
The Seam, Barnsley Digital Campus

Hybrid planning application including full planning permission for a Multi-Storey Car Park, Active Travel Hub, public realm and access, and outline planning permission for 136 dwellings and 1887sqm ground floor commercial space, with all matters reserved.

Planning Statement

Revision A

Prepared on behalf of:

Barnsley Metropolitan Borough Council (BMBC)

July 2022

BDP.

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1.0 Introduction

1.1 Context

- 1.1.1 This Planning Statement has been prepared by BDP for submission to Barnsley Metropolitan Borough Council (BMBC) on behalf of BMBC. This statement supports (and is part of) a hybrid planning application for the development of the Seam, Barnsley (previously known as Barnsley Courthouse Campus).

1.2 Purpose of the Statement

- 1.2.1 This document provides an introduction to the planning application and the various documents that form part of this submission.
- 1.2.2 The purpose of this Planning Statement is to:
- a) Provide an introduction and overview of the location, development proposals, and planning application; and
 - b) Assess the development proposals against the relevant local and national planning policy as well as important planning policy and guidance, which will be material considerations in the determination of the planning application.

1.3 Planning Application Documents

- 1.3.1 The planning application is supported by several other documents and technical reports. The technical reports and documents submitted in support of this application are as follows:
- Planning application forms;
 - Planning Statement (including summary of Community Consultation and Affordable Housing Statement);
 - Design and Access Statement;
 - Transport Assessment;
 - Flood Risk Assessment;
 - Drainage Strategy Report;
 - Preliminary Ecological Assessment;
 - Phase 1 Geo-Environmental Assessment;
 - Coal Mining Risk Management Assessment;
 - Noise Impact Assessment;
 - Energy / Sustainability Statement;
 - Arboricultural Report; and
 - Plans including:
 - Site Location Plan (SEAM-BDP-XX-SL-DR-A-01001_P01)
 - Existing Site Plan (SEAM-BDP-XX-SL-DR-A-01002_P01)
 - MSCP Site Plan (SEAM-BDP-CP-SL-DR-A-01001)
 - ATH Site Plan (SEAM-BDP-TH-SI-DR-A-01001)
 - MSCP Site Sections (SEAM-BDP-CP-ZZ-SE-A-01005)
 - ATH Site Sections (SEAM-BDP-TH-ZZ-SE-A-01002)
 - MSCP GA Plan – Level B2 (SEAM-BDP-CP-B2-DR-A-01001)
 - MSCP GA Plan – Level B1 (SEAM-BDP-CP-B1-DR-A-01002)

- MSCP GA Plan – Level 00 (SEAM-BDP-CP-00-DR-A-01003)
- MSCP GA Plan – Level 01 (SEAM-BDP-CP-01-DR-A-01004)
- MSCP GA Plan – Level 02 (SEAM-BDP-CP-02-DR-A-01005)
- MSCP GA Plan – Level 03 (SEAM-BDP-CP-03-DR-A-01006)
- MSCP GA Plan – Level 04 (SEAM-BDP-CP-04-DR-A-01007)
- MSCP GA Plan – Level 05 (SEAM-BDP-CP-05-DR-A-01008)
- MSCP GA Plan – Roof Level (SEAM-BDP-CP-RF-DR-A-01009)
- ATH GA Plan – Level 00 (SEAM-BDP-TH-00-DR-A-01001)
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- MSCP GA Section C (SEAM-BDP-CP-ZZ-SE-A-01003)
- MSCP GA Section D (SEAM-BDP-CP-ZZ-SE-A-01004)
- ATH GA Sections (SEAM-BDP-TH-ZZ-SE-A-01001)
- MSCP GA North Elevation (SEAM-BDP-CP-ZZ-EL-A-01001)
- MSCP GA East Elevation (SEAM-BDP-CP-ZZ-EL-A-01002)
- MSCP GA South Elevation (SEAM-BDP-CP-ZZ-EL-A-01003)
- MSCP GA West Elevation (SEAM-BDP-CP-ZZ-EL-A-01004)
- ATH GA Elevations (SEAM-BDP-TH-ZZ-EL-A-01001)
- MSCP Typical Bay Studies (SEAM-BDP-CP-ZZ-EL-01010)
- ATH Typical Bay Studies (SEAM-BDP-TH-ZZ-EL-01010)
- Plots 1 & 2 – Parameter Plan (SEAM-BDP-ZZ-SL-DR-A-01021)
- Plots 1 & 2 – Building Land Uses (SEAM-BDP-ZZ-SL-DR-A-01022)
- Plots 1 & 2 – Building Heights (SEAM-BDP-ZZ-SL-DR-A-01023)
- Public Realm Design Phase 1 Illustrative Masterplan (10052406-ARC-ELS-XX-DR-LA-GA-00001)
- Public Realm Design Phase 1 General Arrangement Location Plan (10052406-ARC-ELS-XX-DR-LA-GA-00002)
- Public Realm Design Phase 1 General Arrangement Sheet 1 of 4 (10052406-ARC-ELS-XX-DR-LA-GA-00003)
- Public Realm Design Phase 1 General Arrangement Sheet 2 of 4 (10052406-ARC-ELS-XX-DR-LA-GA-00004)
- Public Realm Design Phase 1 General Arrangement Sheet 3 of 4 (10052406-ARC-ELS-XX-DR-LA-GA-00005)
- Public Realm Design Phase 1 General Arrangement Sheet 4 of 4 (10052406-ARC-ELS-XX-DR-LA-GA-00006)
- Southern Gateway Plan (10052406-ARC-ELS-XX-DR-LA-00007)
- Typical Site Sections Sheet 1 of 4 (10052406-ARC-XX-XX-M2-LA-00007)
- Typical Site Sections Sheet 1 of 4 (10052406-ARC-XX-XX-M2-LA-00008)

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- Typical Site Sections Sheet 1 of 4 (10052406-ARC-XX-XX-M2-LA-00010)
- Southern Gateway Steps Section (10052406-ARC-XX-XX-M2-LA-00011)
- Southern Gateway Long Sections

1.4 Structure of Planning Statement

1.4.1 The remainder of this Planning Statement adopts the following structure:

- **Chapter 2: Site Description and Context** – provides the background to the planning application, including the site location and site characteristics, and planning history;
- **Chapter 3: Proposed Development** – provides a description and overview of the development proposals;
- **Chapter 4: Planning Policy Context** – provides the planning policy context of the proposed development, at the national and local level;
- **Chapter 5: Assessment** – demonstrates how the application accords with relevant planning policy and guidance; and
- **Chapter 6: Conclusion** – provides a conclusion to the Planning Statement, setting out the key elements of the planning application and the planning policy assessment.

2.0 Site Description and Context

2.1 Location and context

Background

- 2.1.1 In May 2020, BMBC appointed a consultant team to prepare a new development blueprint for the site known as 'The Seam – Barnsley's Digital Campus'. The multi-disciplinary team was led by BDP in conjunction with Fore Consulting, Hydrock, BE Group, and Warrington Martin.
- 2.1.2 The Digital Campus is home to DMC01, recently refurbished DMC02 and Barnsley College's new Scitech Digital Innovation hub. These buildings bring together digital and tech, businesses, research and skills, enabling collaboration and innovation through a growing digital eco-system that operates at a regional, national, and international level.
- 2.1.3 The blueprint provides a flexible plot-based plan for the site, ensuring that the wider strategic objectives of BMBC and its stakeholders are met, and development is brought forward in line with key infrastructure and phasing requirements.
- 2.1.4 The development blueprint outlines the following key principles:
- The range and mix of land uses;
 - Design constraints (such as heights, massing, and the preservation of key views);
 - Alignment with the site-wide strategies for sustainability, SMART technology, transport, utilities, and drainage;
 - The delivery of enhanced public realm, including a central greenspace and pedestrian and cycle links through the campus; and
 - The intended phasing of the development
- 2.1.5 In October 2021, a multidisciplinary team comprising of BDP and Arcadis, with development consultants, Aspinall Verdi, were appointed to prepare concept designs for Phase 1, comprising:
- Multi-Storey Car Park (MSCP);
 - Active Travel Hub (ATH);
 - Public Realm;
 - Feasibility studies for development plots 1 and 2; and
 - Road and services infrastructure to support the above.

Location

- 2.1.6 The site is located within Barnsley Town Centre, immediately adjacent to the Transport Interchange which sits to the south of the site. The site is approximately 2 Ha.
- 2.1.7 The site is bounded by the railway line to the east, the A635 to the north, County Way to the west and Eldon Street North to the south. The existing DMC01 building and the Courthouse pub lie immediately adjacent to the site in the south east.
- 2.1.8 The proposed development red line boundary is shown in Figure 2.1 on the overleaf.

