Planning Statement

West Street, Worsborough Dale

On behalf of The Ebor Sipp

September 2015
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ARCHITECTURE
PLANNING
LANDSCAPE

Contents

Section 1.0 – Introduction 3

Section 2.0 – The Site and Its Surroundings 4

Section 3.0 – Site and Planning History 6

Section 4.0 – National and Local Planning Policy 8

Section 5.0 – Assessment 16

Section 6.0 – Summary and Conclusions 25

List of Figures

Figure 1 – OS Plan

Figure 2 – UDP Extract

Figure 3 – Emerging Development Sites and Places Extract

Figure 4 – Indicative Masterplan

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Section 1: Introduction

The Purpose of the Statement

This Planning Statement is prepared by John R Paley Associates ('JRPA') on behalf of our client The Ebor Sipp.

The purpose of the Statement is to assist Barnsley Council ("the Council") in their consideration of the accompanying outline planning application for the development of land at West Street, Worsborough Dale, Barnsley ('the site').

This is a re-submission of outline application (2014/0125) for residential development of up to 70 dwellings, provision of access and associated works including open space refused by Barnsley Council 28 October 2014.

The Accompanying Planning Application

The accompanying planning application is submitted in outline form with all detailed matters except access reserved for future approval. The proposed development scheme that is the subject of this application and its rationale is more fully explained in the Design and Access Statement (DAS) but can be summarised as follows:

• Up to 70 new homes in a range of types, size and styles and including affordable housing to meet local needs.

A formal EIA screening response from the Council has set out that the proposal does not constitute EIA development.

Accompanying Submissions

The application is accompanied by the following submissions:

• Planning Statement (this statement) prepared by JRPA which examines how the application proposals relate to the development plan and other material planning considerations, and also incorporates text constituting the Affordable Housing Statement as well as a Town Centre Use Impact Assessment;
• Design and Access Statement prepared by JRPA which provides the necessary level of information required for an outline application, including development parameters, an illustrative layout and explanation of how the scheme design and landscaping measures proposed have responded to the site's location and setting;
• Flood Risk Assessment and Drainage Strategy prepared by Haigh Huddlestone
• Transport Statement prepared by PAH;
• Phase 1 Desk Study prepared by Haigh Huddlestone;
• Employment Land Report, prepared by Smiths; and
• Employment Viability Study, prepared by Smiths.

The above list is consistent with the pre-application advice of officers in relation to submissions required to enable the validation and consideration of the planning application.

Section 2: The Site and Its Surroundings

Introduction

The purpose of this section is to provide a brief factual description of the application site and its surroundings, more detail is provided in the accompanying DAS.

Site Description

The site is located at West Street, Worsbrough, Barnsley South Yorkshire and is situated around Ordnance Survey grid reference SE 35846 03689. A site location plan is shown on Figure 1 below.



Figure 1 – Location Plan

The site is roughly rectangular in nature and situated within the urban area of Barnsley. There are residential properties to the north, east and west, to the south is Worsbrough Country Park. Beyond the residential properties to the north east there is a small area of open fields. The site area is approximately 1.52ha.

The site is a former industrial development and is predominantly covered with paved areas and existing industrial buildings. There are some areas of rough grass around these buildings. West Street forms the northern Boundary of the site and the former Dearne and Dove Canal abuts the southern boundary.

The River Dove runs approximately 50m to the south of the site. Midway along the northern boundary of the site there is an electrical sub-station. The services that serve the properties are still in the ground. There is sporadic/substantial tree and shrub growth adjacent the southern site boundaries.

The majority of the site has a tarmac or concrete hard standing, with an area of approx. 1.48ha covered with hard standing or roofed areas. These do not all appear to be connected to the drainage systems.

A public footpath is shown running adjacent to the canal on the southern boundary.

The site generally falls from a high point of 59.7m AOD in the north east towards a low point of 53 AOD in the south east corner. The site slopes from north to south at an average gradient of approximately 1 in 20. The southern boundary is generally flat with only a slight gradient from west to east.

Section 3: Site and Planning History

Planning History

An outline application (2014/0125) for residential development of up to 70 dwellings, provision of access and associated works including open space was refused by Barnsley Council 28 October 2014.

The reason for refusal was:
"The proposal conflicts with Core Strategy policy CSP19 by virtue of the fact redevelopment would result in both a loss of existing jobs and employment potential in an area where there is an inadequate supply of employment land. The substantial harm this causes is not considered to be outweighed by the potential contribution the scheme makes towards meeting housing need or the other considerations put forward by the applicant."

Development Plan History

The site is allocated in the Barnsley UDP (adopted December 2000) as within an Employment Policy Area, where policy ED7 states:

Policy ED7
Areas will remain in employment use. Unless otherwise stated in community area volumes, development will normally be permitted for business, industry and storage and distribution.

