

PLANNING STATEMENT

**Land to the south of Bell Ground
Wood and East of Black Lane,
Hoyland**

Newlands Developments Ltd

Job No 191HA800

DEVELOPMENT & PLANNING | LEEDS

April 2021



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1. Introduction

- 1.1 Cushman & Wakefield (C&W) has been instructed by Newlands Developments to prepare a full planning application for attenuation ponds to serve the employment development currently under construction at Hoyland West and approved under planning permission reference 2020/0647.
- 1.2 The attenuation scheme approved under planning permission 2020/0647 included provision for a single attenuation pond with a maximum depth of 3 metres on land to the south of Bell Ground Wood, however in seeking technical approval from Yorkshire Water for this attenuation pond they have advised that a pond of this depth would not meet the most up to date guidance. Consequently, a revised drainage scheme is required to serve the main employment development at land to the West of Sheffield Road, Hoyland.
- 1.3 This planning application is a standalone planning application for attenuation basins on an area of land comprising of 6.77ha. The site area includes an additional area of land of approximately 2.7ha not included within the red line boundary of planning permission 2020/0647.
- 1.4 This Planning Statement will consider the planning context for the site (including planning policy context) and will provide analysis of the development proposals.
- 1.5 Accordingly, this report is structured as follows:
 - Section 2: Site and Surroundings (including planning history);
 - Section 3: Development Proposals;
 - Section 4: Review of Planning Policy;
 - Section 5: Analysis, and;
 - Section 6: Conclusions.

2. Site and Surrounding Area

2.1 The proposed application site is an area of land comprising of 6.77ha to the south of Bell Ground Wood. The southern part of the application site was identified within the redline of planning permission 2020/0647 and was the location for the attenuation pond to serve that development (see Figure 1 below).

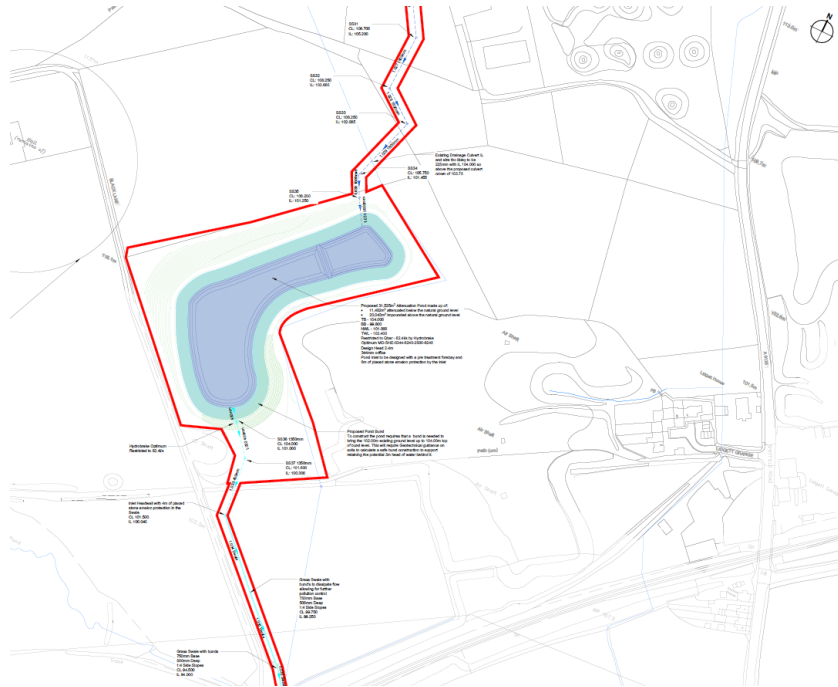


Figure 1: Previously approved attenuation pond

2.2 The application site is currently in agricultural use. The site is outside the main Hoyland West Masterplan area and is located within the South Yorkshire Green Belt (see Figure 2 below).