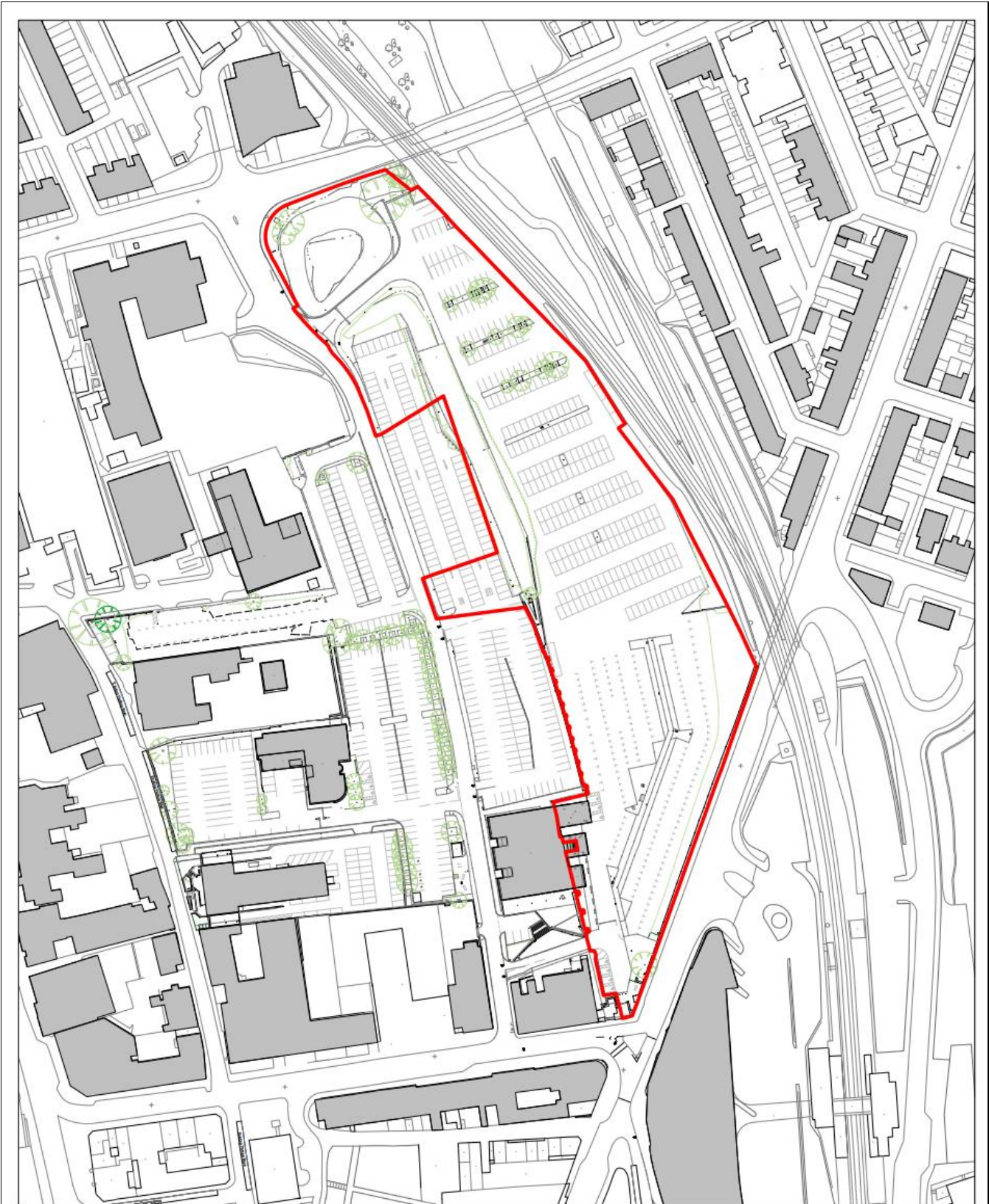


Figure 2.1: Red Line Application Boundary

Source: BDP

2.2 Site access

2.2.1 Current vehicular access to the site is off County Way, which runs parallel to the site from north to south. There is pedestrian access onto the south of the site at the corner of Regent Street and Eldon Street North.

2.3 Land ownership

2.3.1 The entire site is owned by BMBC. The site edged red includes land underneath the cantilevered sections of the DMC building. This land is BMBC freehold and not part of the DMC facility and as such although in plan form, the site edge red appears to include part of the DMC in practice it does not.

2.4 Land-use history and current use at the site

2.4.1 The site is currently dominated by surface car parking, with an area of public open space in the northern-most portion of the site. During the COVID-19 pandemic, an area of the site was used as a temporary testing facility.

2.4.2 Historically, the site was used for railway land, which is still evident today through the retaining wall and foundations that formed part of the railway station building and foundations of the Regent Street bridge. Following the removal of the railway lines, the site lay vacant for a number of years. In the 1990s, council offices were constructed on the site. In recent years, these offices were demolished and the site has been used entirely for surface car parking.

2.5 Site Characteristics and Designations

2.5.1 The following section sets out the characteristics and statutory / non-statutory designations within and in close proximity to the site:

Heritage

2.5.2 There are no designated heritage assets within the site. There are two designated heritage assets adjacent to the site, these are as follows:

- The Courthouse Station, Grade II – dated 1861. Former Court House building, now a pub.
- Piers, wall and railings to front area of the Court House building, Grade II – dated 1861 by Reeves. Included for group value.

2.5.3 The site is not located within a designated Conservation Area. The Regent Street / Church Street / Market Hill Conservation Area lies adjacent to the site, although there is no Conservation Area Appraisal associated with the designation.

Ecology

2.5.4 The site is located within Barnsley town centre and there are no sensitive areas on or around the location

Designated sites

2.5.5 There are no international / national protected sites within a 2km radius of the Site.

2.5.6 There is one statutory protected Local Nature Reserve within 2km of the Site, Dearne Valley Park, approximately 915m east of the site boundary.

2.5.7 There are three local wildlife sites within 2km of the site, the closest are Old Mill Lane and Cliff Wood, both approximately 550m north-east of the site boundary.

Habitats

2.5.8 The habitats within the site are common throughout the UK and no nationally rare or locally rare plant species are located on site.

Invasive Species

- 2.5.9 No plants recognised under Schedule 9 of the Wildlife and Countryside Act (1981, as amended) as non-native invasive plant species are present within the site.

Protected Species

- 2.5.10 The habitats on site comprise predominantly hardstanding in an urban setting, which is a sub-optimal habitat for Great Crested Newts (GCN). There are limited opportunities for refuge across the site given the built environment. The site habitats provide an unfavourable habitat for GCN and there are no suitable breeding ponds within a 500m radius of the site.
- 2.5.11 The habitats on site comprise predominantly hardstanding in an urban setting, which is a sub-optimal habitat for common reptiles. There are negligible opportunities for basking and foraging across the site given the large areas of hardstanding and highly disturbed and managed habitats present.
- 2.5.12 Bat surveys have confirmed that the stone wall running along the eastern edge of the site supports a bat roost. The broad-leaved trees within the site provide limited foraging habitat for local bat populations and permeability across the site for bats.
- 2.5.13 The broad-leaved trees and stone wall within the site provide nesting suitable habitat for breeding birds during the nesting season. In particular, the stone wall provides a valuable nesting feature for a local sand martin colony.

Flood Risk

- 2.5.14 The entire development site is located in flood zone 1, meaning it has a low probability of flooding from rivers and sea.

2.6 Site planning history

- 2.6.1 The BMBC planning portal was consulted on 14/06/2022. There have been no recent planning applications submitted for the site. Recent planning applications in close proximity to the site are summarised in Table 2.1 below.
- 2.6.2 Independently or cumulatively, these developments are not expected to give rise to significant impacts which would need to be considered in the context of development on the Seam site.

Table 2.1: Planning History at or in close proximity to the site within the last three years

Application ref no.	Description of application proposals	Is the application within the site?	Application address	Application status
2022/0293	Change of use of land to form surface car park (116 marked bays) and installation of associated traffic light controlled junction within Old Mill Lane.	No	Land at Old Mill Lane, Barnsley, S71 1PJ	Under consideration
2021/0501	Discharge of Conditions of 7 (foul and surface water drainage), 8 (hard and soft landscaping), 14 (highway improvement works), and 17 (highway engineering construction details) (Original permission – 2018/0279 – Erection of permanent structures and associated public realm works)	No	Land at Cheapside, Eldon Street, Midland Street, Queen Street, Peel Square, Barnsley	Under consideration

2020/1276	Existing lower ground floor car park to be enclosed under the building footprint to create new business starter pods and a conference centre with associated external alterations.	No	Scitech Centre, Falcon Street, Barnsley, S70 2EY	Approve with conditions
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Source: BMBC website

3.0 Proposed development

3.1 Introduction

3.1.1 The proposed development represents Phase 1 of the Seam development blueprint, and seeks to bring forward key infrastructure and public realm proposals which will provide a catalyst for wider development on the Seam site.

