



Planning Statement

**Land at Maple Road
Wentworth Industrial Estate
Tannersley**

**Proposed Class B8 Storage and Distribution
Ancillary Class B1 Office Space
& Associated Access**

On behalf of
Company Shop &
Rula Developments Limited

Prepared by

I D Planning
7th Floor, The Balance
2 Pinfold Street
Sheffield
S1 2GU

Table of Contents

1. Introduction	3
2. Site Description and Planning History.....	4
3. Proposed Development	5
4. Planning Policy	8
5. Planning Assessment.....	12
6. Conclusions.....	21

1. Introduction

- 1.1 This Planning Statement has been prepared on behalf of Company Shop & Rula Developments Limited in support of an outline application for the erection of Class B8 storage and distribution warehousing with ancillary B1 offices and associated access for determination at outline stage. All other matters including layout, appearance, scale and landscaping are reserved for future consideration.
- 1.2 Although submitted in outline with details to be approved under a future reserved matters application, there is known occupier interest for the size of distribution warehouse shown on the indicative layout.
- 1.3 This Statement describes the application site and proposed development before assessing the proposal against the development plan and relevant material considerations. The latter includes the requirements of the National Planning Policy Framework (NPPF).
- 1.4 The report proceeds as follows:
- Section 2 describes the site and planning history;
 - Section 3 sets out the proposed development;
 - Section 4 provides an overview of relevant planning policy;
 - Section 5 provides an assessment of planning merits; and
 - Section 6 sets out our conclusions.

2. Site Description and Planning History

Site Description

- 2.1 The application site measures approximately 3.1 hectares and comprises a regular squared shaped site extending north of Maple Court (Wentworth Office Park) and located to the north west of Maple Road on the Wentworth Industrial Estate in Tankersley.
- 2.2 The application site is bordered on three sides by existing development. To the south are a number of office blocks located off Maple Court, beyond which is a Brewers Fayre public house and Premier Inn hotel and further south the A616. South east of the site and east of the Brewers Fayre is a Shell petrol filling station with McDonalds Drive Thru restaurant further south fronting the A616 and the Westwood roundabout.
- 2.3 Immediately east of the application site is a large warehouse unit occupied by Pilkington AG, a glass merchant, beyond which are further areas within the wider Wentworth Industrial Estate. To the east of the Pilkington AG unit is an open area which is designated in the adopted Unitary Development Plan (UDP) as a Nature Conservation Site.
- 2.4 North of the application site and beyond a treed corridor linking the open countryside to the west to the central part of the industrial estate and the nature conservation area, is a large Mercedes Benz Truck UK depot, with secure fencing running along the southern boundary of the Mercedes site.
- 2.5 To the west of the application site is open countryside and an area of land designated as Green Belt as well as an area of landscape value.
- 2.6 The site itself is open in character given that it is undeveloped land on the industrial estate. The stub of an access road into the south eastern corner of the site has already been built and ready to facilitate vehicular access into the site. This was clearly done on the anticipation of future development coming forward on the site.
- 2.7 The eastern and larger part of the site is open and characterised by an area of grassland used informally by dog walkers. The western boundary has some existing woodland on a landscape bund thus providing a soft edge when viewed from the west. A number of trees in the western part of the site are subject to Tree Preservation Orders (TPO's) due to group value.
- 2.8 Along the southern boundary of the site is a further bund which is largely overgrown but does not obscure views into the site. A public footpath clips the south west corner of the site linking Maple Court to the open countryside to the west.
- 2.9 The application site forms part of the wider Wentworth Industrial Estate and together with a site to the south east on the opposite side of Maple Road, represent the remaining undeveloped sites on the industrial estate.

Planning History

- 2.10 A search of the Council's public access system does not reveal any relevant planning history for the site.

3. Proposed Development

Company Shop - Background

- 3.1 The application site is owned by Company Shop who are a Barnsley business with their headquarters, flagship store and national distribution centre on the Wentworth Industrial Estate. This is located to the north east behind Tankersley Fire Station off Wentworth Way.
- 3.2 Company Shop was founded by local entrepreneur, John Marren, over forty years ago and its purpose is to stop good food going to waste by redistributing surplus stock from retailers, manufacturers and brands through a network of flagship stores, staff shops and click & collect sites.
- 3.3 Today the business is the largest commercial redistributor of surplus food in the country, handling around 30,000 tonnes of food and products each year, with agreements in place to take branded stock from all major retailers and household names.
- 3.4 Company Shop is also the founder of Community Shop, the UK's first social supermarket chain, which opened its first store to significant media attention in Goldthorpe, in Barnsley Borough, in December 2013. Community Shop gets surplus food to people that need good food at great prices and therefore serves those in the most deprived areas.
- 3.5 As well as access to food, members at Community Shop are also enrolled on the Success Plan, which supports individuals to identify and address issues causing challenges in their lives. This social aspect of Community Shop makes an important and valuable contribution to more deprived areas of the Borough.
- 3.6 With four Community Shops now operating, two of which are in Barnsley Borough, the results have been transformational with potential for further expansion.
- 3.7 In 2015 Company Shop won the Queen's Award for Enterprise and the group is currently a National Champion in the European Business Awards.
- 3.8 Company Shop makes a significant and important contribution to local employment in Barnsley Borough. Current employees number around 598 nationally with nearly 70% or around 412 of those staff working within the Barnsley MBC area.
- 3.9 The vast majority of those jobs are based at the headquarters site on the Wentworth Industrial Estate with a smaller number of staff also employed at the two Community Shops in the Borough.

