, albeit in illustrative form for the purpose of the planning application, the proposal for 272 dwellings, 30% of which will be affordable in a range and mix of dwelling type, to be principally accessed by Bleachcroft Way;
- Baseline conditions have been established from a variety of sources, including historical data, however, due to the dynamic nature of certain aspects of the

environment, conditions may change during the construction and operation of the development;

- All of the principal existing land uses adjoining the site remain substantially unaltered;
- The design, construction and completed scheme will satisfy environmental standards consistent with contemporary legislation, practice and knowledge;
- Construction is hoped to commence in 2010 for a period of approximately 24 months;
- The assessment has identified the impacts on existing receptors and known future receptors; and
- The planning permission, when granted, will contain planning conditions that will be sufficient to cover the scheme as assessed.

3. THE SITE AND CHARACTERISTICS

THE SITE

3.1 The site, known as Bleachcroft Way, Stairfoot, is located within the Barnsley Urban Community area as defined in the Barnsley Unitary Development Plan (UDP).

3.2 The site is currently vacant. To the north and east are buildings, generally associated with industrial use; however the largest is occupied by the retailer B&Q, whilst others are currently being used as officers (B1), a retail warehouse club (suis generis), general retail unit (A1) and a wholesale warehouse (B8).

3.3 To the west is the main railway line which accommodates services from Sheffield to Leeds via Barnsley, whilst agricultural land forms the south eastern boundary beyond a mature hedgerow, which forms the natural boundary to the site.

3.4 To the east of the site there is a large Tesco's foodstore and a retail warehouse park with associated parking. Access to these facilities is also gained off Wombwell Lane.

3.5 The site is surrounded by existing residential land use to the west, on the opposite side of the railway track, and further to the north at the district centre of Stairfoot. Pockets of residential land are also located to the south of the site beyond the open field's outlook. The site is served by primary schools and the new Barnsley Academy within walking distance. The nearby district centre of Stairfoot to the north of the site includes an Aldi foodstore on Doncaster Road.

3.6 Access to the site is gained via Bleachcroft Way, which is serviced from Wombwell Lane in the one way section which forms part of the Stairfoot Roundabout.

BACKGROUND

3.7 Since 1967 and including the construction of the Cash and Carry units and the subsequently demolished warehouse units in 1969, the site has been allocated for employment and commercial use, and designated as such in a succession of development plans and existing Barnsley UDP, adopted 2000.

3.8 Stainsby Grange (Wombwell) Limited assembled the land at Wombwell Lane to apply for planning permission for a B&Q requirement in March 1998. The planning application was subsequently made in 1999 and called in by the Government Office to review PPG6 issues on 27th March 2000. A Call-In Inquiry took place in November 2000 followed by the grant of planning permission in December 2001.

3.9 The B&Q development was completed in May 2003, incorporating renewed infrastructure and services for the employment allocation, including highways, electricity sub stations and gas and water provisions, upgrading the renamed Stairfoot Business Park.

3.10 It was expected that during the construction phase of the site an increased number of enquiries for employment uses would be likely, however these did not materialise.

3.11 As part of the planning gain element of the B&Q decision, Stainsby Grange (Wombwell) Limited also built 11,000 sq ft of nursery units, 6,000 sq ft of was taken by an existing food wholesaler tenant of the Cash and Carry. The remaining 5,000 sq ft in two units of 2,500 sq ft took 2 and 3 years respectively to let. Both units are now occupied by Barnsley Food Catering Ltd, another food wholesaler.

3.12 A small part of the site was sold to STMC, a building control consultants, who constructed two office buildings on site. Industrial units were also granted planning permission. In total Stainsby Grange (Wombwell) Limited has had three employment occupiers show serious interest in the remaining available land:

- DEM Windows;
- Yorkshire Traction; and
- Mandale Holdings Ltd;

3.13 In each case, these have not been progressed as viable options.

3.14 BMBC, whilst maintaining its position for the site as a 'premier location' for employment, are considering the possibility of location a Waste Transfer Station on the site.