Figure 2: Extract of Local Plan Proposals Map

- 2.3 The application site is within an area of low risk of flooding (flood zone 1)¹

Surrounding Area

- 2.4 To the west of the site is Black Lane and beyond is the M1 motorway with agricultural land to the west of this. To the south of the site is agricultural land. To the north of the site is Bell Ground Wood, beyond which is the main area of development approved under planning permission 2020/0647 for employment uses. This site is currently under construction. To the east of the site is further agricultural land with the A6135 Sheffield Road beyond. The Old Hall, a Grade II listed building is located approximately 123 metres to the west of the site.

Planning History

- 2.5 A search of the online planning register has been undertaken. There is one planning record that relates to the southern half of the application site (Planning Reference 2020/0647). This formed part of a larger development site that included land to the north of Bell Ground Wood and was a hybrid planning application for up to 103,086 sq.m of employment uses (Use Classes B1/B2 and B8) and associated works including access roads drainage and landscaping. Planning permission was granted for this development on the 9th November 2020.
- 2.6 If approved the proposals contained within this application will override the proposals for a single attenuation pond previously approved under planning permission 2020/0647. During pre-application discussions with the Council we have agreed a strategy to make changes to the hybrid planning permission to reflect the scheme proposed by this application for attenuation basins. This will be undertaken by way of variation to relevant conditions, non material amendments and a Deed of Variation to the Section 106 to reflect the wider area that the BEMP will now cover.

¹ As identified on www.flood-map-for-planning.service.gov.uk

3. Development Proposals

- 3.1 Planning permission is sought for a drainage scheme that serves the employment development granted planning permission under application reference 2020/0647 on the 9th November 2020.
- 3.2 Two attenuation basins will be provided comprising of:
- Basin 1 – to be adopted by Yorkshire Water with a total surface area of 24,565 sq.m, with 1:4 embankments and 1:4 side slopes in the basin area with a 400mm freeboard
 - Basin 2 – this basin will remain in private ownership and will store a maximum of 17,047 sq.m in a 1:100+30% storm event, with 1:4 embankments and 1: side slopes in the basin area with a 400mm freeboard.
- 3.3 Sited between each of the basins will be an overflow weir. Within Basin 2 will also be located a standing pond for aquatic biodiversity purposes.
- 3.4 The site area is 6.77ha.
- 3.5 A landscaping scheme has been designed for the ponds with the aim of enhancing biodiversity across the site.

Description

- 3.6 The description of development is as follows:
- Creation of attenuation basins and associated earthworks and landscaping.*
- 3.7 The following documents are submitted in support of the application proposal:
- Drawing No. DR-A-4400-104-P01 Redline plan
 - Drawing No. DR-C-SK002-P02 Proposed Basin Sections
 - Drainage Strategy
 - Drawing No. DR-D-330-P10 Proposed site Plan and catchment area
 - Drawing No. DR-D-331-P10 Proposed Drainage GA Sheet 1 of 6
 - Drawing No. DR-D-332-P13 Proposed Drainage GA Sheet 2 of 6
 - Drawing No. DR-D-333-P12 Proposed Drainage GA Sheet 3 of 6
 - Drawing No. DR-D-334-P11 Proposed Drainage GA Sheet 4 of 6
 - Drawing No. DR-D-335-P11 Proposed Drainage GA Sheet 5 of 6
 - Drawing No. DR-D-336-P05 Proposed Drainage GA Sheet 6 of 6
 - Flood Risk Addendum
 - Desk Study and Phase 1 Coal Mining Risk Assessment
 - Archaeological Desk Based Assessment
 - Archaeological Trenching Report
 - Archaeology Evaluation Report
 - Construction Management Framework Plan
 - Ecological Appraisal
 - Biodiversity Impact Assessment
 - Biodiversity Enhancement and Management Plan
 - Biodiversity Metric Calculation
 - Drawing No. 20-09-S8 P7 Landscaping Proposals Drawing 09
 - Drawing No. 20-10-S8 P7 Landscaping Proposals Drawing 10
 - Drawing No. 20-22-S8 P1 Proposed Basin Landscaping Sections

4. Planning Policy Context

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

Development Plan

4.2 The development proposals for the site will be assessed against the Statutory Development Plan which comprises the Barnsley Local Plan (2019). The National Planning Policy Framework (NPPF 2019), and the Hoyland West Masterplan Framework are also material considerations.