Company Shop – Future Plans

- 3.10 Company Shop are seeking to sell two existing assets in order to pump prime further investment in the business allowing for future growth in operations in the Borough and nationally.
- 3.11 The sale of land on the Wentworth Industrial Estate (the application site) to Rula Developments and land on New Road in Tankersley are both key to funding future growth and investment in a successful and unique expanding business which currently employs nearly 600 people.

- 3.12 It is estimated the next phase of investment would enable expansion of Company Shop and Community Shop nationally. This would not only prevent food going to waste and support families and communities in challenging circumstances, it will also help create more than 200 new jobs across its operation.
- 3.13 In the local area the intention would be to scale up the Distribution Centre on the Wentworth Industrial Estate, creating around 50 new jobs in the local area over the next three years. Future planned expansion of the business will also enable an expansion of head office staff by around 15 people.
- 3.14 The above expansion and investment is reliant on funding obtained from the sale of existing land owned by Company Shop, including the application site. The 3.1 hectare application site on the Wentworth Industrial Estate is a key part of the future expansion plans for the business.
- 3.15 The sale of the application site and other land owned by Company Shop in the Tankersley area will release potential funding of around £3.5m to pump prime the future expansion of the business. Without that funding, future growth in the manner identified above will be in doubt.

Rula Developments – Proposed Development

- 3.16 Rula Developments was established in partnership with Coda Investments Ltd to acquire and deliver strategic developments across the UK. Coda Investments Ltd were the principle owner of Great Bear Logistics Ltd before the company was sold to the Colina Group in April 2016 releasing over £100m of capital for new investments.
- 3.17 Rula Developments was founded to utilise both partners' strengths in delivery of new strategic employment land and mixed use sites across the UK. Backed by the funding strength of Coda Investments Ltd, this partnership is able to deliver new employment based developments across the UK.
- 3.18 Rula Developments have identified occupier interest in the site on Maple Road for requirements of up to 14,000 m² gross (circa 150,000 ft²) warehouse and distribution uses.
- 3.19 The proposed development therefore seeks to meet these occupier(s) requirements on the Wentworth Industrial Estate, which is seen by the potential operators to be an excellent location close to Junction 36 on the M1 and on the cross Pennine route, the A61.
- 3.20 At this stage and with the need to finalise occupier interest in the site, the application is submitted in outline with access for determination at this stage, leaving matters relating to layout, appearance, landscaping and scale for future determination.
- 3.21 However, based on known occupier interest in this location, an indicative layout plan (6157-016), showing access to the site is submitted which shows how a single unit scheme could be achieved on the site. The plan is submitted for illustrative purposes only, other than access which is fixed.
- 3.22 The indicative layout therefore shows how the site could be successfully developed for a scheme amounting to 14,000 m² gross with a single unit. Although only indicative the submitted indicative layout plan demonstrates a layout for a Class B8 storage /

distribution warehouse unit which utilises the site in the most effective and efficient way.

- 3.23 The indicative layout shows a B8 storage and distribution warehouse building set back from Maple Road / Maple Court towards the northern / eastern boundaries and the existing Pilkington AG unit.
- 3.24 With the building set back towards the northern site boundary, the main service yard area and docking stations can be provided on the southern elevation and southern part of the site with main vehicular access into the site using the existing pre-prepare road stub taking access from Maple Road.
- 3.25 Parking for staff would be accommodated in a separately accessed 93 space car park in the south western part of the site with further parking alongside the western elevation of the unit, extending north to the northern boundary. The internal access road serving the parking area to the west of the main building would also act as the required emergency appliance turning area towards the northern end.
- 3.26 The indicative layout arrangement results in the retention of a significant area of woodland along the western site boundary and also retention of the footpath route which crosses the south west corner of the application site. Parts of the woodland are subject to Tree Preservation Orders (TPO's) with various groups of trees considered to have sufficient value at the time of notification to be of group value.
- 3.27 Impact on existing trees is addressed in the Arboricultural Impact Assessment report which demonstrates that where existing trees are impacted by the proposed development, when considered in the round, the proposal can deliver significant benefits to the management of this woodland area, along with additional tree planting which would make a positive enhancement of this woodland edge to the industrial estate.
- 3.28 Further soft landscaping and planting can be accommodated along the southern boundary of the site between the main service area for HGV's and car park, as well as between any proposed unit(s) on the site and the eastern boundary to the Pilkington AG unit.
- 3.29 With the treed corridor to the north between the application site and the Mercedes Benz site further north, the landscape strategy for the site can provide a green edge around the site with a particular strong belt of existing enhance planting along the western boundary.
- 3.30 It is anticipated that a Class B8 use of this scale (i.e. 14,000 m² gross) could deliver around 180 FTE jobs using the regional distribution centre assumptions from the latest HCA Employment Density Guide 3rd Edition (November 2015).
- 3.31 Job creation amounting to around 180 FTE jobs on site, along with releasing funds to secure further expansion of an existing successful headquartered Barnsley based business providing potential for a further 200 jobs nationally, including around 65 local opportunities, are significant benefits of the proposed development.