3.15 The genuine lack of interest in the site clearly does not constitute a performance expected from a prime employment site and does not justify the continuance of policy in safeguarding this site for key employment at the expense of other opportunities to which the site is well suited.

3.16 *The site is in the proximity (within 500 metres) of two primary schools, with the new Barnsley* Academy 1km away, and with a hospital also close by.

3.17 The site is also close to a designated district centre and is immediately adjacent to a large Tesco foodstore with other retailers at the Wombwell Lane Retail Park; the B&Q is also adjacent to the site. Other local shops include an Aldi foodstore, a McDonalds and a post office, all located in the proximity of Doncaster Road.

3.18 Wombwell Lane has frequent bus services with bus stops at the Stairfoot Roundabout through which approximately 450 services pass per day. The national cycle route also runs along the old railway line directly into the town centre and the existing railway line forms the

boundary of the site. There is an opportunity for land to be set aside if land is recovered for a rail shop/ park and ride.

3.19 The site has a pleasant outlook, overlooking green belt designated land and a canal which is proposed for part restoration as a consequence of the development proposed, with opportunities to enhance surrounding footpath. There is a cemetery and school on the other side of the rail line.

RELEVANT PLANNING HISTORY

3.20 The B&Q decision effectively helped establish a serviced employment site theoretically making the site more attractive and marketable. However, despite the improvements and continued marketing of the site the site remains vacant.

3.21 The conclusions of the BDA and BMBC refer to the role which the B&Q unit played in 'establishing' this regeneration of an allocated employment site.

3.22 Other permissions have been implemented to facilitate the developer.

3.23 The site directly to the east has planning permission for the following:

- Ref: 05/0549 – Erection of two blocks – Granted – 16 May 2005
- Ref: 03/1842 – Erection of Industrial Unit – Granted – 22 December 2003

THE DEVELOPMENT PROPOSALS

3.24 The outline planning permission seek to establish a residential development of 272 dwellings, 30% of which will be affordable.

3.25 The illustrative masterplan shows the following breakdown of dwellings:

- House Type A - 31 x three-storey town house with integral garage (1,100 sq ft house and garage)
- House Type B - 34 x two-storey town house with attached garage (900 sq ft house)
- House Type C - 12 x two-storey detached house with attached garage (900 sq ft house)
- House Type C1 - 13 x two-storey detached house with detached garage (900 sq ft house)
- House Type D - (AFFORDABLE) 61 x 2 Storey terrace house with parking space (650 sq ft house)

- House Type E - 87 x three-storey terrace house with integral garage (1,235 sq ft house and garage)
- House Type F - 14 x two-storey detached house with detached garage (900 sq ft house)
- House Type G - (AFFORDABLE) 20 x three-storey terrace house with parking space (770 sq ft house)

3.26 The development proposes 15% of the site be designated as open public space and a new public footpath with possible bridge link provided. As part of this outline planning application, all matters will be reserved with the exception of access.

4. PLANNING POLICY REVIEW

NATIONAL PLANNING POLICY

4.1 The Governments National Planning Policy guidance of specific relevance to this planning application are:

- Planning Policy Statement 1: *'Delivering Sustainable Development'* (2005) (PPS1)
- Planning Policy Statement 3: *'Housing'* (2006) (PPS3)
- Planning Policy Guidance 4: *'Industrial and Commercial Development and Small Firms'* (1994) (PPG4)
- Planning Policy Guidance 13: *'Transport'* (2001)(PPG13)

PPS1, DELIVERING SUSTAINABLE DEVELOPMENT (FEBRUARY 2005)

4.2 PPS1 outlines the Government's commitment to delivering sustainable communities and development. The guidance advises that planning should be used as a facilitator and promotes sustainable and inclusive patterns of urban and rural development.