3.1.2 An illustrative masterplan for Phase 1 is shown as Figure 3.1, below.



Figure 3.1: Illustrative Masterplan

Source: Arcadis

3.2 Application Proposals

3.2.1 A hybrid planning application is submitted to BMBC consisting of full planning permission for a multi-storey car park (6 storeys above ground, 386 no. spaces), active travel hub (479 sqm), public realm and access, and outline planning permission for 136 dwellings (Use Class C3) and 1887 sqm ground floor commercial space (Use Class E), with all matters reserved on land off County Way, Barnsley, S70 2EQ.

3.2.2 This planning application is submitted alongside an associated application for Listed Building Consent, concerning works to the existing steps and retaining walls at the southern gateway to the site.

3.2.3 A site plan showing proposed layout arrangements is shown in Figure 3.1, above.

Design and layout

3.2.4 The details of the design and layout of the development are presented in the DAS, submitted alongside this application.

Consultation

- 3.2.5 In order to shape the plans for the Seam, BMBC held an open consultation in February 2022 which received 524 responses. Equalities data demonstrated that the consultation exercise achieved good reach, however it was noted that there was very low input from College students. Overall, the results of the survey revealed general alignment with the overall vision for the site and majority support for key elements of the scheme, including new green space, enhanced public realm, residential development, a new MSCP, and the Active Travel Hub (ATH).
- 3.2.6 The following key themes emerged from the consultation exercise:
- A healthy majority of people were in favour of using the Seam to test new energy-efficient solutions and technology such as smart lighting, intelligent parking and better use of real-time data;
 - Overwhelming support for a sustainable, low-carbon development delivered through the inclusion of the ATH, with cycling facilities and new cycle routes, as well as the inclusion of green infrastructure throughout and other measures such as the provision of EV charging;
 - 73% of people supported the ATH being developed on the site in Phase One and 70% of people were in favour of reducing cars on campus;
 - 75% of people positively supported more public green space as part of the site. A key goal of the site is to create an urban village. The development will promote fresh, green spaces outdoors which will support users and visitors to spend more time outdoors and improve well-being;
 - 67% of people supported new low carbon housing on the Seam site. This contemporary approach to how people can live, work and create will help to build an enjoyable urban village lifestyle.
- 3.2.7 Concerns relating to the loss of car parking, anti-social behaviour, and disability access in and around the site were expressed through the consultation process. These have been considered and have informed the design proposals that form part of this application.

4.0 Planning Policy Context

4.1 Introduction

4.1.1 This chapter provides an overview of the relevant policies and guidance which are material considerations in the determination of the planning application.

4.2 Planning framework

4.2.1 The revised National Planning Policy Framework (NPPF) 2021 and Planning Practice Guidance (PPG) set out the Government's planning policies for England and define sustainable development. The NPPF is a material consideration in the determination of planning applications.

4.2.2 BMBC adopted their existing Local Plan on 3 January 2021. This document provides the local planning policy for the future development of Barnsley up to the year 2033, and sets out the key elements of the planning framework for Barnsley and the approach to its long term physical development.

4.2.3 BMBC has also adopted a number of Supplementary Planning Documents (SPDs) which are relevant to this application and include the following:

- Residential amenity and the siting of buildings SPD;
- Open space provision on new housing developments SPD;
- Affordable housing SPD;
- Biodiversity and geodiversity SPD;
- Sustainable travel SPD; and
- Parking SPD

4.2.4 A summary of planning policy and guidance relevant to the proposed development is provided below.

National Planning Policy Framework (2021)

4.2.5 Paragraph 8 of the NPPF sets out the overarching objectives of sustainable development economic, social, and environmental.

- Under the **economic objective**, it states that the planning system should help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support, growth, innovation and improved productivity.
- Under the **social objective**, it states that the planning system should support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well designed, beautiful and safe places with accessible services and open spaces.
- Under the **environmental objective**, it states that the planning system should enhance the natural, built and historic environment; making efficient use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change.

4.2.6 Paragraph 11 states that 'plans and decisions should apply a presumption in favour of sustainable development', noting that for decision-taking this means approving development proposals that accord with an up-to-date development plan.

4.2.7 Paragraph 38 requires decision makers at every level to seek and approve applications for sustainable development where possible.

- 4.2.8 Paragraph 60 states the need for a sufficient amount and variety of land to come forward to support the Government's objective of significantly boosting the supply of homes.
- 4.2.9 Paragraph 65 states that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.
- 4.2.10 Paragraph 80 states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt.
- 4.2.11 Paragraph 86 states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.
- 4.2.12 Paragraph 91 states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible, and enable and support healthy lifestyles.
- 4.2.13 Paragraph 98 states that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.
- 4.2.14 Paragraph 104 states that transport issues should be considered from the earliest stages of development proposals so that the potential impacts of development on transport networks can be assessed, opportunities to promote active and sustainable travel modes are identified and pursued, the environmental impact of traffic and transport infrastructure can be identified, assessed and taken into account, and patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high places.
- 4.2.15 Paragraph 113 states that all development that will generate significant amounts of movement should be supported by a transport statement or transport assessment so the likely impacts of the proposal can be assessed.
- 4.2.16 Paragraph 119 states that planning policies and decisions should promote an effective use of land in meeting the need for new homes and other uses.
- 4.2.17 Paragraph 120 states that planning policies and decisions should promote and support the development of under-utilised land and buildings.
- 4.2.18 Paragraph 126 recognises that the creation of high quality, beautiful and sustainable buildings is fundamental to what the planning and development process should achieve.
- 4.2.19 Paragraph 127 states that planning policies and decisions should ensure that developments:
- will function well and add to the overall quality of the area over the lifetime of the development;
 - are visually attractive as a result of good architecture, layout, and appropriate and effective landscaping;
 - are sympathetic to local character and history;
 - establish or maintain a strong sense of place;
 - optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and
 - create places that are safe, inclusive and accessible.
- 4.2.20 Paragraph 145 states that new development should be planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change; and help reduce greenhouse gas emissions.

- 4.2.21 Paragraph 159 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.
- 4.2.22 Paragraph 174 states that planning policies and decisions should contribute to and enhance the natural and local environment.
- 4.2.23 Paragraph 180 states that opportunities to improve biodiversity in and around developments should be integrated as part of their design.

Barnsley Local Plan (Adopted January 2019)

- 4.2.24 The Local Plan establishes the following vision for Barnsley, outlining a clear intention to enhance it as a location to do business and a place that will improve quality of life for all residents.

'Working together for a brighter future, a better Barnsley'

- 4.2.25 To achieve this vision, the Local Plan outlines the following objectives:
- Provide opportunities for the creation of new jobs and protection of existing jobs;
 - Improve the conditions in which people live, work, travel and take leisure;
 - Widen the choice of high quality homes;
 - Improve the design of development; and
 - Protect and enhance Barnsley's natural assets and achieve net gains in biodiversity.

Policy SD1 Presumption in favour of Sustainable Development

- 4.2.26 When considering development proposals we will take a positive approach that reflects the presumption in favour of sustainable development contained within the NPPF. We will work proactively with applicants jointly to find solutions with means that proposals can be approved wherever possible, and to secure development that improves the economic, social, and environmental conditions in the area.

Policy GD1 General Development

- 4.2.27 There will be no significant adverse effect on the living conditions and residential amenity of existing and future residents;
- 4.2.28 They are compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land;
- 4.2.29 They will not adversely affect the potential development of a wider area of land which could otherwise be available for development and safeguards access to adjacent land;
- 4.2.30 They include landscaping to provide a high quality setting for buildings, incorporating existing landscape features and ensuring that plant species and the way they are planted, hard surfaces, boundary treatments and other features appropriately reflect, protect and improve the character of the local landscape;
- 4.2.31 Any adverse impact on the environment, natural resources, waste and pollution is minimised and mitigated;
- 4.2.32 Adequate access and internal road layouts are provided to allow the complete development of the entire site for residential purposes, and to provide appropriate vehicular and pedestrian links throughout the site and into adjacent areas;

4.2.33 Any drains, culverts and other surface water bodies that may cross the site are considered; and

4.2.34 Existing trees that are to remain on site are considered in the layout in order to avoid overshadowing.

Policy LG2 The Location of Growth

4.2.35 Priority will be given to development in the following locations:

- Urban Barnsley;
- Principal Towns of Cudworth, Wombwell, Hoyland, Goldthorpe (which includes Thurnscoe and Bolton on Dearne), Penistone and Royston; and
- Villages

4.2.36 Urban Barnsley will be expected to accommodate significantly more growth than any individual Principal Town, and the Principal Towns will be expected to accommodate significantly more growth than the villages, to accord with their place in the settlement hierarchy.