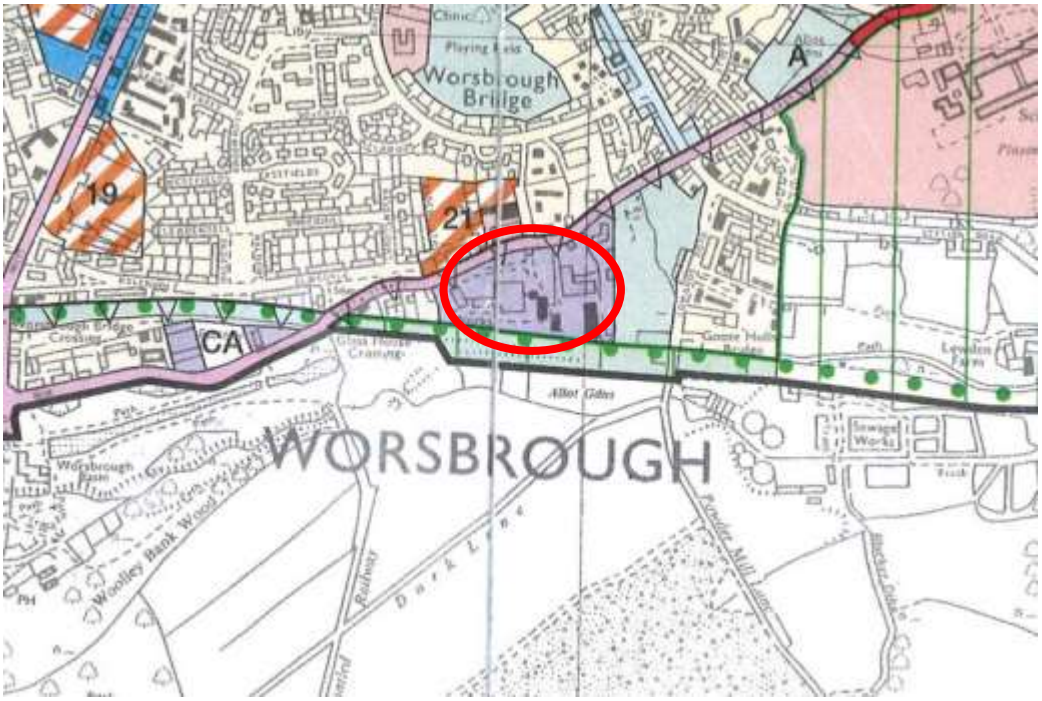


Figure 2 – UDP Extract

Emerging Development Sites and Places DPD 2012

Whilst only limited weight can be attached to the emerging Development Sites and Places DPD, the site is identified as being within the Urban Fabric where land is within the settlement with no specific allocation.

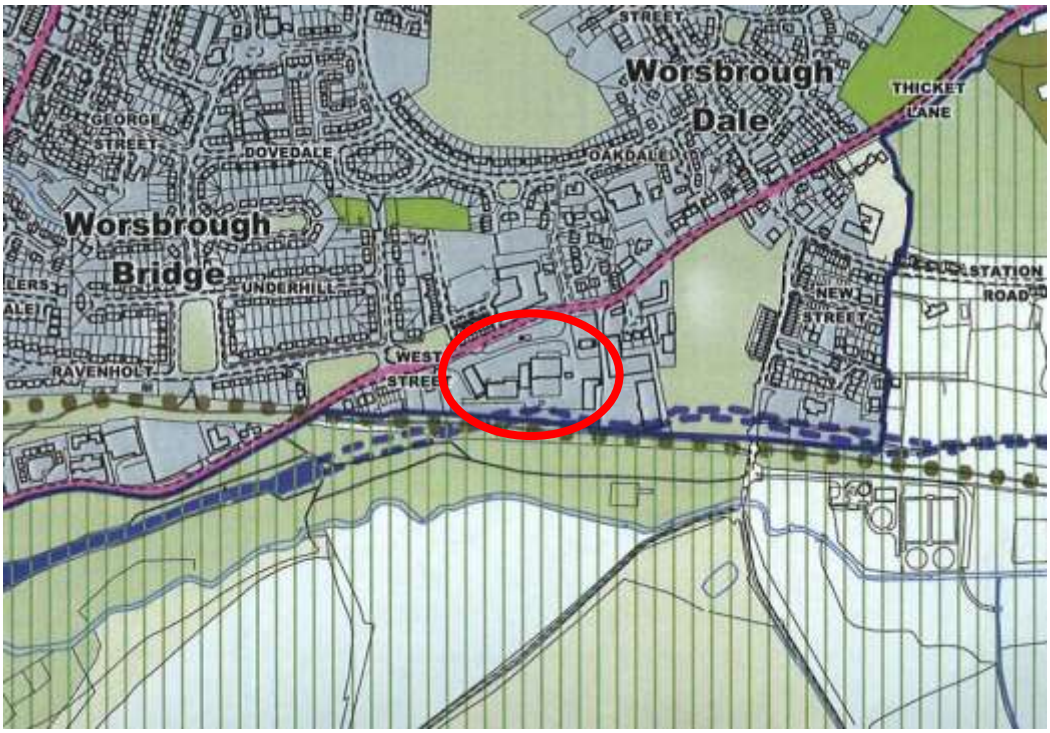


Figure 3 - Emerging Development Sites and Places Extract

SHLAA October 2013

The site was identified in the 2013 SHLAA under 359, West Street, Worsborough.

The site is classified as having a potential yield of 41 dwellings we responded to the SHLAA suggesting that this was revised to 60 dwellings. This would give a density of 37 dwellings per hectare based on a site area of 1.6 hectares. We would consider this density better reflects the urban location of the site, as opposed to the 25 dwellings per hectare stated in the site assessment details.

Site History

The site originally known as The Dearne and Dove Steam Saw Mill (shown on the historic maps in the DAS), has a long history of industrial uses dating back to 1850. Since that time the site has housed a coal mine, a canal, a barge building company which turned into a timber company mostly supplying the local coal mines. This then saw it become a pit tub maker (from wood) and converted to a steel works before the 2nd World War.

From 1969 until 2000 the site was in engineering use and was occupied by Longleys, who made specialised mining machinery for the National Coal Board. With the decline of the coal mining industry in the 1990's the business eventually ceased trading in 2000.