4.3 PPS1 states that planning should:

- Make suitable land available for development in line with economic, social and environmental objectives to improve people's lives;
- Contribute to sustainable economic development;
- Protect and enhance the natural and historic environment, the quality and character of the countryside, and existing communities;
- Ensure high quality development through good and inclusive design, and the efficient use of resources; and
- Allow development to support existing communities and contribute to the creation of safe, sustainable, liveable and mixed with good access to jobs and key services.

4.4 PPS1 promotes urban and rural regeneration to improve the well-being of communities, improve facilities, promote high quality and safe development and create new opportunities for people living in those communities. Development plan and proposals should promote mixed use developments for locations that allow the creation of linkages between different uses to create more vibrant places.

4.5 PPS1 states that developments which attract a large number of people, especially retail, leisure and other development should be located with existing centres to promote their vitality and viability and to encourage more sustainable patterns of development and travel. As part of this objective, PPS1 promotes higher density, mixed use development which, includes residential use, and states that planning should actively bring vacant or underused land into beneficial use to meet housing and employment needs.

4.6 Community involvement is considered important to planning and the achievement of sustainable development and states that local communities should be given the opportunity to participate in the process of drawing up specific plan and policies and should be consulted on proposals for development.

PLANNING POLICY STATEMENT: PLANNING AND CLIMATE CHANGE – SUPPLEMENT TO PPS1 (DECEMBER 2007)

4.7 This PPS supplements PPS1 and forms part of a set of policies designed to achieve the Government's aim of zero carbon development. It sets out guidance on how planning should contribute to resolving problems recently highlighted by the Stern Review, principally cutting emissions and mitigating and adapting to climate change. A sustainability appraisal is highlighted as especially important in shaping appropriate spatial strategies, at various scales. Although instigating a common national methodology for monitoring and reporting on expected regional carbon impacts is the ultimate ideal, for the interim, this PPS encourages Regional Planning Bodies to produce regional trajectories for the expected carbon performance of new residential and commercial development.

4.8 Planning Authorities must therefore assess the appropriateness of a development proposal in terms of its means of access, infrastructure capacity, ability to sustain socially cohesive communities, the impact of development on biodiversity and the local climate including urban cooling effects, and any known physical and environmental constraints on any one site.

PLANNING POLICY STATEMENT 3: HOUSING (NOVEMBER 2006)

4.9 The proposed development will provide 272 residential units.

4.10 PPS3 sets out national planning policies for housing, which Regional Planning Bodies and Local Planning Authorities should take into account in developing Regional Spatial Strategies and Local Development Frameworks. As of 1 April 2007, Local Planning Authorities must refer to PPS3 as a material consideration when determining planning applications.

4.11 The key objectives of PPS3 is to deliver new homes at the right time in the right place, while ensuring that homes are sustainable, well-designed, and offer a good range of community facilities and access to jobs, key services and infrastructure.

4.12 PPS3 seeks a flexible, responsive supply of housing land and promotes the re-use of previously developed land and a national target of 60% of additional housing to be built on brownfield land with access to community facilities and with good access to jobs, key service and infrastructure. The sustainable location of new housing development and the efficient use of land are promoted throughout PPS3 and higher density developments should be located close to key services and transport networks.

4.13 Key to achieving sustainable, mixed communities, PPS3 emphasises the need for a mix of housing, both market and affordable, particularly in terms of tenure and price in order to support a wide variety of households and to meet identified need and demand for new housing. Local Development Documents should therefore set a plan-wide target for the amount of affordable housing to be provided and set targets for social rented and intermediate affordable housing.

4.14 New development should be avoided where it is likely to impact on the areas character and amenity and result in unacceptable levels of travel demand where travel needs are unlikely to be well served by public transport.

4.15 Regional Spatial Strategies should identify broad strategic locations for new housing development and local authorities should identify broad locations and specific sites that will enable continuous delivery of housing for at least 15 years from the adoption of the plan.