Policy H1 The Number of New Homes to be Built

4.2.37 We will seek to achieve the completion of at least 21,546 net additional homes during the period 2014 to 2033. A minimum five year supply of deliverable sites will be maintained.

Policy H2 The Distribution of New Homes

4.2.38 States the approximate distribution of new homes for the period of 2014 to 2023, noting that Urban Barnsley is expected to deliver 43% of the overall supply.

Policy H5 Residential Development on Large Non-allocated Sites

4.2.39 Proposals for residential development on sites above 0.4 hectares which are not shown as housing sites on the Policies Map will be supported where they:

- Are located on previously or part previously developed land;
- Are located within Urban Barnsley, Principal Towns and Villages;
- Are accessible by public transport; and
- Have good access to a range of shops and services.

Policy H6 Housing Mix and Efficient Use of Land

4.2.40 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

4.2.41 A density of 40 dwellings per hectare net will be expected in Urban Barnsley and Principal Towns.

Policy H7 Affordable Housing

4.2.42 Housing developments of 15 or more dwellings will be expected to provide affordable housing.

4.2.43 10% affordable housing provision will be expected in North and South Barnsley.

4.2.44 The developer must show that arrangements have been put in place to keep new homes affordable.

Policy T3 New Development and Sustainable Travel

4.2.45 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 set out in the relevant Supplementary Planning Document;
- Provide a transport statement or assessment in line with guidance set out in the NPPF and guidance including, where appropriate, regard for cross boundary local authority impacts; and
- Provide a travel plan statement or a travel plan in accordance with guidance set out in the NPPF including, where appropriate, regard for cross boundary local authority impacts. Travel plans will be secured through a planning obligation or planning condition.
- Where levels of accessibility through public transport, cycling and walking are unacceptable, we will expect developers to take action or make financial contributions in accordance with Policy I1.
- If it is not possible or appropriate for the minimum amount of parking for cycles, motorbikes, scooters and mopeds be met on site, the developer must provide, or contribute towards, off-site parking, or improve or provide other forms of travel.

Policy T4 New Development and Transport Safety

4.2.46 New development will be expected to be designed and built to provide all transport users withing and surrounding the development with safe, secure and convenient access and movement.

Policy D1 High Design Quality and Place Making

4.2.47 Development is expected to be of high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley, including:

- Landscape character, topography, green infrastructure assets, important habitats, woodlands and other natural features;
- Views and vistas to key buildings, landmarks, skylines and gateways; and
- Heritage and townscape character including the scale, layout, building styles and materials of the built form in the locality.

4.2.48 Through its layout and design development should:

- Contribute to place making and be of high quality, that contributes to a healthy, safe and sustainable environment;
- Complement and enhance the character and setting of distinctive places, including Barnsley Town Centre, Penistone, rural villages and Conservation Areas;
- Help transform the character of physical environment that have become run down and are lacking in distinctiveness;
- Provide an accessible and inclusive environment for the users of individual buildings and surrounding spaces;

- Provide clear and obvious connections to the surrounding street and pedestrian network;
- Ensure ease of movement and legibility for all users, ensure overlooking for streets, spaces and pedestrian routes through the arrangement and orientation of buildings and the location of entrances;
- Promote safe, secure environments and access routes with priority for pedestrians and cyclists;
- Create clear distinctions between public and private spaces;
- Display architectural quality and express proposed uses through its composition, scale, form, proportions and arrangement of materials, colours and details;
- Make the best use of high quality materials;
- Include a comprehensive and high quality scheme for hard and soft landscaping; and
- Provide high quality public realm.

4.2.49 In terms of place making, development should make a positive contribution to achieving qualities of a successful place such as character, legibility, permeability and vitality.

Policy HE1 The Historic Environment

4.2.50 We will positively encourage development which will help in the management, conservation, understanding and enjoyment of Barnsley's historic environment, especially for those assets which are at risk.

Policy HE2 Heritage Statements and General Application Procedures

4.2.51 Proposals that are likely to affect known heritage assets or sites where it comes to light there is potential for the discovery of unrecorded heritage assets will be expected to include a description of the heritage significance of the site and its setting.

Policy HE3 Developments Affecting Historic Buildings

4.2.52 Proposals involving additions or alterations to listed buildings or buildings of evident historic significance such as locally listed buildings (or their setting) should seek to conserve, and where appropriate, enhance that building's significance. In such circumstances proposals will be expected to:

- Respect historic precedents of scale, form, massing, architectural detail and the use of appropriate materials that contribute to the special interest of a building.
- Capitalise on opportunities to better reveal the significance of a building where elements exist that detract from its special interest.

Policy TC1 Town Centres

4.2.53 Support will be given to maintaining and enhancing the vitality and viability of town, district and local centres.

4.2.54 Barnsley Town Centre is the dominant town centre in the borough. To ensure it continues to fulfil its sub regional role the majority of new retail and town centre development will be directed to Barnsley Town Centre.

Policy BTC1 The daytime and evening economies

- 4.2.55 We will work with developers and operators to diversify the daytime and evening economies (particularly early evening uses). Preference will be given to pubs, clubs, restaurants, cafés and night time entertainment uses which:
- Cater for a range of customers and are family friendly;
 - Are open throughout the day and evening;
 - Maintain an active street frontage throughout the day and evening;
 - Serve food; and
 - Complement other leisure activities.
- 4.2.56 Planning permission will be granted for pubs, clubs, restaurants, cafés and night time entertainment uses in the town centre provided that they:
- Add to the range and diversity of uses on offer and increase customer choice;
 - Do not harm amenity or give rise to increased noise, disturbance, or antisocial behaviour;
 - Can be adequately accessed, serviced and ventilated; and
 - Are designed with public safety, crime prevention, and the reduction of anti-social behaviour in mind.
- 4.2.57 All such uses should have regard to the principles and practises of ‘Secured by Design’ and planning applications must be supported by a design statement.

Policy BTC3 Public Spaces

- 4.2.58 New development must make a positive contribution to public spaces through its design, siting, and use of materials.
- 4.2.59 The creation of new public spaces and improvements to existing public spaces must be made in accordance with Barnsley Town Centre Public Spaces Strategy.

Policy BTC4 Improving Public Spaces

- 4.2.60 New developments above the following sizes must include proposals to improve public spaces:
- Residential developments of 10 homes or more;
 - Business developments of over 1000 square metres;
 - Community uses of over 1000 square metres;
 - New strategic roads and public transport projects.
- 4.2.61 Developments must provide a financial contribution to allow off-site improvements to public space to be made and maintained. The type of improvements which are considered appropriate will be determined using the Barnsley Town Centre Public Spaces Strategy.
- 4.2.62 Where necessary, we will ask for a planning obligation to secure these requirements.

Policy BTC5 Landmark Buildings

- 4.2.63 New development must be designed to enhance the settings of and safeguard views of the landmark buildings identified on Inset Map 3. Development which adversely affects the setting of a landmark building will not be allowed.

Policy BTC6 Building Heights

- 4.2.64 Tall buildings will only be allowed in the locations in Barnsley town centre identified as suitable by the Building Heights Study.
- 4.2.65 Planning applications for tall buildings must be accompanied by the supporting information required by the Building Heights Study.
- 4.2.66 This includes details of daylight, sunlight and wind effects to show the impact any new building will have on nearby buildings and public spaces in terms of:
- Privacy;
 - Levels of sunlight; and
 - Extent of overshadowing.

The details must also include the measures needed to reduce any harmful effects.

Policy BTC11 Car parks

- 4.2.67 Town centre car parks will be managed to allow short stay car parking and restrict long stay car parking. Long stay car parks will be located on the edge of the town centre. Short stay car parks will be located within the town centre.
- 4.2.68 Where they are proposed, car parks should be included within developments either in basements or on upper floors.

Policy BTC21 Courthouse Campus

- 4.2.69 We will allow the following types of development in the Courthouse Campus District
- Education and community facilities;
 - Offices;
 - Developments designed to support the creative and digital industries;
 - Residential development, including live-work units;
 - Multi storey car parking; and
 - A new public park and improved public spaces.

Policy BTC22 Development Site 3 – Courthouse Campus

- 4.2.70 We will allow the following types of development:
- Education and community facilities;
 - Offices;
 - Developments designed to support the creative and digital industries; and
 - Residential development including live-work units.
- 4.2.71 The development of this site will be expected to:
- Include the creation of a new public open space;
 - Provide improvements to pedestrian links and public spaces; and
 - Conserve or enhance the Conservation Area.