From 2000-2009 the site was occupied by a subsidiary of Taylor Maxwell (brick merchant), the Company made artificial chimneys, cut bricks for building facades and stone corbelling. They left the site in 2009 and since that time the site has only been let on a short term, often rent free basis.

Section 4: National and Local Planning Policy

Planning Policy Context

The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The development plan for the area, following the revocation of the Regional Spatial Strategy – the Yorkshire and Humber Plan (RSS), comprises the saved policies of the Barnsley Unitary Development Plan (UDP) which was adopted in December 2000 and the Barnsley Core Strategy adopted in September 2011. National Planning Policy and other local planning documents are material considerations. The evidence base to the Local Development Framework is also of relevance in particular the Strategic Housing Land Availability Assessment (SHLAA). Also of relevance are the adopted Supplementary Planning Documents and the retained Supplementary Planning Guidance.

National Planning Policy

The cornerstone of the National Planning Policy Framework ("the Framework") is to proactively deliver sustainable development to support the Government's economic growth objectives and deliver the development, which the country needs. This Framework is a material consideration in planning decisions.

Paragraph 7 acknowledges that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

> An economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
>
> A social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being;
>
> An environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

Paragraph 14 states at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking.

For decision making this means*:*

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

Paragraph 15 is unequivocal:

> Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development, which is sustainable, can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally.

Paragraph 22 advises that planning policies should avoid the long-term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

<u>Delivering a Wide Choice of High Quality Homes</u>

The overriding housing objective of the Framework as stated at paragraph 47 is:

> "To boost significantly the supply of housing."

In doing so, Local Authorities are required by the Framework to:

- Use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;

- Identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;

- Identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;

Paragraph 49 states housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

Paragraph 111 states that planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value. Local planning authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land.

Promoting Sustainable Transport

Paragraph 29 advises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives.

Paragraph 32 states all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 37 advises that planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.

Promoting Good Design

Paragraph 56 states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 57 identifies that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Paragraph 58 states planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for
- the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to
- create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion;

- and
- are visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 60 states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

Promoting Healthy Communities

Paragraph 73 states access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.

Paragraph 75 states planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks

Meeting the Challenge of Climate Change, Flooding and Coastal Change

Paragraph 94 states local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk.

Paragraph 100 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.

Conserving and Enhancing the Natural Environment

Paragraph 109 states the planning system should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes…minimising impacts on biodiversity and providing net gains in biodiversity where possible…preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.

Paragraph 121 states planning policies and decisions should also ensure that the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation.

Paragraph 122 states that local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes.

Paragraph 123 advises that planning policies and decisions should aim to:

- Avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;

- Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
- Recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and
- Identify and protect areas of tranquility, which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

New Homes Bonus

Section 143 of the Localism Act, which amends Section 70 of the Planning Act, requires that local finance considerations, so far as material to the application, are capable of being a material consideration to which the local authority should have regard to in the determination of an application.

The New Homes Bonus (administered by DCLG) commenced in April 2011. It effectively means that the Government will match fund the additional council tax raised for new homes completed for the following six years.

The Development Plan

We consider the following policies from the Core Strategy (adopted September 2011) are applicable to the consideration of the planning application for residential development.

CSP 1 Climate Change	Development will be expected to: • reduce and mitigate the impact of growth on the environment and carbon emissions • ensure existing and new communities are resilient to climate change • harness the opportunities that growth, and its associated energy demands, brings to • increase the efficient use of resources through sustainable construction techniques and the use of renewable energy.
CSP 2 Sustainable Construction	All new dwellings will be expected to achieve at least a level 3 rating under the Code for Sustainable Homes or equivalent. This requirement will rise over the plan period and by 2013 new dwellings should achieve at least level 4, rising to level 6 by 2016.

CSP 3 Sustainable Drainage Systems (SuDS)	All development will be expected to use Sustainable drainage systems (SuDS).
CSP 4 Flood Risk	The extent and impact of flooding will be reduced by: • not permitting new development where it would be at an unacceptable risk of flooding or would give rise to flooding elsewhere • expecting all development proposals on brownfield sites to reduce surface water run-off by at least 30% and development on greenfield sites to maintain or reduce existing run-off rates
CSP 5 Including Renewable Energy in Developments	All development of 10 or more dwellings or 1000sqm of non residential floorspace will be expected to incorporate decentralised, renewable or low carbon energy sources and other appropriate design measures sufficient to reduce the development's carbon dioxide emissions by at least 15% for applications submitted up to 2015,
CSP 8 The Location of Growth	Priority will be given to development in the following locations: Urban Barnsley Principal Towns of Cudworth, Wombwell, Hoyland, Goldthorpe (Dearne Towns), Penistone and Royston
CSP 9 The Number of New Homes to be Built	Seek to achieve the completion of at least 21500 net additional homes during the period 2008 to 2026. A minimum five year supply of deliverable sites will be maintained
CSP 10 The Distribution of New Homes	Seek to distribute new homes for the period 2008 to 2026 as follows: Urban Barnsley 9800 46%
CSP 14 Housing Mix and Efficient Use of Land	Housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced communities. Homes must be suitable for different types of households and be capable of being adapted to meet the changing needs of the population.
CSP 15 Affordable Housing	Housing developments of 15 or more dwellings will be expected to provide affordable housing at 15%.
CSP 19 Protecting Existing Employment Land	Existing employment land, or land last used for employment purposes will be retained in order to safeguard existing or potential jobs. The redevelopment of employment land and buildings for non-employment uses will only take place if: • redevelopment would not result in a loss of existing jobs or employment potential; and