PLANNING POLICY GUIDANCE 4: INDUSTRIAL AND COMMERCIAL DEVELOPMENT AND SMALL FIRMS (NOVEMBER 1994)

4.16 PPG4 sets out the Government's planning policies relating to industrial and commercial developments. It states that economic growth and a high quality environment have to be pursued together and that careful attention to environmental issues makes good economic sense for business and industry.

4.17 PPG4 provides guidance on where to locate industry and commerce and how to achieve wider objectives in the public interest. PPG4 seeks to:

- Encourage new development in locations which minimise the length and number of trips, especially by motor vehicle;
- Encourage new development in locations which can be served by more energy efficient modes of transport; and
- Discourage new development where it would be likely to add unacceptably to congestion.

4.18 In terms of employment land supply, PPG4 is quite specific insofar as it is incumbent upon local planning authorities to **identify sufficient land** for employment purposes whilst ensuring

that there is a **choice** of **suitable sites** [our emphasis] in order to stimulate competition and facilitate economic development.

Draft PPS4

4.19 Draft PPS4 (which clearly sets out the direction of emerging policy) states at page 7:

"Regional planning bodies and local planning authorities should use a wide evidence base to understand both existing business needs and likely changes in the market, to prepare policies to support sustainable economic development in their area."

4.20 The PPS then continues to state at Paragraph 18 that to achieve this, regional planning bodies and local planning authorities should:

"Thoroughly assess the existing supply of land available for economic development through an employment land review. Where possible, land use reviews, such as housing and employment, should be undertaken at the same time....."

PPG 13: TRANSPORT (MARCH 2001)

4.21 PPG13 contains policy advice on integrating transport with land use planning. Key objectives of this guidance are to:

- Promote more sustainable transport choices for both people and for moving freight;
- Promote accessibility to jobs, shopping, leisure facilities and services provided by public transport, walking and cycling; and
- Reduce the need to travel, especially by car.

4.22 Paragraph 13 notes that local planning authorities are required to place the needs of people before the ease of traffic movements in designing the layout of residential developments and to seek to reduce car dependence by facilitating more walking and cycling, by improving linkages by public transport between housing, jobs, local services and local amenity and by planning for mixed use.

4.23 As set out in paragraph 14, Local planning authorities, in assessing the suitability for housing development should:

"consider their location and accessibility to jobs, shops and services by modes other than the car, and the potential for improving such accessibility."

4.24 Furthermore, PPG13 states at paragraph 16 that:

"to promote more sustainable residential environments local planning authorities should avoid the inefficient use of land (avoiding developments which make more efficient use of

land and seek greater intensity of development at places with good public transport accessibility..."

4.25 PPG13 continues to promote sustainability, stating that walking is the most important mode of travel at the local level and offers the greatest potential to replace short car trips particularly under 2.0 kilometres. Walking also forms an often forgotten part of all longer journeys by public transport and car.

4.26 At the time of finalising the assessment, it is understood that the Government are due to release 'Planning for Prosperity' a Planning Policy Statement which when adopted will incorporate PPG4 and the draft PPS4 alongside PPS6 (Town Centres) and PPG7 (Countryside) and parts of PPG13 (Transport). Further information in this regard will be given when this document is released.

THE DEVELOPMENT PLAN

4.27 Under Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan, unless there are materials considerations to indicate otherwise.

4.28 The statutory development plan for the application site is:

(i) The Yorkshire and the Humber Plan - Regional Spatial Strategy to 2006 – May 2008

(ii) Barnsley Unitary Development Plan – December 2000

THE YORKSHIRE AND THE HUMBER PLAN – REGIONAL SPATIAL STRATEGY TO 2026 (MAY 2008)

4.29 The current Regional Spatial Strategy (RSS) for Yorkshire and the Humber provides the spatial development strategy for Yorkshire and the Humber up to 2026 and forms part of the statutory development plan for the area. It has replaced the RSS for Yorkshire and the Humber (based on a selective review of RPG 12) which was published in December 2004. The current RSS was adopted in May 2008.