4.2.72 We will use planning conditions or a planning obligation that the above aspects are included within the development.

Policy GI1 Green Infrastructure

4.2.73 We will protect, maintain, enhance and create an integrated network of connected and multi-functional Green Infrastructure assets that:

- Provides attractive environments where people want to live, work, learn, play, visit and invest;
- Meets the environmental, social and economic needs of communities across the borough and the wider City Regions;
- Enhances the quality of life for present and future residents and visitors;
- Helps to meet the challenge of climate change;
- Enhances biodiversity and landscape character;
- Improved opportunities for recreation and tourism;
- Respect local distinctiveness and historical and cultural heritage;
- Maximises potential economic and social benefits; and
- Secures and improves linkages between green and blue spaces.

4.2.74 The network of Green Infrastructure will be secured by protecting open space, creating new open spaces as part of a new development, and by using developer contribution to create and improve Green Infrastructure.

4.2.75 We have produced a Green Infrastructure Strategy for Barnsley which is informed by the Leeds City Region and South Yorkshire Green Infrastructure Strategies.

Policy GS1 Green Space

4.2.76 We will work with existing partners to improve existing green space to meet the standards in our Green Space Strategy.

4.2.77 Green Spaces are green open areas which are valuable for amenity, recreation, wildlife or biodiversity and include types such as village greens, local open spaces, country parks, formal gardens, cemeteries, allotments, woodlands, recreation grounds, sports pitches and parks.

4.2.78 In order to improve the quantity, quality and value of green space provision we will require qualifying new residential developments to provide or contribute towards green space in line with the standards set out in the Green Space Strategy and in accordance with the requirements of the Infrastructure and Planning Obligations Policy. The Supplementary Planning Document 'Open Space Provision on New Housing Developments' offers guidance to developers on what will be expected in terms of open space provision in order to achieve those standards.

4.2.79 Where there is a requirement to provide new green space an assessment will be carried out to determine the most appropriate provision, taking into account site characteristics and constraints. In cases where it is deemed unsuitable to make provision for open space within or adjacent to a development site, suitable off-site open space facilities may be acceptable either as new facilities or improvements to those existing. Where appropriate new green space should secure access to adjacent areas of countryside.

Policy BIO1 Biodiversity and Geodiversity

4.2.80 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 via Section 41 of the Natural Environment & Rural Communities Act 2006 (for list of the species and habitats of principal importance) and in the Barnsley Biodiversity Action Plan;
- Maximising biodiversity and geodiversity opportunities in and around new developments;
- Proposals will be expected to have followed the national mitigation hierarchy (avoid, mitigate, compensate) which is used to evaluate the impacts of development on biodiversity interest;
- Protecting ancient and veteran trees where identified; and
- Encouraging provision of biodiversity enhancements.

4.2.81 Development which may harm a biodiversity or geological feature or habitat, including ancient woodland and aged or veteran trees found outside ancient woodland will not be permitted unless effective mitigation and/or compensatory measures can be ensured.

Policy CC1 Climate Change

4.2.82 We will seek to reduce the causes of and adapt to the future impacts of climate change by:

- Giving preference to development of previously developed land in sustainable locations;
- 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 (SuDS);
- Promoting and supporting the delivery of renewable and low carbon energy; and
- Promoting investment in Green Infrastructure to promote and encourage biodiversity gain.

Policy CC2 Sustainable Design and Construction

4.2.83 Development will be expected to minimise resource and energy consumption through the inclusion of sustainable design and construction features, where this is technically feasible and viable.

4.2.84 All non-residential development will be expected to achieve a minimum standard of BREEAM 'Very Good'. This should be supported by preliminary assessments at planning application stage.

Policy CC3 Flood Risk

4.2.85 The extent and impact of flooding will be reduced by:

- Not permitting new development where it would be at an unacceptable risk of flooding from any sources of flooding, or would give rise to flooding elsewhere;
- Ensuring that in the Functional Floodplain (Flood Zone 3b), only water compatible development or essential infrastructure (subject to the flood risk exception test) will be allowed. In either case it must be demonstrated that there would not be a harmful effect on the ability of this land to store floodwater;

- Requiring developers with proposals in Flood Zones 2 and 3 to provide evidence of the sequential test and exception test where appropriate;
- Requiring site-specific Flood Risk Assessments (FRAs) for proposals over 1 hectare in Flood Zone 1 and all proposals in Flood Zones 2 and 3;
- Expecting proposals over 1000 sqm floor space or 0.4 hectares in Flood Zone 1 to demonstrate how the proposal will make a positive contribution to reducing or managing flood risk;
- 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 requiring development proposals to use Sustainable Drainage Systems (SuDS) in accordance with Policy CC4; and
- Using flood resilient design in areas of high flood risk.

Policy CC4 Sustainable Drainage Systems (SuDS)

- 4.2.86 All major development will be expected to use SuDS to manage surface water drainage, unless it can be demonstrated that all types of SuDS are inappropriate.
- 4.2.87 To enable the Council to determine the suitability of a proposed SuDS scheme:
- Outline Planning applications must be supported by a conceptual drainage plan and SuDS design statement; and
 - Detailed Planning applications must be supported by a detailed drainage plan and SuDS design statement, which should contain information on how the SuDS will operate, be managed and maintained for the lifetime of the development.

Policy RE1 Low Carbon and Renewable Energy

- 4.2.88 All developments will be expected to seek to incorporate initially appropriate design measures, and thereafter decentralised, renewable or low carbon energy sources in order to reduce carbon dioxide emissions and should at least achieve the appropriate carbon compliance targets as defined in the Building Regulations.

Policy CL1 Contaminated and Unstable Land

- 4.2.89 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 to work out the nature and extent of contamination or stability issues and the possible it may have on the development and its future users, the natural and historic environment; and
 - Sets out detailed measures to allow the development to go ahead safely, including, as appropriate:
 - Removing the contamination;
 - Treating the contamination;
 - Protecting or separating the development from the effects of the contamination; and
 - Addressing land stability issues resulting from former coal mining activities.

- Where measures are needed to allow the development to go ahead safely, these will be required as a condition of any planning application.

Policy Poll1 Pollution Control and Protection

- 4.2.90 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.
- 4.2.91 We e will not allow development of new housing or other environmentally sensitive development where existing air pollution, noise, smell, dust, vibration, light or other pollution levels are unacceptable and there is no reasonable prospect that these can be mitigated against.
- 4.2.92 Developers will be expected to minimise the effects of any possible pollution and provide mitigation measures where appropriate.

Policy I1 Infrastructure and Planning Obligations

- 4.2.93 Development must be supported by appropriate physical, social, economic and communications infrastructure, including provision of broadband.
- 4.2.94 Development must contribute as necessary to meet all on and off site infrastructure requirements to enable development to take place satisfactorily.
- 4.2.95 Where necessary provision is not made directly by the developer, contributions will be secured through planning obligations.
- 4.2.96 Where appropriate, pooled contributions will be used to facilitate delivery of the necessary infrastructure.

5.0 Assessment

5.1 Introduction

- 5.1.1 This chapter assesses the proposed development against the relevant national and local planning framework.
- 5.1.2 This chapter is structured around the following themes:
- Establishing the principle for development;
 - Sustainable development;
 - Affordable housing and housing mix;
 - Flood risk and drainage;
 - Movement and accessibility;
 - Design; and
 - Other considerations including land contamination.

5.2 Establishing the Principle for Development

The following are the relevant policies / guidance that are addressed and are of relevance in this section:

- *National Planning Policy Framework (NPPF) 2019 – Paragraph 8, 11, 38, 60, 119 and 120 and National Planning Practice Guidance;*
- *Barnsley Local Plan – Policy BTC 21 Courthouse Campus*

- 5.2.1 Paragraph 11 of the NPPD required decision makers to approve development proposals that accord with an up-to-date development plan without delay.
- 5.2.2 The proposed development aligns with the Seam development blueprint, commissioned by BMBC in May 2020, and seeks to deliver Phase 1 of the masterplan. As described in the remainder of this chapter, the proposal also complies with both national and local planning policy.
- 5.2.3 Paragraph 60 of the NPPF aims to support the Government's objective of significantly boosting the supply of homes, whilst paragraph 80 supports the development that creates the conditions in which businesses can invest, expand and adapt. Paragraph 86 encourages a positive approach to the growth and management of town centres. Paragraph 119 states that planning permissions should promote an effective use of land in meeting the need for new homes and other uses and paragraph 120 emphasises the need to promote and support the development of under-utilised land.
- 5.2.4 Within the Barnsley Local Plan, Policy BTC21 allows for the following types of development in the Courthouse Campus District: education and community facilities, offices, developments designed to support the creative and digital industries, residential development (including live-work units), multi-storey car parking, and a new public park and improved public spaces.
- 5.2.5 The proposed development seeks to deliver a mix of uses on currently under-utilised town centre land, including 136 residential units and improvements to the public realm. The proposal for a multi-storey car park on the site enables the consolidation of car parking provision in the north of the site, therefore allowing redevelopment of the area currently dominated by surface car parking. The proposed development will therefore contribute to the sustainable growth of the town centre as well as improving the vitality and viability of the area.