	• there will still be an adequate supply of employment land in the locality • If the above criteria can be satisfied then redevelopment will be allowed where it can be • demonstrated that: • the buildings or land cannot satisfactorily support continued employment use.
CSP 25 New Development and Sustainable Travel	New development will be expected to: • be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists • provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people, and should not provide more than the maximum number of car • parking spaces set out in a Supplementary Planning Document • provide a transport statement or assessment in line with the thresholds and guidance set out in Department for Transport 'Guidance on Transport Assessments' as published March 2007 (or any subsequent version) provide a travel plan statement or a travel plan in accordance with the thresholds and guidance set out in Department for Transport 'Good Practice Guidelines: Delivering Travel Plans through the Planning Process' as published April 2009 (or any subsequent version).
CSP 26 New Development and Highway Improvement	New development will be expected to be designed and built to provide safe, secure and convenient access for all road users.
CSP 29 Design	Design Principles: High quality development will be expected, that respects, takes advantage of and enhances the distinctive features of Barnsley, including: topography, Green Infrastructure assets, important habitats, woodlands and other natural features views and vistas to key buildings, landmarks, skylines and gateways heritage, townscape and landscape character including the scale, layout, building styles and materials of the built form particularly in and around: Barnsley Town Centre Penistone and the rural villages in the west of the borough within and adjacent to Conservation Areas Development should: contribute to place making and be of a high quality, that contributes to a healthy, safe and sustainable environment help to transform the character of physical environments that have become run down and are lacking in distinctiveness enable all people to gain access safely and conveniently, providing,

	in particular, for the needs of families and children, and of disabled people and older people contribute towards creating attractive, sustainable and successful neighbourhoods achieve a Building For Life assessment rating of 'good' or equivalent as a minimum, in developments of 10 or more dwellings
CSP 36 Biodiversity and Geodiversity	Development will be expected to conserve and enhance the biodiversity and geological features of the borough by: protecting and improving habitats, species, sites of ecological value and sites of geological value with particular regard to designated wildlife and geological sites of international, national and local significance, ancient woodland and species and habitats of principal importance identified in Section 74 of the Countryside and Rights of Way Act 2000 and in the Barnsley Biodiversity Action Plan maximising biodiversity and geodiversity opportunities in and around new developments
CSP 39 Contaminated and Unstable Land	Where the future users or occupiers of a development would be affected by contamination or stability issues, or where contamination may present a risk to the water environment, proposals must be accompanied by a report which: shows that investigations have been carried out
CSP 40 Pollution Control and Protection	Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people.
CSP 41 Development in Air Quality Management Areas	Development in air quality management areas will be expected to demonstrate that it will not have a harmful effect on the health or living conditions of any future users of the development in terms of air quality (including residents, employees, visitors and customers), or that any such harmful effects can be mitigated against.

SPDs/SPGs

Open Space Provision on New Housing Developments
Designing New Housing Development Parking
PAN30: Sustainable Location of Housing Sites
PAN33: Financial Contributions to School Places

Section 5: Assessment

Principle of Development

The over-arching principle of the Framework is the presumption in favour of sustainable development and the Framework seeks to significantly increase the supply of housing (paragraph 47) and indicates that applications should be considered in the context of this presumption in favour.

The Framework goes further to state that local policies in respect of housing should not be considered up to date if the Council cannot demonstrate a deliverable 5 year housing supply.

The Council has recently made available an analysis of the five year supply situation in the Borough with a base date of 1st April 2012. This analysis has been carried out using a methodology based on a review of recent guidance and best practice. The analysis concludes that the Council cannot, at the present time, demonstrate a five year supply of specific, deliverable housing sites (source 2013/1073 Committee Report 17th December 2013).

We therefore consider that the Framework is a material consideration that carries substantial weight in the decision making process. Paragraph 49 is clear that where no five year supply can be demonstrated, the presumption in favour of sustainable development at paragraph 14 of the Framework should be used to determine planning applications and that relevant policies for the supply of housing should not be considered up to date. We do need to still consider relevant development plan polices and material considerations and this will be undertaken in this section

We also need to consider the site within the context of paragraph 22 of the Framework and Core Strategy policy CSP 19. Paragraph 22 states that policies should avoid the long term protection of sites where there is no reasonable prospect of the site being used for that purpose. It goes on to state that land should be reviewed regularly and that applications for alternative uses should be considered on their merits. CSP 19 states that proposals to develop employment allocations for other uses can be acceptable where it can be reasonably demonstrated that the employment use of the site is no longer practicable and that an adequate supply of available employment sites or premises exists in the locality to meet projected need during the plan period.

Core Strategy policy CSP 19 has recently been considered by an Appeal decision for its compliance with the NPPF. In this Appeal decision (APP/R4408/A/13/2202969), the Inspector stated:
"I consider this policy to be broadly consistent with paragraphs 18-20 of the Framework which seek to secure economic growth, and which require local planning authorities to plan proactively to meet the development needs of businesses."

The Inspector further stated:
"The Council accept that the continued allocation/protection of land does not sit comfortably with paragraph 22 of the Framework. This states that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that allocated purpose.

There is clearly a balance to be struck between the need for housing land and the need for employment land, and in this case the factors outlined above lead me conclude that the loss of the appeal site from the Council's existing and potential employment land supply would not lead to significant harm in this instance, and that in accordance with paragraph 22 of the Framework, applications for alternative uses should be considered on their merits."