4. Planning Policy

National Planning Policy

National Planning Policy Framework (NPPF)

- 4.1 The National Planning Policy Framework (NPPF) was published in March 2012 and replaced all the previous national planning policy guidance notes and statements. The framework sets out the Government's planning policies for England and how these are expected to be applied.
- 4.2 The National Planning Policy Framework ("NPPF") is a key material planning consideration in the determination of any planning application.
- 4.3 The NPPF confirms the purpose of planning is to help achieve sustainable development.
- 4.4 Paragraph 7 advises there are three dimensions to sustainable development which give rise to the need for the planning system to perform a number of roles including:
- ***“An economic role – contributing to building a strong, responsive and competitive economy.....***
 - ***A social role – supporting strong, vibrant and healthy communities..... and***
 - ***An environmental role – contributing to protecting and enhancing our natural, built and historic environment...”***
- 4.5 Paragraph 14 sets out the Government's commitment to supporting sustainable development. In relation to decision taking, it states that at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.
- 4.6 Paragraph 17 sets out 12 core principles which should underpin plan making and decision taking. These include, amongst other things that planning should:
- Not simply be about scrutiny, but instead be a creative exercise to enhance and improve the places in which people live their lives;
 - Proactively drive and support sustainable economic development;
 - Seek to secure high quality design and a good standard of amenity;
 - Support the transition to a low carbon future in a changing climate;
 - Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
- 4.7 Paragraph 18 identifies how sustainable development is to be delivered under a number of topic areas. In relation to *'Building a strong, competitive economy'* paragraph 18 confirms the Government's commitment to securing economic growth to create jobs and prosperity.
- 4.8 Paragraph 19 places significant weight on the need to support economic growth through the planning system.
- 4.9 Paragraph 20 encourages local planning authorities to plan proactively to meet the development needs of business and support an economy fit for the 21st century.

- 4.10 Paragraph 21 highlights that investment in business should not be over-burdened by the combined requirements of planning policy expectations.
- 4.11 Section 4 addresses '*Promoting sustainable transport*'. Paragraph 32 confirms that development should only be prevented or refused on transport grounds where the residual cumulative '*impacts of development are severe*'.
- 4.12 The NPPF also considers design matters (Section 7 – *Requiring Good Design*) and confirms the Government attaches great importance to the design of the built environment (paragraph 56) although planning policy and decisions should not attempt to impose architectural styles or particular tastes (paragraph 60).
- 4.13 Paragraphs 93-108 (Section 10) deals with '*Meeting the challenge of climate change, flooding and coastal change*'. Local planning authorities are to take full account of flood risk (paragraph 94).
- 4.14 When determining applications local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site specific flood risk assessment following the sequential test and if required, the exception test, it can be demonstrated that most vulnerable development is located in areas of lowest flood risk and that development is appropriately flood resilient.
- 4.15 Section 11 (paragraphs 109-125) addresses '*Conserving and enhancing the natural environment*'. Paragraph 109 encourages the planning system to contribute to and enhance the natural and local environment by, amongst other things, minimising impacts on biodiversity and providing net gains in biodiversity where possible.
- 4.16 Paragraph 118 deals with the determination of applications where permission should be refused as a last resort where significant harm results from a proposed development which cannot be avoided, adequately mitigated or, as a last resort, compensated for.
- 4.17 However, paragraph 118 also indicates that in reaching a decision on whether planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, the loss should be weighed against the need for and benefits of, the development in that location.
- 4.18 Paragraph 118 also encourages opportunities to incorporate biodiversity in and around developments.
- 4.19 Under paragraph 123 planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.
- 4.20 Paragraph 125 deals with light pollution and encourages good design to ensure that decisions limit the impact of light pollution from artificial light on local amenity.
- 4.21 Finally and in relation to 'Decision Taking' local planning authorities should look for solutions rather than problems, and decision takers at every level should seek to approve applications for sustainable development where possible (paragraph 187).
- 4.22 Annex 1 of the NPPF provides advice on the weight to be given to emerging plans indicating that decision-takers may give weight (unless material considerations indicate otherwise), to relevant policies in emerging plans according to: the stage reached in

preparation; the extent to which there are unresolved objections; and the degree of consistency of relevant policies in the Framework.