5.3 Sustainable Development

The following are the relevant policies / guidance that are addressed and are of relevance in this section:

- *National Planning Policy Framework (NPPF) – Paragraph 8 and 11; and*
- *Barnsley Local Plan – Policies SD1 (Presumption in Favour of Sustainable Developments), GD1 (General Development), LG2 (The Location of Growth), CC2 (Sustainable Design and Construction), RE1 (Low Carbon and Renewable Energy), Poll1 (Pollution Control and Protection)*

Location of Development

- 5.3.1 Paragraphs 8 and 11 of the NPPF require decision-makers to support sustainable development that makes the best use of land and accords with up-to-date plans. Development should meet key economic, social and environmental objectives. The Barnsley Local Plan Policy SD1 states that the local council will work proactively with applicants to ensure that development improves the economic, social and environmental conditions in the area.
- 5.3.2 The site is currently dominated by surface car parking, and is therefore brownfield. The site is located in a prominent location within Barnsley Town Centre, immediately north of the transport interchange and adjacent to existing Barnsley College buildings.
- 5.3.3 The proposed development's town centre location provides a unique opportunity to enhance the vitality and viability of the town centre and will complement existing uses in the town centre.
- 5.3.4 The proposed development will maximise the potential of the land by redeveloping surface car parking. It also represents phase 1 of a wider programme of regeneration for the former Courthouse Campus and bring forward high quality public realm and new public spaces in the town centre.

Design and Material

- 5.3.5 A Sustainability Statement was completed by BDP in June 2022 and demonstrates how the development proposals accord with Policies CC2 and RE1 of the Local Plan. As per the requirements of Policy CC2, the ATH is will achieve BREEAM Very Good. The energy strategy outlined within the report has the potential to reduce regulated carbon to about -0.49kgCO₂/m² and result in an EPC of A+.
- 5.3.6 The proposed residential blocks are in outline only and therefore details of design and materials for are not available for assessment at this stage, however, it is expected that the proposed residential buildings will be of a modest and high-quality design based around the use of sustainable and durable materials that minimise detrimental impacts on the character and distinctiveness of the area as a whole. Any future reserved matters planning applications will address the relevant Local Plan policies regarding the sustainable use of resources.
- 5.3.7 The Design and Access Statement which accompanies this planning application sets out the details and aspirations for the design of the scheme, including indicative visualisations for both the full and outline elements of the proposed development.

Enhanced Landscape and Public Realm

- 5.3.8 The proposed development will provide a new area of high quality public realm in Barnsley Town Centre.
- 5.3.9 The new public realm for the SEAM will comprise new high quality public realm and greenspace with a mixture of shared space and pedestrian only access. The scheme will comprise a mix of hard and

soft landscaping, incorporating high quality materials and circa 60 new trees and areas of public greenspace.

Waste, pollution and nuisance.

- 5.3.10 Due to the nature of uses proposed, the proposed development is not expected to result in the production of large quantities of waste during construction or significant quantities of general and hazardous waste during operation. The proposed development will produce limited quantities of controlled waste which will be managed via the implementation of an appropriate management plan at the reserved matters stage.
- 5.3.11 The proposed development will not result in significant pollution or nuisance in the operational phase. During the construction of new buildings, appropriate construction management techniques will be employed to reduce the risk of pollution and nuisance.
- 5.3.12 The site does not lie within an Air Quality Management Area as defined in Barnsley's Local Plan and the proposed development is not expected to increase traffic flows or result in significant atmospheric pollution and therefore an Air Quality Management Assessment has not been undertaken for this development.
- 5.3.13 A Noise Impact Assessment was prepared by BDP in June 2022 and is submitted alongside this application. Within this assessment, relevant standards and guidance have been followed to identify noise sources, noise sensitive receptors, and mitigation measures that may be applicable to the proposed residential development. The mitigation measures identified can be implemented at the reserved matters stage.

Conservation of Natural Resources

- 5.3.14 A Preliminary Ecological Assessment (PEA) was prepared by BDP in June 2022 and is submitted alongside this application. Analysis within the PEA suggests that the site is of low ecological potential and there are no significant ecological constraints on the site.

5.4 Affordable Housing and Housing Mix

The following are the relevant policies / guidance that are addressed and are of relevance in this section:

- *National Planning Policy Framework (NPPF) – Paragraph 65; and*
- *Barnsley Local Plan – Policies H1 (The Number of New Homes to be Built), H2 (The Distribution of New Homes), H5 (Residential Developments on Large Non-allocated Sites), H6 (Housing Mix and Efficient Use of Land), and H7 (Affordable Housing)*
- *Supplementary Planning Document: Affordable Housing*

Affordable Housing

- 5.4.1 The requirement to provide affordable housing as part of major developments is supported by the NPPF. At a local level, the Barnsley Local Plan seeks to increase the supply of affordable housing in the borough.
- 5.4.2 Policy H7 of the Barnsley Local Plan states that housing developments of 15 or more dwellings will be expected to provide affordable housing and the Affordable Housing SPD provides additional detail relating to this policy. Residential development in Barnsley Town Centre should be 10% affordable, with a tenure split of 80% affordable homes for rent and 20% affordable home ownership. Given the number of units proposed at the site (up to 136 dwellings), 10% affordable housing will equate to up to 14 dwellings. Given that the residential development is proposed in outline, the final total number

of dwellings, and therefore total number and tenure of affordable dwellings will be subject to agreement based upon subsequent reserved matters applications in line with Policy H7.

- 5.4.3 It should be noted that the number of dwellings on each plot will be finalised through detailed design of the development at reserved matters stage, and will be influenced by various design considerations and constraints.

Housing Mix and Efficient Use of Land

- 5.4.4 Barnsley Local Plan Policy H6 provides guidance on the housing mix and density of residential developments. This states that proposals will be expected to include a broad mix of house size, type, and tenure to help create mixed and balanced communities, and that a density of 40 dwellings per hectare net will be expected in Urban Barnsley.
- 5.4.5 The proposed development is will provide a density of approximately 60 dwellings per hectare. Whilst the residential proposals are currently in outline and therefore detail of housing types and tenures is not specified at this stage, it is anticipated that residential development on site will include a range of house types including town houses and apartments ranging from studios to 2 beds.
- 5.4.6 Through detail submitted as part of subsequent reserved matters applications, the proposed development will meet the respond appropriately to housing need and market demand in the area and meet policy requirements with regards to affordable housing, housing mix and tenure, whilst also making efficient use of the land. Therefore, it is considered that the proposed development is in accordance with Paragraph 65 of the NPPF, and Policies H1, H2, H5, H6 and H7 of the Barnsley Local Plan.

5.5 Flood Risk and Drainage

The following are the relevant policies / guidance that are addressed and are of relevance in this section:

- *National Planning Policy Framework (NPPF) – Paragraph 159*
- *Barnsley Local Plan – Policies CC3 (Flood Risk) and CC4 (Sustainable Drainage Systems)*

- 5.5.1 The need to avoid inappropriate development in areas at risk of flooding is emphasised in Paragraph 159 of the NPPF. In local policy, the Barnsley Local Plan Policy CC3 states how the extent and impact of flooding will be reduced, outlining the requirement for a site-specific FRA for proposals over 1 Ha in Flood Zone 1 and stating that all development proposals on brownfield sites should reduce surface water run-off by 30% and incorporate SuDS in accordance with Policy CC4. Policy CC4 states that all major development is expected to use SuDS to manage surface water drainage and that all outline planning applications should be supported by a conceptual drainage plan and SuDS design statement whilst detailed planning applications should be supported by a detailed drainage plan and SuDS design statement.
- 5.5.2 A Drainage Strategy Report and Flood Risk Assessment was prepared by BDP in June 2022 and is submitted alongside this planning application, outlining the approach to Flood Risk, Surface Water Management, and Foul Water Drainage.
- 5.5.3 It is considered that the proposed development accords with Paragraph 159 of the NPPF and Policies CC3 and CC4 of the Barnsley Local Plan.