National Planning Policy Framework (NPPF)

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

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - the application of policies in this Framework that protect areas or assets of importance provides a clear reason for refusing the development proposed, or;
 - 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 (paragraph 11).

4.4 **Paragraph 144** states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

4.5 **Paragraph 146** advises that certain forms of development are not inappropriate development in the Green Belt provided that they preserve its openness and do not conflict with the purposes of including land within it and include at criterion b) engineering operations.

4.6 **Paragraph 163** states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.

4.7 **Paragraph 170** states that planning policies and decisions should contribute to and enhance the natural and local environment by (inter-alia) preventing new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution or land instability. The paragraph also states that decisions should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

4.8 **Paragraph 174(b)** states that plans should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

4.9 **Paragraph 189** states that in determining applications applicants should describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail provided should be proportionate to the assets importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

- 4.10 **Paragraph 193** states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Barnsley Local Plan (2019)

- 4.11 The application site is located in an area designated as Green Belt (see Figure 1 above).
- 4.12 **Policy E1** states that the plan identifies 297ha of land in sustainable locations to meet the development needs of existing and future industry and businesses up to 2033
- 4.13 **Policy E13** identifies criteria for the development of the site. The criteria include (inter-alia):
- Provide a link road between the new Birdwell roundabout linking to Tankersley Lane and from there to Sheffield Road;
 - Relocate the area of Rockingham Sports Ground that falls within the site boundary to an appropriate location within Hoyland Principal Town. The replacement pitch and associated facilities must be constructed and available for use before development on the existing sports ground site commences;
 - Consider impact on residential amenity and include appropriate mitigation where necessary;
 - Retain the mature trees and hedgerows;
 - Provide a buffer strip at least 10 metres wide along the common boundary with the M1;
 - Ensure that development respects the landscape and wider countryside, and incorporates appropriate mitigation measures to address impacts on the adjacent Green Belt and countryside, including the planting of a substantial tree belt at the southern boundary in order to define the new Green Belt boundary;
 - Undertake necessary drainage works;
 - Provide air quality assessments in accordance with policy Poll 1, and;
 - Prepare an Archaeological Assessment for the site informed by a field evaluation (if necessary).
- 4.14 **Policy BIO1** states that development will be expected to conserve and enhance the biodiversity and geological features of the borough.
- 4.15 **Policy GB1** protects land within the Green Belt from inappropriate development in accordance with national planning policy.
- 4.16 **Policy CC1** states that the Council will seek to reduce the causes of and adapt to the future impact of climate change by (inter-alia):
- Promoting the reduction of greenhouse gas emissions through sustainable design and construction techniques.
 - Locating and designing development to reduce the risk of flooding.
 - Promoting the use of Sustainable Drainage Systems (SUD's)
 - Promoting and supporting the delivery of renewable and low carbon energy, and;
 - Promoting investment in Green Infrastructure to promote and encourage biodiversity gain.

4.17 **Policy CC3** states proposals over 0.4 hectares within Flood Zone 1 to demonstrate how the proposal will make a positive contribution to reducing or managing flood risk.

4.18 **Policy CC4** states that all major development will be expected to use SuD's to manage surface water drainage.

Biodiversity and Geodiversity SPD (May 2019)

4.19 The above SPD states that any development proposal which may do harm to a biodiversity or geodiversity interest should follow the mitigation hierarchy thus: avoid, mitigate, compensate. If it is not possible to avoid damage to the interest and planning permission is still requested for then the developer/applicant should seek to mitigate impacts by good design which not only retains as much of the value in situ as possible, but also reduces impacts during the construction phase and leaves behind value which is protected and maintained. On occasion, the LPA may allow compensatory works on other sites outside of the development where avoidance or mitigation are not possible/sufficient, but this should be seen as a last resort.