Statutory Development Plan Policies

- 4.23 Main documents comprising the Development Plan include:
- Saved Policies from the Adopted Barnsley UDP (2000)
 - Barnsley Core Strategy (September 2011)
- 4.24 Supplementary Planning Documents have also been adopted by the Council, the only one of direct relevance in this case being the SPD on Parking (March 2012).
- 4.25 The approved Development Plan is the starting point for determining planning applications unless material considerations indicate otherwise. A key material consideration is the National Planning Policy Framework (NPPF).
- 4.26 Emerging policies are contained in the new Barnsley Local Plan, which is currently the subject of Examination by an Inspector appointed by the Secretary of State. Weight to be given to policies of the emerging plan is guided by Annex 1 of the NPPF.
- 4.27 We deal first with the development plan below before addressing other material considerations including emerging local plan policy.

Barnsley UDP

- 4.28 The Barnsley UDP was adopted in 2000 with many policies now replaced by the Core Strategy. Saved policies relevant to the proposed development are as follows:
- Policy HN3/1 – Wentworth Industrial Park, Tankersley
 - Policy HN8 – Nature Conservation Sites (HN8/4 Sowell Pond)

Barnsley LDF Core Strategy

- 4.29 The core strategy formed the first stage in preparation of the LDF and was adopted in September 2011. Key policies of relevance in the context of the current proposal include:
- Policy CSP1 – Climate Change
 - Policy CSP2 – Sustainable Construction
 - Policy CSP3 – Sustainable Drainage Systems
 - Policy CSP4 – Flood Risk
 - Policy CSP5 – Including Renewable Energy in Developments
 - Policy CSP11 – Providing Strategic Employment Locations
 - Policy CSP12 – The Distribution of New Employment Sites
 - Policy CSP23 – Accessibility Priorities
 - Policy CSP25 – New Development and Sustainable Travel
 - Policy CSP27 – Parking Strategy
 - Policy CSP28 – Reducing the Impact of Road Travel
 - Policy CSP29 – Design
 - Policy CSP33 – Green Infrastructure
 - Policy CSP35 – Green Space
 - Policy CSP36 – Biodiversity and Geodiversity

- Policy CSP39 – Contaminated and Unstable Land

Material Planning Considerations

Emerging Development Plan Policies - Barnsley Local Plan

- 4.30 The Publication Version of the Barnsley Local Plan was published in 2016 followed by minor modifications which accompanied the submitted version of the Plan for Examination. The first Hearing sessions are due to start in May 2017 with a second series of Hearings in July 2017.
- 4.31 Many of the policies in the emerging Plan reflect those in the adopted Core Strategy and the following emerging policies are of relevance:
- Policy SD1 – Presumption in favour of Sustainable Development
 - Policy GD1 – General Development
 - Policy E1 – Providing Strategic Employment Locations
 - Policy E2 – The Distribution of New Employment Sites
 - Policy E3 – Employment Site Policies
 - Policy T1 – Accessibility Considerations
 - Policy T3 – New Development and Sustainable Travel
 - Policy T4 – New Development and Highway Improvement
 - Policy T5 – Reducing the Impact of Road Travel
 - Policy D1 – Design
 - Policy GI1 – Green Infrastructure
 - Policy GS1 – Greenspace
 - Policy BIO1 – Biodiversity and Geodiversity
 - Policy CC1 – Climate Change and Sustainable Construction
 - Policy CC3 – Flood Risk
 - Policy CC4 – Sustainable Drainage Systems
 - Policy RE1 – Low Carbon and Renewable Energy

Other Material Considerations

- 4.32 Aside from the NPPF at the national level which is already addressed, the Council have adopted a number of SPD's which provide further guidance on new development.
- 4.33 An SPD was adopted in March 2012 (Car Parking) providing car parking standards for new developments.

5. Planning Assessment

- 5.1 Under Section 38(6) of the Planning and compulsory Purchase Act 2004 and Section 70(2) of the Town and country Planning Act 1990, applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 The development plan in this instance comprises saved policies of the adopted UDP 2000 and the Core Strategy 2011, which pre date publication of the NPPF (2012) and therefore advice in Annex 1 of the NPPF is of relevance regarding the weight to be attached to different policies.
- 5.3 Equally the NPPF provides advice on the weight to be attached to emerging policy in the Publication Draft Barnsley Local Plan submitted for Examination.
- 5.4 The NPPF highlights a presumption in favour of sustainable development, which is to be a golden thread running through planning, including decision taking.