5.6 Movement, Accessibility and Car Parking

The following are the relevant policies / guidance that are addressed and are of relevance in this section:

- *National Planning Policy Framework (NPPF) – Paragraphs 104 and 113; and*
- *Barnsley Local Plan – Policies T1 (Accessibility Priorities), T3 (New Development and Sustainable Travel), and T4 (New Development and Transport Safety)*

5.6.1 A detailed Transport Assessment (TA) has been prepared by Arcadis in accordance with the requirements of Paragraph 113 of the NPPF. The assessment has fully assessed the traffic implications of the proposed development.

Movement and Accessibility

5.6.2 There will be 2 access / egress points for cars into the car park from County Way, one from the north close to the junction with Old Mill Lane, and south using the short link road between the Courthouse and DCM-001. Along with the access / egress for cars, pedestrians can access / egress the site via the ramp and steps at the very south of the site to / from Regent St and Eldon Rd (North).

Impact on Existing Highways Network

5.6.3 The TA modelling of vehicle movements demonstrates that the proposed development will not have a significant impact upon the local highway network.

Car Parking

5.6.4 The current demand for car parking on Lower Seam Car Park (270 vehicles / 59% of capacity) can be accommodated within the proposed 393 MSCP with spare capacity available. During the construction phase the TA concludes that there is sufficient capacity in other town centre car parks to accommodate the current parking levels and that these will naturally redistribute during construction.

5.7 Open Space and Ecology

The following are the relevant policies / guidance that are addressed and are of relevance in this section:

- *National Planning Policy Framework (NPPF) – Paragraphs 174 and 180; and*
- *Barnsley Local Plan – Policies BIO1 (Biodiversity and Geodiversity), G11 (Green Infrastructure), GS1 (Green Space)*

Biodiversity and Species Protection

5.7.1 A Preliminary Ecological Assessment (PEA) was completed by BPD in June 2022 and is submitted alongside this application. The PEA confirmed that all regionally protected and locally designated sites identified within 2km of the site are not connected to the site through any habitat linkages and therefore the proposals will have a negligible impact on designated sites.

5.7.2 The PEA also confirmed that there are no nationally rare or locally rare plant species on the site, as well as no recognised non-native invasive plant species.

5.7.3 The stone wall located on the eastern edge of the site supports a common pipistrelle day roost and it is recognised that the proposed development could result in loss of the common pipistrelle day roost.

All development will be carried out in accordance with recommendations outlined in the bat mitigation strategy, provided as Appendix E to the PEA.

- 5.7.4 The PEA identified suitable nesting habitats for birds on the development site, both in the broad-leaved trees and stone wall. Any site works impacting these habitats will take place outside the peak bird breeding season, or will require assessment by an appropriately qualified ecologist to determine whether the nests are active. Any works to the stone wall will retain at least 20no. nesting features for sand martins to allow their continued use of this feature.
- 5.7.5 A Biodiversity Net Gain (BNG) calculation is included as part of this application. We will work with the Council to achieve no net loss in biodiversity and consider all appropriate mitigation measures to achieve the Council's overall BNG targets.

Open Space and Green Infrastructure

- 5.7.6 Open space equivalent or exceeding a minimum of 15% of the gross site area of new housing development will be provided in line with the requirements outlined within the Open Space Provision on New Housing Developments SPD.
- 5.7.7 The proposed development retains the County Way Green Space in the north of the site, and will make a positive contribution to the creation of green infrastructure networks through the public realm strategy and introduction of new green space on site.
- 5.7.8 The following ecological measures will be incorporated into the new development:
- The use of appropriate native tree species and other vegetation planting around the site;
 - Areas of biodiverse planting should be provided within any designated soft landscaping to provide a source of food for local fauna while softening the hard landscaping within the site; and
 - New development will integrate a variety of bird / bat boxes.
- 5.7.9 In line with the above, it is considered that the proposed development accords with the requirements of Paragraphs 174 and 180 of the NPPF, as well as Policies BIO1, G11 and GS2 of the Barnsley Local Plan.

5.8 Design

The following are the relevant policies / guidance that are addressed and are of relevance in this section:

- *National Planning Policy Framework (NPPF) – Paragraphs 91 and 127; and*
- *Barnsley Local Plan – Policies D1 (High Design Quality and Place Making), BTC6 (Building Heights), CC2 (Sustainable Design and Construction), HE1 (The Historic Environment), HE2 (Heritage Statements and general application procedure), HE3 (Developments Affecting Historic Buildings)*

Design and Access Statement

- 5.8.1 The Design and Access Statement (DAS) accompanying this application provides an overview of the design process and demonstrates how the design of the buildings and public realm responds to the design principles outlined in both the NPPF and Barnsley Local Plan.
- 5.8.2 The DAS provides an outline of the proposals and summarises the constraints and principles that have informed the layout of the proposed development. The DAS also demonstrates how the proposed development enhances the local environment and is reflected in key views.

Visual Impacts

- 5.8.3 The visual impacts arising from the ATH and public realm are wholly positive and local in nature. The MSCP will be visible in the wider townscape from some limited viewpoints to the east. However, the overall impact will be limited and the overall scale and massing of the MSCP will be less noticeable in long range views than the existing Barnsley College building.

Security and Designing out Crime

- 5.8.4 Paragraph 91 of the NPPF states that development proposals should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible, and enable and support healthy lifestyles. The Planning Practice Guidance advocates for crime prevention measures to be included in the overall design of new developments.
- 5.8.5 The Secured by Design ‘Homes 2019’ initiative provides guidance on the adoption of crime prevention measures. These measures include a wide range of design considerations such as layout and orientation of buildings, access control, communal areas, dwelling boundaries, car parking, planting, and street lighting.

5.9 Heritage

The following are the relevant policies / guidance that are addressed and are of relevance in this section:

- *National Planning Policy Framework (NPPF) – Paragraph 127; and*
- *HE1 (The Historic Environment), HE2 (Heritage Statements and general application procedure), HE3 (Developments Affecting Historic Buildings)*

Context

- 5.9.1 The proposed development lies adjacent to the Regent Street / Church Street / Market Hill Conservation Area which contains a number of listed buildings and heritage assets. The Conservation Area constitutes the historic core of Barnsley town; it is dominated by Barnsley Town Hall and contains 36 listed buildings of various ages and architectural styles. The conservation area can be roughly divided into two zones: Church Street and Regent Street form the civic, legal and administrative core, whilst the area around Market Hill and Eldon Street lends itself to commercial uses.
- 5.9.2 The Regent Street / Church Street / Market Hill Conservation Area lies within 500m radius of the proposed development, and sits directly adjacent to the proposed development site at the eastern end of Regent Street. Regent Street was developed as town houses and later offices during the late Georgian period. The Grade II Listed Courthouse Station building, which sits on the corner of Regent Street and Eldon Street, was constructed in 1860 and converted for use as a railway station in 1870. It remained in use as a railway station until 1962, and is now used as a pub.
- 5.9.3 The development site itself was formerly dominated by railway uses and was the location of the former Barnsley Court House railway station which opened on 1 May 1970 and was in operation until its closure on 19 April 1960. In the early 1970s the station and associated infrastructure was demolished with the exception of the Courthouse Station building which fronts onto Regent Street and is now used as a pub and restaurant.
- 5.9.4 Figure 5.1 below shows an aerial image of the Seam site, dated 7th July 1952. This shows the site dominated by railway uses and infrastructure. Barnsley Town Hall and other listed buildings along Regent Street and within the Regent Street / Church Street / Market Hill Conservation Area are prominent in the skyline. Figure 5.2



Figure 5.1: Aerial image of the Seam site, dated 7th July 1952

Source: Historic England

Key Designations

5.9.5 There are two designated heritage assets immediately adjacent to the site. These are as follows:

- The Courthouse Station (Grade II); and
- Piers, Wall and Railings to Front Area of Court House Building (Grade II).

5.9.6 These assets are shown in Figure 5.2, below.



Figure 5.2: The Courthouse Station building with piers, wall and railings to the front

Source: Barrie Price / Historic England

5.9.7 There are a number of listed buildings in close proximity to the site, particularly those clustered on Regent Street. These include:

- Queens Court Business Centre and attached railings to front (Grade II);
- 17, 21 and 23 Regent Street (Grade II);
- 14 and 16 Regent Street (Grade II);
- 13 and 15 Regent Street (Grade II); and
- The Old Courthouse (Grade II).

5.9.8 There are three designated Conservation Areas located within a 1km radius of the site. These are as follows:

- Regent Street / Church Street / Market Hill Conservation Area;
- Victoria Road Conservation Area; and
- Huddersfield Road Conservation Area.

Immediate Impact on Heritage Assets

5.9.9 The proposed development is located on land to the west and north-west of the Courthouse Station building, adjacent to existing development on the Barnsley College Campus.