This decision does not equivocally support CSP19 rather that applications should be considered on their merits as part of a balancing exercise considering other material considerations from the Framework in particular the need for sustainable development and a 5 year housing land supply.

The site has a long history of industrial uses as outlined in Section 3, however in recent years the site has been vacant or part let often on a rent free basis, since the last viable tenants Taylor Maxwell left the site in 2009.

In support of this application an Employment Report has been prepared by Smiths, this report outlines the marketing which has been undertaken to make the site available both in its current guise and as a site available for industrial re-development. As demonstrated we do not consider that a viable employment use can be found for the site and that within the Borough and more specifically the locality there are other more suitable sites for employment uses. We would also refer to the requirement of paragraph 22 for regular reviews of employment land. The designation of the site as an Employment Policy Area occurred with the adoption of the UDP in 2000, there has been no composite review of land allocations since that date. The Consultation Draft version of the Council's Development Sites and Places Development Plan Document (Sites DPD) was released for public consultation between July and October 2012. Given the comparatively early stage of the document limited material weight can be accorded to it. However it does remove the Employment Policy Area status of the site and designates the site within the Urban Fabric (where land is within the settlement with no specific allocation).

A Viability Study has been undertaken by Smiths which outlined that the most feasible employment development of this land would be industrial units of 4,000 - 5,000 sq ft (372 sq m - 465 sq m) gross internal area.

In order to explore the viability of the development of industrial units JRP Planning Consultants have prepared a design layout and brief specification for 16 no. 4,000 sq ft and 4 no. 5,000 sq ft units.

Based on the figures the appraisal shows a deficit available for land purchase, interest on land and fees of £3,651,449. Given that this is a substantial deficit it is not appropriate to make any further allowance for interest on land and fees as clearly the development on these terms is not viable.

The Viability Study concludes that the chance of this site being developed for employment use in the foreseeable future is negligible.

"The development appraisals show a significant negative land value strongly indicating that employment development is not viable.

Market conditions can and do change and therefore I have considered whether such a scheme may become viable in the foreseeable future. In my view this is extremely unlikely and is demonstrated by the alternative development appraisals produced. In order for the site to become viable for employment there would need to be a large quantum improvement in rental values and investment yields. These substantial improvements are unlikely to be achieved and in my opinion the site will remain unattractive for employment development for the foreseeable future. The site is significantly inferior to other sites within the Barnsley borough particularly those located close to the motorway junctions and in particular close to the Dearne Valley Parkway and junction 36 of the M1 motorway."

There are currently three businesses which use the site. These comprise of:

- AHS Recycling – This company use two units for the sotrage of fridges and TV's for export to Africa. They do not employ any staff directly at the site and do not pay any rent.
- W Blackley Body Shop – This is a sole trader, who has confirmed he is happy to move to other premises in the Barnsley District.
- Barnsley Dial-a-Ride & Community Transport – Currently employ approximately 10 staff and have confirmed they would relocate within the Barnsley District with no loss of employment for staff.

Letters have been provided by all three companies which state there are no issues with relocating elsewhere in Barnsley. Copies of the supporting letters are included at Appendix A. It is evident from the report prepared by Smiths and the existing uses on site that the present use of the site is unsustainable and that it is not economically viable to re-develop for future employment uses.

The site comprises of brownfield development within the main Barnsley Urban Area and therefore accords with paragraph 111 of the Framework and Core Strategy Policy CSP 8.

It is necessary to consider if the development can be considered sustainable and if there are any adverse impacts from granting permission that 'would significantly and demonstrably outweigh the benefits'.

We have therefore assessed the site against the three dimensions which constitute sustainable development as outlined in the Framework, which are:

1. Economic
2. Social
3. Environmental

1. The site is under-utlised and makes little contribution to the local economy. It is not viable for the landowner to indefinitely pay empty rates on the premise that the site may one day be let. The 3 businesses which currently utilise the site will relocate with ease to other premises within the Borough. The re-development of the site would support local contruction jobs and apprenticeships during the build. The use of locally sourced materials will again support the local economy. The occupation of the site with new residents would support local businesses and services with an injection of income into the local economy. The development would also provide additional council tax receipts and New Homes Bonus for the Council.

2. The development of the site with housing will provide much needed housing and go some way to address the current shortfall within the Borough. A ranges of types and tenures will be provided ensuring the creation of a mixed and balanced community.
3. The environmental context provided by the application is the opportunity to create additional links to the Trans Pennine trail, the commitment to build to Code Level 3 and the remediation and re-use of a brownfield site.

Given this we would conclude that the retention of the site for employment purposes when there is no viable short or long term prospect of a viable employment use is contrary to paragraph 22 of the Framework and that given the supply of sites within the Brough, policy CSP 19 can be satisfied. In addition the contribution that the development will make particularly on a social and economic level constitutes sustainable development in accordance with the Framework. We therefore conclude that the presumption in favour of sustainable development applies and that in accordance with paragraph 15 the application should be approved without delay.

Sustainability

This section considers the relationship of the site to existing infrastructure and measures which will be incorporated to minimise climate change in accordance with paragraphs 29 and 37 of the Framework and policies CSP 1, 2, 5, 25 and 26 of the Core Strategy.

A Sustainability Statement has been provided as part of this submission and should be read in conjunction with this Planning Statement.

The Sustainability Statement concludes that:

The proposed development will make a contribution to the present and recognised need for sustainable housing within Barnsley, in an urban location with low flood risk that will encourage the use of public transport, walking and cycling.