Development on Land Affected by Contamination (November 2019)

4.20 This SPD provides details of the level and type of information required for applications which relate to contaminated land. A Desk Top Geo-environmental and Geotechnical and Coal Mining Risk Assessment has been prepared for this application (see paragraph 3.7 for list of documents).

5. Analysis

Principle of Development

- 5.1 The application proposal is located in the Green Belt; however, no buildings are proposed as part of the development only drainage attenuation, which is considered to be an engineering operation. Paragraph 146 of the NPPF confirms that engineering operations are not considered to be ‘inappropriate development’ within the Green Belt provided that they preserve the openness and do not conflict with the purposes of including land within it.
- 5.2 The proposal provides drainage attenuation that relates to the employment development approved under planning permission 2020/0647. As part of that approval, part of the application site was included within the current redline and provided for a single attenuation pond. The principle of drainage attenuation on part of the application site has already been approved. It is therefore concluded that the principle of drainage attenuation within the Green Belt is supported both by national and local planning policies, and the extant planning permission 2020/0647.

Ecology

- 5.3 The application site has no statutory or non-statutory nature conservation designations. The nearest statutory designations are Potter Holes Local Nature Reserve (LNR) designated for recreation within semi-natural woodland and is approximately 1.6km north west of the site. Elsecar Reservoir LNR is over 2km to the east of the site and outside of the relevant search area.
- 5.4 There are two Local Wildlife Sites (LWS) within 1km of the application site; Black Lane LWS is approximately 460m to the south, and Skier’s Spring Wood is 800m to the east. The LWS are designated for species-rich hedges and ancient semi-natural woodland respectively.
- 5.5 An ecological appraisal has been undertaken in support of the planning application and this report informs the Biodiversity Net Gain calculations that accompany the application together with a Biodiversity Impact Assessment (BIA) and a Biodiversity Ecological Management Plan (BEMP).
- 5.6 The EA concludes that the new attenuation proposals are not significantly different from those consented and are further from the designated sites identified. The wider site boundary identified by the application proposal is not considered to impact nature conservation designations in the vicinity.
- 5.7 Overall, the habitats to be lost are considered to be of low botanical value, supporting species that are both common and widespread in the surrounding landscape and more generally. A single hedgerow will be lost but is considered to be a poor example of its habitat type.
- 5.8 The report concludes that the application proposals will not impact on any protected species (bats, badger or GCN) and therefore no further survey work has been undertaken as part of this application proposal.
- 5.9 A detailed biodiversity net gain calculation has been undertaken and will provide a number of enhancements that will support a variety of fauna, including foraging badgers and bats and breeding birds and amphibians.

- 5.10 It is concluded that the proposals comply with the principles set out in **BIO1** of the Barnsley Local Plan and **paragraph 174b** of the NPPF.

Trees

- 5.11 The proposed attenuation ponds are located to the south of Bell Ground wood. The northern boundary of the redline is more than 40 metres away from the edge of Bell Ground and therefore it is considered that there will be no impact on the woodland arising from the applications proposals. As such no arboricultural survey work or impact assessment is considered necessary to support the planning application. The applications proposals are therefore considered to comply with policy BIO1 of the Barnsley Local Plan.