5.9.10 A key element of the proposed development is to enhance and reconfigure the public realm across the entire site, including the pedestrian access to the southern gateway of the site at the corner of Regent Street / Eldon Street / Eldon Street North. The existing access arrangements are shown in Figure 5.1, below.



Figure 5.3: Existing pedestrian access off Regent Street / Eldon Street / Eldon Street North

Source: Google Maps

- 5.9.11 Through reconfiguration of pedestrian access arrangement at the southern gateway, the proposed development would have a material impact on the Grade II Listed Piers, Wall and Railings to the Front Area of Court House Building. The piers, wall and railings are listed for their group value, in association with the Grade II listing of the Courthouse Station building. The significance of these assets is derived from their relation to the Courthouse Station building which is built in the Italianate style and retains its original external features which contribute to the overall historic character of Regent Street and of the wider Regent Street / Church Street / Market Hill Conservation Area.
- 5.9.12 The landscape proposals for this area are outlined in detail in the accompanying DAS and Southern Gateway Plan (10052406-ARC-ELS-XX-DR-LA-GA-00007), and summarised below:
- Re-grading the pedestrian ramp to achieve a 1:21 fall (inclusive), requiring excavation around the retaining wall and steps to the west of the ramp and replacement with Yorkstone flag surfacing;
 - Removal and replacement of existing low retaining wall with railings and finger post to enable the extension of the pedestrian ramp;
 - Removal and replacement of stepped access on to the site from Eldon Street North with new concrete retaining wall with Yorkstone cladding (500mm max height), adjoining the existing retaining wall along Eldon Street North;
 - Erection of a new concrete retaining wall with Yorkstone cladding (500mm max height) along the eastern edge of the pedestrian ramp to enable lower levels along the footway and retain levels around the existing pier and wall along Eldon Street North; and
 - Ornamental planting to the rear of the existing retaining wall, including 4 no. new trees.
- 5.9.13 The material impact to the listed asset will be limited to the excavation around the wall and steps to regrade and extend the ramp. Given that this portion of wall was a later extension to the listed piers, wall and railings to the front of the Courthouse Station, and that the scale of intervention will be limited, the material impact upon the listed asset is considered to be negligible and does not impact upon the significance of the listed asset.

Impact on Setting of Heritage Assets

- 5.9.14 The proposed development as a whole sits in a prominent location within Barnsley town centre and, as described in paragraphs 5.9.5 to 5.9.8, lies in close proximity to a number of listed buildings and designated conservation areas. The Grade II listed former Courthouse Station building sits directly adjacent to the site in the south with the proposed development to the east and rear of the building's Regent Street Frontage.
- 5.9.15 The public realm and landscaping proposals adjacent to the Grade II listed building will improve the pedestrian environment in this area and is therefore considered to have a positive impact on the setting of the listed building.
- 5.9.16 The wider development, namely residential development on Plots 1 and 2, the MSCP and ATH, is consistent in terms of height and massing with other new developments in the area, including the Barnsley College building approximately 200m to the east of the site and the DMC01 building which sits directly adjacent to the proposed development and the Courthouse Station. The development site is therefore only considered of modest significance to the setting of surrounding heritage assets.
- 5.9.17 Given the extent of new development in the area, it is not considered that the proposed development will have a significant impact on the setting of any listed buildings or have a detrimental impact on the character of the adjacent Conservation Areas.

5.10 Other Policy Considerations

The following are the relevant policies / guidance that are addressed and are of relevance in this section:

- *National Planning Policy Framework (NPPF) – Paragraph 170;*
- *Barnsley Local Plan – Policy CL1 (Contaminated and Unstable Land)*

Contaminated Land

- 5.10.1 A Phase 1 and 2 Geo-Environmental Assessment was undertaken by Arcadis in June 2022. This confirmed that the environmental risk for the site in the context of a worst-case residential land-use scenario is considered Low to Moderate. Several soil contaminants were found to be elevated when compared to GAC protective of human health, and a clean cover system will be implemented in proposed areas of landscaping in order to mitigate this risk.
- 5.10.2 A potential vapour risk remains in Plot 2, due to the presence of potentially volatile naphthalene and light-end hydrocarbons. Further investigation and risk assessment will be required to determine whether these concentrations present a significant risk to human health. Alternatively, the impacted soils could be delineated, excavated and removed from site, or hydrocarbon resistant membranes could be installed within the residential structures across this plot. The details of such investigations will be confirmed at reserved matters stage.
- 5.10.3 A Coal Mining Risk Management Assessment was undertaken by Arcadis in June 2022. This confirmed that the Top and Low Beamshaw coal seams outcrop through the southern and central site area respectively, and dip at a shallow angle to the east. The Top Beamshaw seam is thought to have been removed from the surface of the site historically. Deeper underground mining is recorded beneath the site, at a depth of 105m. These workings ceased in 1860 and any movement in the ground due to recorded underground coal mining should have now ceased. There are no mineshafts or records of opencast mining within close proximity to the site.
- 5.10.4 Weak shallow coal seams have been encountered close to rockhead primarily to the south of the site along the Eldon Street North retaining wall site boundary. Further assessment will be required in relation to the detailed design for new building foundations in this area. This will be undertaken and reported separately as part of the geotechnical design for the new development.
- 5.10.5 A programme of gas monitoring has been initiated as part of the recent supplementary investigation and should an elevated risk be identified to the proposed development; ground gas protection measures will be stipulated as part of the remedial strategy for the site. Any gas mitigation measures found to be required during the redevelopment will be independently verified following installation.

6.0 Conclusion

6.1 Introduction

6.1.1 This Planning Statement demonstrates that the proposed development accords with relevant national and local planning policy and guidance and therefore is acceptable. The following summarises our assessment of the proposals against relevant national and local planning policies and guidance.

6.2 Establishing the Principle for Development

6.2.1 The proposed development aligns with the Seam development blueprint, commissioned by BMBC in May 2020, and seeks to deliver Phase 1 of the masterplan.

6.2.2 The proposed development seeks to deliver a mix of uses on currently under-utilised town centre land, including 136 residential units, an Active Travel Hub, and improvements to the public realm. The proposal for a multi-storey car park on the site enables the consolidation of car parking provision in the north of the site, therefore allowing redevelopment of the area currently dominated by surface car parking.

6.2.3 The proposed development will contribute to the sustainable development of the town centre as well as improve the vitality and viability of the area.

6.3 Sustainable Development

6.3.1 The proposed development is in a sustainable location within Barnsley town centre and makes efficient use of brownfield land currently dominated by surface car parking.

6.3.2 The design and use of construction materials ensures that the proposed development meets the sustainability objectives outlined in national and local planning policy.

6.3.3 The proposed development will not result in the production of large quantities of waste, pollution or nuisance in construction or operational phases.

6.4 Affordable Housing

6.4.1 The proposed development will meet the respond appropriately to housing need and market demand in the area and meet policy requirements with regards to affordable housing (10%), housing mix and tenure, whilst also making efficient use of the land.

6.5 Flood Risk and Drainage

6.5.1 The site is not at risk of flooding from rivers or ground water. The Outline Drainage Strategy identifies the means by which surface water will be managed to reduce the risk of surface water flooding on the development site and neighbouring land

6.6 Movement, Accessibility and Car Parking

6.6.1 The TA concludes that the proposed development will not give rise to unacceptable impacts upon the local highway network and that car parking during the construction period can be accommodated in existing alternative town centre car parks and will naturally redistribute prior to the MSCP coming into operation.

6.7 Open Space and Ecology

6.7.1 Open space equivalent or exceeding a minimum of 15% of the gross site area of new housing development will be provided in line with the requirements outlined within the Open Space Provision on New Housing Developments SPD.

6.7.2 The development site has low potential for ecology. Mitigation measures suggested within the PEA will be implemented through further design stages.

6.8 Design

- 6.8.1 The DAS accompanying this application provides an outline of the proposals and summarises the constraints and principles that have informed the layout of the proposed development, how the proposed development integrates with the surroundings in terms of accessibility, landscaping and mix of uses.

6.9 Heritage

- 6.9.1 The proposed development lies in close proximity to a number of listed heritage assets and conservation areas. This statement, and the associated Listed Building Consent application, show that material impact to the adjacent listed heritage asset is negligible and that the proposed development will improve the overall setting of the adjacent listed building. Given the extent of modern development in the area, the proposed development is not considered to have an adverse impact upon the character of nearby conservation areas.

6.10 Conclusion

- 6.10.1 The Planning Practice Guidance (PPG) states that planning applications must be determined in accordance with the development plan unless other material considerations indicate otherwise. This Planning Statement demonstrates that the proposed development at the Seam accords with National and Local planning policy, and represents a sustainable development. Therefore, we request that the proposal be granted planning permission in line with National Planning Guidance.