A significant proportion of the proposed housing has a south orientation and generous spacing to ensure useful solar gains and good day lighting. These measures will help to minimise housing energy use and carbon dioxide emissions regardless of specific house type design. Subject to a full feasibility study, south orientated dwellings will provide an opportunity to reduce carbon dioxide emissions through the incorporation of roof-mounted renewable energy technologies.

Additional measures will be taken to ensure the efficient use of natural resources such as water and reduce environmental impacts from materials, pollution, waste sent to landfill and surface water run-off.

The proposed layout preserves the majority of ecologically valuable features and the landscape proposal incorporates a number of new ecological features with the aspiration to increase the ecological value of the site through comprehensive new planting of trees, hedges and species rich wildflower meadows.

West Street provides a good quality link to the nearest bus stops, and both High Street, and the A61 Park Road, which both contain local shops and services. There is small supermarket with ATM located on High Street adjacent to its junction with West Street approximately 350m northeast of

the site. There is also a large medical centre located directly opposite the site which contains GP surgeries. The local footway network is considered suitable in terms of width, construction, and lighting. West Street, High Street, and Park Road all contain dropped footway crossing facilities and tactile paving in the majority of cases.

There are a series of pedestrian refuge islands along the A61 Park Road through Worsbrough allowing pedestrians to access the shops and services on both sides of the road safely. Park Road also has the benefit of a push button cycle and pedestrian crossing facility located adjacent to the Transpennine Trail.

The pedestrian catchment includes the whole of Worsbrough and its local services and amenities such as a large supermarket, food outlets, bakers, hairdressers, convenience stores, post offices, and a pharmacy. Worsbrough therefore contains good employment potential as a result of the large number of commercial and retail properties. There are 3 primary schools and an academy within this catchment, catering for all school ages.

Within the cycle catchment area of 5km is the whole of Barnsley Town Centre, together with the neighbouring town of Hoyland, and the village of Birdwell. Barnsley Town Centre in particular offers significant employment, retail, and leisure facilities for the residents of the proposed development.

Bus stops are located on or adjacent to West Street within 400m of the centre of the site. The majority of these stops have timetable cases, with the nearby stop on Elmsdale also having the added benefit of a shelter.

There are up to 2 bus services per hour to the large commercial and retail areas of Barnsley Town Centre. There are also hourly services to the nearby settlements of Hoyland, Wombwell, Darfield, and Great Houghton.

These bus services also travel to the nearest railway station at Barnsley Interchange. The bus services are therefore considered to be of a good standard and will provide a suitable alternative to the private car in line with current Government guidelines.

In summary, the site is considered to be in a highly sustainable location being within close proximity of the nearest bus stops and within acceptable walking distance of the many local services and amenities within Worsbrough. There are also four schools within this catchment. Within cycling distance of the site there is the whole of Barnsley Town Centre and surrounding industrial properties to the east including the significant industrial areas of Stairfoot. Barnsley Town Centre offers significant employment, leisure, and retail opportunities for the potential residents of the proposed development. Therefore the site conforms to current Government directives for ensuring developments are located in a sustainable locations.

Mix and Efficient Use of Land

Although only at outline stage the accompanying masterplan and DAS has demonstrated that the site could accommodate a range of dwellings from 1-4 bedrooms comprising of apartments to terraced, semi-detached and detached homes. We consider this mix key to creating a mixed and balanced community in accordance with the requirements of policy CSP 14 of the Core Strategy.

The total site area is 1.52 hectares. The breakdown of land uses on the site as demonstrated is as follows:
Nett Area of development: 1.36 hectares
Open Space: 0.16 hectares

The aspiration for this site is that the scheme will be developed at varying densities in different parts of the site with an overall density in the range of up to 46 units per ha. We consider that the proposed density is an efficient use of land in a highly sustainable urban location.

Affordable Housing

Given the application is in outline form with the specific detail forming the reserved matters, the Applicant can confirm that they will be providing affordable housing in accordance with Core Strategy Policy 15 (CSP 15) at the required 15%. We are happy to accept a condition for this covering type, tenure, location and phasing.

Green Space

The Councils SPD Open Space Provision on New Housing Developments requires that a minimum of 15% of the developable site area of a proposal should be green space, unless the Council deems it appropriate to seek an off-site contribution in the context of a green space assessment.

The total green space provision is 0.16 hectares from a total site area of 1.52 hectares. Due to the size of the site we consider it is appropriate in this instance to incorporate approximately two thirds (10.5%) on site in the form of a green linear space which will provide enhanced links with the Trans- Pennine Trail beyond the southern boundary. The provision of open space and the enhancement of links to existing rights of way responds to the requirements of paragraphs 73 and 75 of the Framework.

We also propose an offsite payment for the remainder of the open space via commuted sum. Discussions will be held with the Council to establish if there are existing facilities nearby that need to be upgraded. If this is the case a green space assessment will determine where these monies are recommended to be spent and provide the figure for off-site improvements to formal recreation.

As part of this process, discussions will be held with the Council to agree the specification of any on site open space and to determine whether long term maintenance of the public open space will be through means of a management company or through adoption by Parks Services with a commuted sum agreed for maintenance.

A condition can be imposed on the outline application with a section 106 agreement needed at the detailed planning stage when numbers of bed spaces are known.

Education

As part of the statutory consultant process, the Education Department at the Council will provide an assessment of the number of school places, the development may generate and if a financial contribution will be required for the upgrading or enhancement of existing schools. We will enter into dialogue with the Council on this issue.