Archaeology

- 5.12 A Desk Based Archaeology Statement that was written in support of the planning permission 2020/0647. The desk-based assessment reviewed the significance and condition of designated and non-designated heritage assets within the application area and its surroundings. The assessment considered the area of land to the south of Bell Ground Wood, which forms part of this application, and concluded that this was formerly the location of spoil heaps and of little archaeological value due to their age and potential makeup. Following the completion of the DBA, a geophysical survey was carried out on the southern part of the site, the area for the attenuation pond, to ascertain the requirement for survey work in this area. In agreement with South Yorkshire Archaeology Service (SYAS) the location and extent of trial trenching to be undertaken was ascertained and this was completed in advance of the submission of that planning application. The survey work concluded that the scope for any archaeologically sensitive areas within the site was limited.
- 5.13 Although the survey work did not consider the area of land immediately south of Bell Ground Wood (except where the drainage pipework was proposed), given the conclusions in the DBA the potential for finds in this area is considered to be very low and as such does not justify further survey work to support this application.
- 5.14 It is therefore considered that the proposals are in accordance with Local Plan Policies HE1 and **HE3**.

Land Contamination

- 5.15 The planning application is supported by a Desk Study and Phase 1 Coal Mining Risk Assessment.
- 5.16 From the work undertaken in support of the planning permission 2020/0647 and the findings contained within the submitted Desk Study, significant parts of the site are underlain by opencast backfill materials that comprise overburden materials resulting from opencast operations. The report concludes that it is expected that the backfill materials will comprise inert natural materials derived from the overburden and as such large number of chemical tests are not required.
- 5.17 The report recommends that ground/mine gas and groundwater monitoring wells should be installed throughout the site and monitoring undertaken to help establish groundwater levels and the presence of any mine gas.
- 5.18 An intrusive Phase II survey is proposed and will be submitted as part of the Ground Investigation Report in due course, however in line with the findings in relation to the southern

part of the site and submitted in support of the consented scheme it is not considered that remediation will be required.

- 5.19 It is therefore considered that the proposal accords with Local Plan policy **POLL1** and **paragraph 170** of the NPPF.

Flood Risk and Drainage

- 5.20 The application site is within Flood Zone 1 and is therefore at low risk of flooding. An addendum report has been prepared for this application that should be read in conjunction with the original FRA submitted in support of the consented scheme.
- 5.21 An updated Drainage Strategy has been submitted with this application that describes the revised sustainable drainage measures. The application proposal will provide the consented development with a sustainable drainage network to manage extreme storm events up to 1 in 100 year +30% (Climate Change) storm events.
- 5.22 It is therefore considered that the proposals are in accordance with local planning policies **CC3** and **CC4**, and **paragraph 163** of the NPPF.

Planning Balance

- 5.23 The NPPF requires new development to be sustainable (paragraph 11). To achieve sustainable development the planning system should give consideration to three overarching objectives – economic, social and environmental (paragraph 8).
- 5.24 The consented scheme (Application Ref: 2020/0647) was considered by the Council to be a sustainable form of development and planning permission was approved by the Council on the 9th November 2020. This planning application is intrinsically linked to the consented scheme in that its effect is to provide a different scheme for attenuating surface water run-off but that meets with the Drainage Strategy proposed by the consented scheme. The benefits that this application will bring are therefore considered to align with those identified under the consented scheme as completion of that scheme is reliant on the revised attenuation basins coming forward. It should be noted that the scheme as proposed has gone through the technical approval process with Yorkshire Water and is therefore considered acceptable.

Economic Objective

- 5.25 This application together with the consented scheme will bring a number of positive economic benefits both in the construction and operational phases of development and over the lifetime of the development. It will deliver a range of financial benefits that will contribute towards the provision of infrastructure and services in Hoyland and in the wider District including:
- £58 million in investment in the site from Newlands plus £30 million infrastructure investment.
 - £41 million in investment plus a 20 year lease commitment from Hermes (in respect of the proposed Parcel Hub).
 - Business Rates receipts
 - Section 106 Contributions.

- 5.26 In addition to the above, the proposals through the delivery of the consented scheme will generate up to 2,000 jobs with 800 of these generated by the Hermes facility. The jobs at the Hermes facility will include range of roles including a number of management positions (with pay grades of between £23K-£80K). Training opportunities and career development will also be promoted at the site.
- 5.27 The proposals will deliver a significant infrastructure investment to provide a new link road for the site also providing access for Hoyland South.
- 5.28 It is considered that significant weight can be attributed to the economic benefits that arise from the consented scheme. This proposal for the delivery of a revised surface water drainage scheme in line with current Yorkshire Water guidelines is essential to deliver these economic benefits.