Sustainable Development

- 5.5 The NPPF identifies three dimensions to sustainable development including economic, social and environmental. We consider the proposed development would contribute to all three roles.
- 5.6 In relation to '**economic**' factors, the proposal represents inward investment to the Borough including the creation of new job opportunities on an established industrial estate.
- 5.7 The creation of around 180 new jobs from a proposed B8 warehouse and distribution use on the application site are significant.
- 5.8 However, the grant of planning permission would also pump prime further investment by Company Shop into the expansion of its business creating around 200 new jobs nationally with potentially 65 additional jobs at its headquarters on the industrial estate.
- 5.9 Job creation would lead to wider spinoff benefits for the Borough including local residents who would be able to apply for job opportunities as they arose.
- 5.10 Employment opportunities will also be generated during the construction phase and where appropriate, local labour would be given the opportunity to be involved.
- 5.11 The proposed development also provides an important '**social**' role. Provision of new employment opportunities would be attractive to local residents given the nature of the employment provided. This would provide gainful employment with all the social benefits associated with that in terms of general well being for those working at the site.
- 5.12 In relation to the '**environmental role**' and whilst the site is currently undeveloped it has for over 15 years been earmarked for future development through its allocation as employment land in the adopted Barnsley UDP (2000).
- 5.13 The site is largely occupied by grassland, which is a resource which the evidence base for the emerging Local Plan indicates is deteriorating without management and when set against the enhancements that can be provided in relation to effective management

of the woodland area along the western boundary pump primed by development of the wider site, along with additional tree planting to strengthen that woodland belt, we consider that overall the proposal would deliver positive local environmental benefits.

- 5.14 The application site is also accessible by choice of transport mode with buses serving the wider industrial estate and bus stops within easy walking distance of the site. The proximity of the application site to existing and proposed employment areas and proximity to nearby residential areas would enable people to arrive at work by a variety of means of transport.
- 5.15 In addition to the above, any future reserved matters submission and detailed building approvals would comply with relevant building regulations at the time. Increased emphasis has been given in recent years on a 'fabric first' approach to addressing sustainable construction through building regulations.
- 5.16 We consider that compliance with building regulations requirements will mean any future schemes brought forward under reserved matters would address the requirements of Core Strategy Policy CSP2 in relation to sustainable construction design, Policy CSP1 in so far as it applies more generally to Climate Change in this context, and Policy CSP5.
- 5.17 Similar conclusions of the absence of material conflict would apply to emerging Local Plan Policy SD1, Policy CC1 and Policy RE1.
- 5.18 In light of the above we consider the proposal will deliver sustainable development.

Principle of Development

- 5.19 Taking the Development Plan as the starting point, the application site is identified in the adopted UDP (Policy HN1/3) as an 'Employment Proposal' on Wentworth Industrial Park at Tankersley.
- 5.20 The application site and additional land to the south and to the east / south east were included in the designation and amounted to 6 hectares of the wider 11.6 hectare industrial park.
- 5.21 Most of the land towards the A61 has now been developed out with the remaining undeveloped areas comprising the application site and land to the south east on the opposite side of Maple Road.
- 5.22 The existing industrial park at the time of the UDP adoption situated to the north, north east and further south east was identified on the Proposals Map as an Employment Policy Area.
- 5.23 The adopted Core Strategy did not amend the employment allocations in the adopted UDP. Policy CSP11 dealt with the provision of strategic employment locations including the allocation of 350 hectares of land in sustainable locations to help meet future needs to 2026.
- 5.24 Core Strategy Policy CSP12 dealt with the distribution of new employment sites and included an allowance for up to 15 hectares of land in 'other' locations in the Borough, which included Wentworth Industrial Park and the application site.
- 5.25 Confirmation of any additional sites which would make up the portfolio of sites to meet the 350 hectares of allocated land was to be addressed in the Development Sites and

Places DPD. The latter was not taken forward to adoption, being replaced by the new Local Plan which is currently under preparation.