4.30 The RSS sets out the policies and their justification for guiding development across the region and, in this case, the South Yorkshire Sub Area Policy. The majority of growth is centred in Sheffield and the sub regional towns of Barnsley, Doncaster and Rotherham with particular emphasis on city centres and inner areas.

4.31 Policy YH1 outlines the Regional Core Objectives, these are:

- Transform economic, environmental and social conditions in the Regeneration Priority Areas – the older the industrial parts of South Yorkshire, West Yorkshire and the Humber;
- Manage and spread the benefits of continued growth of the Leeds economy as a European centre of financial and business services;
- Enhance the role of Sheffield as an important business location within its wider city region;
- Optimise the opportunities provided by the Humber ports as an international trade gateway for the region and the country;
- Support Principal Towns and Local Service Centres as hubs for the rural and coastal economy and community and social infrastructure and encourage diversification of the rural economy;
- Protect and enhance the region's environmental resources including areas of international and national importance, and the character and qualities of the region's coast and countryside including for the economic and social development;
- Avoid exacerbating environmental threats to the region and reduce the region's exposure to those threats;
- Avoid increasing flood risk, and manage land and river catchments for flood mitigation, renewable energy generation, biodiversity enhancement and increased tree cover;
- Ensure the transport management and investment support and help deliver the spatial strategy.

4.32 Policy YH4 sets out that **Regional Cities and Sub Regional Cities and Towns** should be the prime focus for housing, employment, shopping, leisure, education, health and cultural activities and facilities within the region.

4.33 Policy YH7 establishes the proposed approach to selecting land for development. After determining the distribution of development between cities and towns, local planning authorities should allocate site by giving:

- First priority to the re-use of previously developed land and buildings and the more effective use of existing developed areas within the relevant city or town;
- Second priority to other suitable infill opportunities within the relevant city or town;

- Third priority to extensions to the relevant city or town.

4.34 A sub area approach is also adopted within the RSS. Barnsley is identified as a **Sub Regional Town** within South Yorkshire sub area. In this respect the proximity to Sheffield and Leeds is significant and is identified as having the potential to strengthen its position as a '21st Century Market Town'. With regard to the South Yorkshire sub area, Policy SY1 sets out the spatial priorities for the sub area. The policy seeks to strengthen the role of Barnsley as a Regional Town within the region, and sets out a number of objectives that the Local Development Framework and other relevant strategies should consider.

4.35 With regard to **employment land supply**, the adopted RSS indicates that Barnsley had 130 hectares of employment land allocated in 2006 and the potential net change in land for industrial and storage uses between 206 and 2021 will be 110 hectares which equates to a limited net increase. IN which case there appears to be an adequate supply of employment land.

4.36 In relation to **housing policies**, under Policy H1, Table 12.1 sets out the annual average net additions to the dwelling stock between 2004 and 2026. In the case of Barnsley the RSS states that and annual average of 840 dwellings should be achieved over the period 2004-2008, and 1,015 between 2008 and 2026.

4.37 Policy H2 sets out that Local Planning Authorities should identify and manage the release of land to maintain the momentum of the urban transformation of the Regional Cities, Sub-Regional Cities and Towns, and Principal Towns by:

- Prioritising housing development on brownfield land and through conversions to contribute to a regional target of at least 65%;
- Identifying sites and contributions from areas of planned change in LDFs (based on Strategic Housing Land Availability Assessments, Local Employment Land Reviews, and other evidence) to ensure a 15 year supply of land for housing, including a five year supply of specific, deliverable sites;
- Where needed, identifying broad locations in LDFs in accordance with policy YH8, so that these locations can be included in the 11-15 year supply and be further tested before sites are identified;
- Co-ordinating the release of housing land with the necessary improvement to and/or provision of green, social and physical infrastructure;
- Adopting a flexible approach to delivery by not treating housing figures as ceilings whilst ensuring that development is focused on locations that deliver the Plan's Core Approach and Sub-Area policies;

- Maintaining housing and brownfield land trajectories and managing delivery where actual performance is outside of acceptable ranges.