Social Objective

- 5.29 The consented scheme will bring forward an allocated employment site that will deliver a strategic number of jobs for the District. The site will generate key employment for local people which will improve the lives of many of Barnsley's residents. Wider social benefits include the relocation of the Rockingham Sports Ground to Parkside ultimately providing improved sports facilities to the area and of social benefit. The wider development is in a sustainable location that will provide opportunities for utilising alternative modes of transport to the private car and contribute to improvements in residents' health and wellbeing. Moderate weight is given to this in favour of the grant of planning permission.

Environmental Objective

- 5.30 The application site is not located in an area with an environmental designation.
- 5.31 Development on the least environmentally sensitive sites is considered to represent an environmentally sustainable solution, resulting in reduced pressure for development to occur on sites that are more constrained by environmental factors. The development proposals will achieve a net gain in respect of biodiversity and mitigation measures are detailed in the various Ecological Reports. The environmental enhancements are also reflected in the landscaping solutions.
- 5.32 The site does not result in the loss of high-quality agricultural land.
- 5.33 The site is a former coal mine which has since greened over and become a greenfield site. The revised attenuation proposal although taking up more land than the original proposal will still deliver enhanced biodiversity across this area, including a standing pond in basin 2, creating aquatic biodiversity.
- 5.34 The siting of the additional pond has no greater impact on the setting of the Listed Old Hall, than the previous attenuation scheme, in fact the redline boundary is further away from the Old Hall (123m) than the attenuation pond previously approved in the southern field (51m).
- 5.35 Overall, it is considered that the environmental benefits arising from the application proposal are marginally improved over the consented scheme. Therefore overall, the development is considered to bring with it environmental enhancements that can be attributed significant weight.

6. Conclusions

- 6.1 This report can be summarised as follows.
- 6.2 Planning permission is sought for attenuation basins including landscaping proposals that will serve the consented employment scheme (Planning Permission 2020/0647). The original attenuation pond was 3 metres in depth, however although Yorkshire Water were consulted as part of the original proposals and did not object, since that date guidance has been amended resulting in a need for a revised attenuation scheme comprising of two basins of a shallower depth.
- 6.3 The overall site area for the attenuation basins is 6.77ha and comprises of two parcels of agricultural land to the south of Bell Ground wood.
- 6.4 Although the application site is located wholly within the Green Belt, engineering operations are not considered to be ‘inappropriate development’ within the Green Belt provided that they preserve the openness and do not conflict with the purposes of including land within it. The principle of drainage attenuation on part of the application site has already been approved. It is therefore concluded that the principle of drainage attenuation within the Green Belt is supported both by national and local planning policies, and the extant planning permission 2020/0647.
- 6.5 The proposal is required to deliver the consented scheme which will bring substantial economic benefits to Hoyland the wider Barnsley area including the generation of over 2,000 new jobs.
- 6.6 The application site is not within or close to any nationally protected ecological sites and has limited potential for providing habitat for protected species. The application proposal will deliver net gains in biodiversity.
- 6.7 The archaeological potential of the site has been assessed and has been found to have limited potential for archaeological remains.
- 6.8 The location of basin 1 within the additional site area is approximately 123 metres from the Listed Hall west of Black Lane and it is therefore concluded that the proposed attenuation basins will have no greater impact than the consented scheme.
- 6.9 The site is within an area at low risk of flooding and the current application proposals will deliver a comprehensive sustainable drainage system to accommodate surface water run-off from the consented scheme.
- 6.10 The planning balance for this development when considered in the context of the consented scheme demonstrates that there will be significant economic, social and environmental benefits.
- 6.11 The application proposals accord with an up-to-date development plan and it is therefore requested that the application be considered favourable and approved without delay.

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