- 5.26 There is nothing in the Core Strategy and therefore more strategic arm of the development plan, which would suggest that any less weight should be afforded to the allocation of the application site for employment purposes other than the weight of its allocation in the statutory development plan for the area.
- 5.27 Whilst both the adopted UDP and Core Strategy pre-date the NPPF (2012), the national planning framework does not alter the weight that should be afforded to the allocation of the site for employment in the adopted development plan for the area.
- 5.28 Indeed, the NPPF places a strong emphasis on economic development. Paragraph 19 places significant weight on the need to support economic growth. The proposed development directly supports economic growth through the creation of new employment opportunities on the application site as well as releasing funds for an existing Barnsley borough head quartered business to invest in future expansion plans, thus creating further local job opportunities.
- 5.29 All the above would deliver further multiplier effects in the local economy through increased spend from gainful employment and use of local facilities on the industrial park including Taybarns, Shell petrol station, the hotel and McDonalds. All this supporting other employment in the local area.
- 5.30 The NPPF highlights that investment in business should not be over-burdened by the combined requirements of planning policy expectations.
- 5.31 In this case the starting point in our assessment of planning merits, the development plan, supports the nature of development proposed.
- 5.32 In our view a decision in accordance with the development plan would lead to the grant of planning permission. In reaching this view we deal with more site specific issues shortly.
- 5.33 As required we also consider if there are any material considerations as to whether the provisions of the development plan employment allocation should be set aside.
- 5.34 The emerging Local Plan, including strategic policies and site allocations, is currently the subject of Examination, which is likely to run until at least July 2017 and potentially beyond.
- 5.35 Whilst advanced in its preparation, it is not adopted planning policy. Furthermore representations have been made to the Local Plan Inspector on behalf of Company Shop (land owner) and Rula Developments (developer) objecting to the proposed designation of the application as 'Greenspace' in the emerging Local Plan.
- 5.36 On this basis we consider that limited weight can be given to the proposed designation of the application as 'Greenspace' in the emerging Local Plan.
- 5.37 The background to the Council's designation of the site as 'Greenspace' relates to the Local Plan's evidence base which assessed the ecological value of the site in May 2013 and concluded it was of such ecological value that all the benefits that would accrue from continued allocation of the site for employment should be set aside.

- 5.38 We deal in further detail with these considerations below but at this stage we note the conclusions reached in the 2013 Council commissioned ecology survey identified that the vast majority of the site was grassland, which it considered to be a valuable habitat.
- 5.39 However, the survey analysis also recognised that without proper management the value of the grassland would deteriorate over time. The assessment concluded in the context of the grassland that *“Although valuable, the site’s grasslands are declining due to a lack of suitable management. In order for their value to be retained an appropriate grazing or mowing regime would need to be adopted”*.
- 5.40 This leads to a conclusion that in due course (since 2013) any value afforded by the grassland will be lost over time given there has been no active management and no such active management regime is proposed.
- 5.41 Indeed, after the original 2013 ecology survey of the site, the application site was still proposed to be allocated for employment in the Draft November 2014 Employment Land Review. Consequently, we can only conclude that the view which appeared to have been taken was that any ecological value of the site was deteriorating and that this should not be a bar to future development for employment on the site.
- 5.42 In addition to the above we can find nothing which suggests that the value or potential of the site to provide a good quality employment site has altered during preparation of the new Local Plan.
- 5.43 The 2014 Employment Land Review (November) included Table 8 on page 26, which referenced the distribution of remaining employment land including site HN3/1 as including 4.35 hectares of land on the Wentworth Industrial Park.
- 5.44 The area referred to as 4.35 hectares (which we understand included the application site) was carried forward as HN3/1 - Site N1 amounting to 4.35 hectares and was to form part of the ‘New Employment Land Portfolio’ in Part 3 of the review. This was to help meet the Borough’s needs for employment land to 2033.
- 5.45 It was considered in that review that *‘bringing these sites [the remaining sites on the Wentworth Industrial parking including the application site] into employment use would contribute to the continued success of the industrial park’*.
- 5.46 The Local Plan Consultation Draft 2014 included Policy E2 which identified a total of 306.33 hectares of land for employment including 16.35 hectares of land in ‘other’ locations. Policy E2 listed proposed employment allocations including the application site as forming part of Site N1, 4.35 hectares on the Wentworth Industrial Park.
- 5.47 In February 2016 Mott MacDonalds were appointed by the Council to provide an updated Employment Land Review. This was completed April 2016 and formed part of the evidence base for the June 2016 Publication Version of the emerging Local Plan.
- 5.48 The Motts review initially included the application site as part of the allocation of land at Wentworth Industrial Estate (Table 5.1 – page 50). There was no suggestion that the credentials of the site as being a location which would attract employment uses had changed from previous reviews. The land was considered suitable for B1a, B2 and B8.
- 5.49 However, between that initial assessment by Motts and finalising the Employment Land proposed allocations, a list of final employment sites were provided by the

Council to Motts, which the consultant noted resulted in the reduction in size of some of the sites.