4.38 In identifying sites for development, local planning authorities should adopt a **transport-orientated approach** to ensure that development:

- Makes that best use of existing transport infrastructure and capacity;
- Takes into account capacity constraints and deliverable improvements, particularly in relation to junctions on the strategic road network;
- Complies with the public transport accessibility criteria and maximises accessibility by walking and cycling;
- Maximises the use of rail and water for uses generated large freight movements.

BARNSLEY UNITARY DEVELOPMENT PLAN (DECEMBER 2000)

4.39 The site is allocated in the UDP as falling within an employment proposal area. The B&Q site, directly north of the proposal site, is allocated as an Employment Policy Area.

4.40 In accordance with the 'saved policy' protocol issued by the Secretary of State, BMBC produced a schedule of UDP policies which it intended to save or delete. The UDP adopted in December 2000 has saved all policies relating to Employment Land and use. These policies are therefore relevant.

Employment

4.41 Policy ED1: Sites for New Development states that proposals for development should include some 307 to 375 hectares of land for employment purposes in the period 1991-2001.

4.42 The employment sites allocated provide approximately 323 hectares of land for new development. Many of the sites were brought forward from the local plans adopted in the 1980's. Other's, notably the Greenfield sites in the M1 corridor, were identified following comprehensive studies.

4.43 Policy ED7: Existing Employment Areas (i.e. the B&Q Site NOT our site) states that areas defined within an Employment Policy Area will remain in employment use and development will only normally be permitted for business, industry and storage and distribution.

4.44 The aim of the policy is to protect the Borough's stock of employment land in that *"only exceptionally will it be appropriate for an Employment Area to be redeveloped for a use other than those set out in Policy ED7 in order to achieve overall environmental benefits which outweigh the loss of jobs from the site".*

4.45 The UDP's Supplementary Planning Guidance 23 (SPG23, May 2003): Uses on Employment Sites, indicates which uses are not normally acceptable on employment sites; these are Retail uses (A1), Financial and professional services (A2) and Housing (C3).

4.46 Supplementary Planning Guidance 24 (SPG24, May 2003): Re-Use of Employment Policy Areas, establishes the criteria for assessing proposals for uses other than those which are considered acceptable in SPG23. The initial criteria relates to:

- Existing job losses;
- The relationship of the site to surrounding land uses; and
- Employment land supply.

4.47 Where the criteria above is met, SPG24 requires four additional criteria to be met as follows:

- Can existing buildings on site be re-used for employment?
- Will the redevelopment provide environmental benefits for local residents?
- Is the site access suitable for continued employment use?
- Will the site be attractive for employment uses in the medium to long term?

Housing

4.48 In relation to housing, the principle policy relating to the strategic requirements for housing supply (Policy H1) was not saved.

4.49 The strategic target set out in Policy H1 has been replaced by new targets published in regional planning guidance (set out above).

4.50 Other UDP policies are still relevant, including Policy H2 which seeks to ensure a 5 year supply of housing land, and Policy H3, which retains sites identified as housing allocations.

Transport

4.51 The key UDP objectives to support transport policy are:

- To improve transport provision and services to areas of poor accessibility and job creation as an integral part of a coherent regeneration strategy.
- To improve and protect the environment.
- To improve the safety and efficiency of the transport network.

- To provide genuine choices of travel mode as alternatives to the private car by assisting public transport operation, retention and development of the network, and development of facilities for cyclists and pedestrians.
- To meet the needs of the physically and socially disadvantaged.