A condition can be imposed on an outline application with a section 106 agreement needed at the detailed planning stage if an education contribution is required.

Residential and Visual Amenity

Whilst submitted in outline the DAS sets out design principles to guide future reserved matters considerations of detail, appearance and layout of landscaping and open space. We recognise the importance of good design and achieving high quality developments (paragraphs 56 and 57).



Figure 4 – Indicative Masterplan

Based upon a desire to create a high quality development a number of spatial and design themes are provided for:

Vehicular access to the development will be provided from two new junctions on to West Street, the first will be located to the west of the existing east side access, and the second will be located to the east of the existing west side access. Subsequently, the existing site access points will be removed, with the kerbed radii removed and footways extended across each of the existing junctions. The proposed junctions will be simple priority junctions and will include kerbed radii on both sides and footways (at least 2m wide) returning into the site.

The layout provides an indicative amount of development and demonstrates how the identified number of dwellings complies with the requirements of local guidance (SPD Designing New Housing Developments) in terms of space about dwellings and garden sizes. We are able to demonstrate that this site could accommodate up to 70 dwellings comprising a mix of apartments, terraced, semi-detached and detached dwellings.

A number of trees exist within the site which are identified as being retained given the amenity value that they provide. Adequate distances should be afforded to those trees in line with local guidance. The retention of these trees within public spaces where possible will reduce future pressures for removal through amenity issues.

Given the proximity of existing dwellings and employment uses along the site boundaries, it is important to ensure that adequate separation distances are proposed in order to maintain residential amenity.

All dwellings will have adequate car parking provision, which could comprise of the following: parking bay, driveway, garage and where possible parking should not be a dominant feature of the street scene.

It is important to address key corners and the use of dual aspect dwellings achieves this.

Consideration should be given to the materials in order that they complement the existing surroundings.

A green corridor, incorporating open space and structural landscaping is proposed.

Existing public footpaths retained with new pedestrian linkages provided.

The Statement sets out parameters in respect of the creation of character areas, street hierarchy and parking, green infrastructure and landscaping, block layout, external appearance, materials and detailing. These aim to underpin the detailed design and layout of the development at reserved matters stage. They are fully consistent with the policies within the Framework which seek to ensure that, amongst other things, developments function well and add to the overall quality of the area, establish a strong sense of place, optimise potential to incorporate green and public space and create safe and accessible environments (paragraph 58). The parameters also provide the basis to ensure that the detailed design of the development will incorporate good architecture and appropriate landscaping and promote local distinctiveness (paragraph 60). The submitted indicative design responds to the requirements of policy CSP 25, 26 and 29.

Highways

In accordance with the requirements of paragraph 32 of the Framework, the Transport Statement which accompanies the planning submission presents the existing traffic characteristics and infrastructure in the surrounding area of the proposed development. The traffic impact of the development of 70 new dwellings is also assessed, and compares the traffic generations, highway safety and access proposals with the existing situation.

Accident records were also obtained, and revealed this section of West Street has a relatively good road safety record. Compared to the sites existing operations the development represents an overall improvement to all users of West Street, due to the removal of large articulated vehicles from this part of the highway network, which are associated with the current use of the site.

The site is in a very sustainable location being within close proximity of the nearest bus stops and within acceptable walking distance of the many local services and amenities within Worsbrough. There are also four schools within this catchment. Within cycling distance of the site there is the whole of Barnsley Town Centre and surrounding industrial properties to the east including the significant industrial areas of Stairfoot. Barnsley Town Centre offers significant employment, leisure, and retail opportunities for the potential residents of the proposed development.

Therefore the site generally conforms to current Government directives for ensuring developments are located in a sustainable location.

This report also considers that the small increase in the level of traffic generated by the proposed development would not be discernible from the daily fluctuations in flows that could be expected on the highway network, with any increases in traffic offset by the removal of the normal and HGV traffic associated with B2 use, and the minibus depot and hire business that currently occupy the site.

Therefore the proposals can only have a positive impact on the safe operation of the B6100 West Street and the surrounding network. It is therefore concluded that the development is considered acceptable, and that there are no highway safety or efficiency reasons why planning consent for the proposed development should not be granted.

We consider that there are no transport grounds on which the Council cannot support the application in accordance with paragraph 32 or the requirements of policies CSP 25 and 26 of the Core Strategy.

Drainage

As part of the planning submission a detailed Flood Risk and Drainage Assessment has been undertaken by Haigh Huddlestone. It is their considered professional opinion that the site is not at risk of flooding from river or tidal water up to a 1% return period nor is it at risk for storms in excess of the 0.1% risk level.

The development of the site with the use of soakaways or other infiltration methods is to be investigated but is thought to be unlikely due to the infiltration capacity of the underlying strata in accordance with Core Strategy policy CSO3.

It would be necessary to provide storm water attenuation tanks on site to limit flows from the development. These may necessitate some the need for some ground raising to the southern half of the site to allow gravitational discharge from the site. Discharges would have to be limited to agricultural rates of discharge to ensure flood risks downstream are not increased if positive drainage from the site cannot be proved.

If the measures outlined above are implemented we would consider that the requirements of paragraphs 94 and 100 of Framework can be satisfied. Along with the requirements of policies CSP 3 and 4 of the Core Strategy.

Ecology

The site in its present guise offers limited ecological value. The indicative masterplan which accompanies this planning application proposes a central green swathe through the heart of the site, which will provide a green lung connecting with the wider footpath network off site. It is intended to landscape this area, with the flora and fauna offering the potential to attract wildlife and increase biodiversity. In addition residential gardens will further encourage wildlife responding to paragraph 109 of the Framework and policy CSP 36 of the Core Strategy.