- 5.50 The final list of proposed employment allocations included Site N1 (Wentworth Industrial Estate) as 1.2 hectares with it being evident the application site was omitted.
- 5.51 This omission was carried through in the Publication Version of the Local Plan June 2016 and then in the Plan submitted for Examination at the end of 2016.
- 5.52 Company Shop was not aware of the changes proposed to the allocation of the site during the course of 2016 and had received no notification of any such changes. As a result representations have been submitted direct to the Local Plan Inspector objecting to the change in designation.
- 5.53 On this basis and having regard to the background to designation of the site as 'Greenspace' and the state of play in terms of preparation of the Local Plan as well as representations made to the Inspector objecting to the designation, we consider very limited weight can be afforded to the emerging allocation at this stage.
- 5.54 In light of the above and in addressing the 'principle' of a B8 use on the application site, we consider the emerging local plan does not represent a material consideration warranting a fundamental step away from the allocated use of the site for employment purposes in the adopted Development Plan for the area.
- 5.55 We consider the 'principle' of the proposed B8 use to be acceptable in this location. As such we find no conflict with adopted UDP Policy HN3/1 or adopted Core Strategy Policy CSP11 and Policy CSP12.
- 5.56 We also find there would be no material conflict with emerging Local Plan Policy E1, Policy E2 and Policy E3.
- 5.57 Below, we consider whether there are any material conflicts with development plan policy arising from the proposed development which would affect its acceptability or otherwise.

Transportation

- 5.58 Paragraph 34 of the NPPF requires decisions to ensure that developments that generate significant movement are located where the need for travel can be minimised and the use of sustainable transport modes can be maximised.
- 5.59 The NPPF requires developments to be supported by a Transport Statement or a Transport Assessment. Paragraph 33 of the NPPF confirms that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are "severe".
- 5.60 Following pre-application discussions between our client's transportation consultant (BWB) and the Council's consultants (AECOM), it was agreed that given the nature of the proposed B8 use and likely trip generation, submission of a Transport Statement (TS) would be appropriate.
- 5.61 The submitted TS demonstrates compliance with relevant policy considerations.
- 5.62 In relation to sustainability, the application site is accessible by a choice of means of transport. The TS highlights that the site is well served by pedestrian routes along

footways with dropped kerb pedestrian crossing facilities in the vicinity of the site. This enables pedestrian access between the application site, the rest of the Industrial Estate and services to the south east on Maple Road.

- 5.63 Cycling infrastructure is also in place, including the site being proximate to Route 67 of the National Cycling Network. The latter includes sections of on-road and off-road cycle lanes and can be accessed within around five minutes from the application site.
- 5.64 Bus services also run through the industrial estate with the nearest bus stop being on Maple Road around 160 metres from the site and therefore within a short walking distance. The bus services are regular.
- 5.65 So far as traffic impact is concerned the submitted TS considers likely trip generation and concludes the proposal would be acceptable given the likely limited trips generated by the proposed B8 use. There would be no 'severe' impact, the paragraph 32 NPPF test.
- 5.66 On this basis we consider the proposal would be sustainable and would accord with Core Strategy Policies CSP23, CSP25, CSP27 and CSP28. We conclude no material conflict with emerging Local Plan policy, including Policy T1, Policy T3, Policy T4 or Policy T5.
- 5.67 The TS demonstrates that the level of proposed parking provision (93 spaces) which is shown on the indicative layout is achievable on the site to serve up to 14,000 m² gross of B8 use and therefore accords with relevant standards in the March 2012 SPD on Car Parking. Along with the service / docking stations for the warehouse distribution use, the indicative layout shows that an appropriate layout can be achieved.

Design

- 5.68 The application is supported by a Design & Access Statement prepared by AJA Architects.
- 5.69 In relation to design, the site is allocated for employment in the adopted UDP, it is located proximate to typical business park style office development to the south off Maple Court, and large industrial warehouse units to the east and north east including the adjoining Pilkington AG unit.
- 5.70 We do not consider the site to be sensitive to larger scale development given its allocation and local context.
- 5.71 The application is submitted in outline with 'appearance' and 'scale' reserved for future consideration. However, we do not see any material planning conflict arise with relevant policies on design with promotion of either a large single unit or multiple unit, B8 warehouse / distribution centre through reserved matters.
- 5.72 Consequently, we find no material conflict with adopted Core Strategy Policy CSP29 nor emerging Local Plan Policy D1.

Flood risk and Drainage

- 5.73 Due to the size of site a Flood Risk Assessment prepared by BWB has been submitted in support of the application.

- 5.74 This highlights the site's location in Flood Zone 1 and assesses the proposal in the context of all relevant potential forms of flooding including fluvial flood risk, flood risk from canals, groundwater flood risk, flood risk from reservoirs and large water bodies, pluvial flooding and flood risk from sewers. In all cases flood risk is considered to be 'low' or 'none'.
- 5.75 Consideration is also given to the effect of the proposed development on the wider catchment with an indication provided as to how the indicative scheme and a proposed development on the application site could successfully provide appropriate drainage.
- 5.76 In light of the information submitted and conclusions drawn by the FRA we consider the proposed development would not lead to material conflict with the NPPF or adopted development plan policy, including Core Strategy Policy CSP3, Policy CSP4 or relevant provisions of Policy CSP1.
- 5.77 Neither do we find any material conflict with emerging Local Plan policy including Policy CC3, Policy CC4.