Environmental standards

4.52 As one of the three key objectives of the UDP, a series of policies (Policy ES1-ES13) set out the environmental standards to conserve and improve the environment in the borough. Policies cover issues of pollution, contaminated land and landfill gases.

LOCAL DEVELOPMENT FRAMEWORK

4.53 The emerging planning policies under the new LDF system are contained in the Core Strategy and Employment Sites Development Plan Documents (DPD's). Consultation on the Preferred Options versions for the DPD's closed in November 2005 with the subject site identified as an employment proposal site.

4.54 The Core Strategy indicates what requirements there are to provide land for different uses and key target figures for these land uses borough wide, this includes land for employment use over the next ten years. The Core Strategy notes that should the rate of development continue to 2016, around 200 to 235 hectares of land for employment development should be set aside in the LDF.

4.55 The Employment Sites DPD states that the future supply of employment sites will come from both the Core Strategies allocated 200-235 hectares of employment land and existing sites which are not allocated but are in employment, including existing industrial estates and business parks.

4.56 The accompanying policy (ESP1) states that Stairfoot Business Park is proposed for employment use to meet the needs set out in the Core Strategy. The site is identified as 9.52 hectares of the total District wide supply (205 hectares in total).

4.57 In relation to housing, the Core Strategy (2005) identifies a strategic housing requirement based on the previous Regional Spatial Strategy (December 2004) of 810 dwellings per year for the period 1998 to 2016. Deducting completions for the period 1998 to 2005, the Core Strategy therefore identifies a strategic requirement of 9,242 homes for the period 2005 to 2018.

4.58 The Core Strategy includes a further allowance for new sites above the strategic requirement to provide for flexibility, and therefore set the level of provision at 10,567 homes for the period 2005 to 2018. However, this target was based on identifying only 60% of this

requirement on specific sites (identified through the Housing Site DPD, with the remaining 40% coming forward through windfall sites.

4.59 The Core Strategy also set out the policy of protecting a further 238 hectares of land (sufficient to provide approximately 9,520 homes) for later and subsequent parts of the plan period if required to meet strategic needs.

4.60 Policy H4 of the Policies DPD sets out the requirements for housing developments on large non-allocated sites, stating that residential development will only be allowed on land not set aside for housing that is 0.4 hectares or more in area, where the site is:

- within a settlement boundary;
- previously developed land; and
- close to good public transport corridors, shops and services, or has good access to these.

BARNSLEY, DONCASTER AND ROTHERHAM JOINT STRATEGIC WASTE (DPD) ISSUES AND OPTIONS (FEBRUARY-MARCH 2008)

4.61 The Joint Strategic Waste Issues and Options document was issued for public consultation between 4th February and 21st March 2008. Table 4.1 lists all the potential sites the Council consider suitable for strategic waste management facilities. Listed first under Barnsley is the Stairfoot Business Park.

4.62 Table 5.2 in the Joint Strategic Waste Consultation Report, June 2008 sets out which sites listed were suggested as potentially suitable by respondents. In the case of Stairfoot Business Park, two respondents suggested the site as suitable. Only nine other sites out of a possible 34 were recommended by two respondents. Only one received the highest score of three recommendations.

4.63 The Consultation report also notes that there were a small number of comments which related to Issue 4 'Where should new facilities go'. Comments relating to sites and distribution included concerns over the numbers of vehicles that will be employed, particularly concerning the sites that would use Stairfoot roundabout. The recently published (October 2008) 'Towards the Publication' DPD is also included in.

4.64 In July 2008 Stainsby Grange (Wombwell) Limited made representations against the Joint Strategic Waste DPD. They consider usage of the land for waste facilities would blight the site and its potential for development. Furthermore, Stainsby Grange (Wombwell) Limited considers that the visual amenity and image associated with a waste transfer station would not be appropriate when located adjacent to a B&Q and Tesco which thousands of residents visit each week.