Contamination

There has been historical and current industrial development both on and adjacent the site. The surrounding land is a mixture of residential, industrial and open land. There is a mineshaft recorded beneath the existing industrial unit in the west of the site, and a former canal and docks backfilled in the south of the site. We therefore believe the site has a moderate risk of ground contamination being present.

As part of the planning submission a Phase 1 Desk Study has been carried out by Haigh Huddlestone. They recommend that a detailed Phase II Ground Investigation is undertaken, this can be conditioned to be submitted to the Council prior to the commencement of development.

This will enable the underlying strata to be confirmed and foundations for the new development to be specified. In addition to this, the exact location and treatment to the mineshaft recorded on site and depth and extents of backfill to the former canal and dry docks should be determined.

Trial pits and soil sampling should be undertaken across the site to confirm the presence of any contaminants within any made ground on site. Care should be taken to avoid known features such as existing live services and the culvert crossing the site.

There is also a risk of ground gas migration from backfill material to the former canal and docks located in the south of the site, the historical landfill 65m to the north east and the former shallow mine workings. It will be likely that gas monitoring is required.

The work undertaken to date in respect of ground contamination and the further work proposed satisfies the requirements of paragraphs 121, 122 and 123 of the Framework and policy CSP 39 of the Core Strategy.

Section 6: Summary and Conclusion

The Appeal decision which the Council refer to in support of policy CSP19 states that a balancing exercise should be undertaken in determining applications. We conclude that the site should be considered sustainable and that the impacts of the development would not be such to be considered significant and adverse so as to outweigh the benefits taking into account planning policy and other material considerations.

The Viability Study concludes that the chance of this site being developed for employment use in the foreseeable future is negligible.

"The development appraisals show a significant negative land value strongly indicating that employment development is not viable.

The site is located within the Urban Area of Barnsley where the majority of housing is to be located in line with the principles of the council's Core Strategy. The site constitutes part brownfield land and is therefore considered appropriate for development.

The proposals are considered to represent a form of sustainable development having regard to the three dimensions of sustainable development in the NPPF: economic, social and environmental considerations in that the development of circa 70 high quality new family dwellings which would make a significant contribute towards addressing the shortfall in the 5 year housing land supply.

Given the Council cannot demonstrate a 5 year housing supply the presumption in favour of sustainable development applies.

Extensive marketing has taken place for the site and it is not considered a desirable location for future employment uses.

It is therefore considered that the loss of this employment land for residential use would not result in there being insufficient employment land to meet the aims and objectives of the Core Strategy given the current oversupply.

A suite of technical reports have been undertaken which demonstrate that there are no technical Issues which would prevent the re-development of this site for housing.

We have clearly demonstrated that this site is within a sustainable location within the main urban area and that residential development is acceptable in principle.

Matters set out in the Design and Access Statement explain the evolution of the design of the proposals, the selection of the site area and the layout and provides a set of design principles to be established as part of any future Reserved Matters application. The accompanying Transport Statement sets out that the site is accessible by public transport, linking to jobs and local facilities and services, reducing the need to travel by private car.

In light of the circumstances outlined within this Report, it is hoped that the application will be favorably received and subsequently approved.

APPENDIX A – SUPPORTING LETTERS

ALBERT HIRST
SNITTLEGATE FARM,
HADE EDGE,
HOLMFIRTH HD9 2JF

30.07.2015

TO WHOM IT MAY CONCERN
re **A.H.S. RECYCLING , UNIT 2 & 3, DEARNE DOVE WORKS, WEST STREET, WORSBOROUGH DALE, BARNSLEY, S70 5PE.Albert Mobile; 07774499946,**
VAT REG NO. 399 3597 74

Eight years ago I came to the above site to clean out Units 2 and 3 for Mr Oddie. We have a small demolition company based at Holmfirth. We found a new business exporting used fridges and tv's to Africa, so we asked Mr Oddie if we could use units 2&3 for the storage of the used TV's and fridges, which he agreed with.

We do not pay rent for the units, and the people I employ on the demolition business work for me on the export business when I need them on an ad hoc basis, so I do not have any full time employees based at units 2 & 3.

Yours faithfully
A H S recycling

Albert Hirst.

Barnsley Dial-a-Ride & Community Transport

Units 1 & 7a, Dearne and Dove Works, West St, Worsbrough Dale, Barnsley, S Yorkshire. S70 5PG
Industrial & Provident Society – Reg No: IP25468R with Charitable Status

To whom it may concern

Barnsley Dial-a-Ride has been occupying the Dearne and Dove Works premises in West Street Worsbrough Dale for several years. The site houses its vehicles and maintenance facility and despatch office.

In the event that the premises were no longer available BDaR would seek to re-locate in the Barnsley area at suitable premises. The main aim would be to minimise any disruption to passengers.

It would be very unlikely that any current members of staff would lose their employment in these circumstances.

Ian Jenkinson

Ian Jenkinson

General Manager
31st July 2015

Mr Wayne Blackley
W Blackley Body Shop
Unit 5
Dearne and Dove Works
West Street
Worsbrough Dale
Barnsley S70 5PG

10 July 2015

To Who it should concern

I am Mr Wayne Blackley a sole trader and I rent a building at the address at the top of this letter to carry out body work repairs and paint work on private cars and light commercial vehicles.

The main of my customers are from Barnsley or the area around and so if I moved to other premises it would be within the Barnsley area to suit the needs of my customers.

Mr Wayne Blackley