Contaminated Land

- 5.78 The proposed development is accompanied by a Phase 1 Geo-Environmental Study (BWB) and Geotechnics Report (BWB).
- 5.79 The Phase 1 desk study concludes that there are several potential sources of on site and off site contamination. On the site includes contamination from previous mining activity with off site including the same potential effects. The mining activity is confirmed by the Geotechnics Report.
- 5.80 Notwithstanding historical mining activity in the area and existing ground conditions, so far as they are known from the submitted information, we do not consider that contamination of the site is a bar to future development.
- 5.81 We conclude no conflict with adopted Core Strategy Policy CSP39.

Conserving and Enhancing the Natural Environment

- 5.82 In the adopted development plan (Barnsley UDP 2000 & 2011 Core Strategy) the application site is allocated for employment.
- 5.83 Notwithstanding that the site is currently undeveloped land largely occupied by grassland and a belt of trees along the western boundary, the adopted plan clearly envisaged the site would be developed at some point in the future.
- 5.84 On this basis it did not form part of the 'green infrastructure' that Core Strategy Policy CSP33 was seeking to protect, maintain and enhance and its development would give no rise to no conflict with Policy CS35. We therefore conclude no harm arising in the context of adopted policy.
- 5.85 In relation to the emerging Local Plan the application site is allocated as 'Greenspace' on the emerging Proposals Map to which Policy GS1 applies. Emerging Policy GS1 deals with 'Green Infrastructure' in the Borough of which the application site would form part should the designation be taken forward.

- 5.86 We have already addressed the weight which should be afforded the emerging local plan in relation to the allocation of the site as green space, compared to its allocation for employment land in the current development plan and we do not repeat that here.
- 5.87 Policy GI1 largely replicates Core Strategy Policy CSP33. Whilst the site is currently undeveloped land it is effectively bound on three sides by built development and in visual / functional terms, forms part of the existing Wentworth Industrial Estate. It does not, therefore, appear to form part of a green network / corridor of open space.
- 5.88 The area to the west of the site is located in Green Belt and is open countryside beyond the limits of the industrial estate. Notwithstanding our views on the weight to be attached to emerging policy in so far as it applies to the green space designation on the application site, we do not consider the site forms an obvious part of the integrated network of connected and multi-functional green infrastructure in the Borough. We therefore conclude no harm in the context of Policy GI1.
- 5.89 In relation to emerging Policy GS1, we do not consider the site would in any event offer valuable amenity or recreation open space.
- 5.90 The Council's apparent rationale for its designation as 'green space' relates to the apparent biodiversity value of the site. However, the ecology survey undertaken as an early part of the evidence base for the emerging Local Plan recognised that although the majority of the site is grassland, any value associated with that was deteriorating in the absence of active management.
- 5.91 That conclusion was reached in May 2013 and we consider it is likely to have deteriorated further. In addition there are no plans for active management of the grassland now or in the future.
- 5.92 So far as its loss is concerned in the context of whether an assessment shows there is too much of that particular type of green space in the area (as under Policy GS1), the location of the site adjoining the open countryside and therefore a locality with a substantial level of such open space, would not lead to material harm if it were developed for employment uses.
- 5.93 In relation to any biodiversity interest, the application is supported by an Ecology Study and Arboricultural Impact Assessment, which taken together demonstrates that based on the indicative layout provided, development could take place on the site without significant adverse impact on existing ecological or arboricultural interests.
- 5.94 Whilst the proposal would result in the loss of the grassland area, there is substantial grassland areas to the west of the site with a treed corridor connecting the open countryside to the designated nature conservation site to the north east. There would be no material harm to the connectivity between the wider open countryside and that site.
- 5.95 Although some trees would need to be removed to accommodate the quantum of B8 development applied for under the outline application, the submitted Arboricultural Impact Assessment demonstrates that significant benefits would flow from the proposals including, not only replacement planting to address trees lost, but also potential active management of the woodland area to enhance it as a resource.
- 5.96 In dealing with biodiversity impacts, we consider that development of the site would lead to an overall benefit through improved planting of the western woodland belt and

therefore screening of the wider industrial estate to the east by thickening the planting along that boundary, but also active future management of the woodland resource.

- 5.97 The Ecology study also sets out some proposed biodiversity enhancements that would be delivered, including installation of bat boxes on some trees and measures in the woodland as part of the overall management approach that would provide new habitat for species.
- 5.98 The benefits delivered by enhancing the woodland belt and its future management, along with ecological enhancement measures, is to be weighed in the balance against the loss of the grassland area which in any event is deteriorating as a resource and will continue to do so.
- 5.99 Any concern about the loss of potential terrestrial habitat for great crested newts, given their existence in ponds to the north east and north west of the site, cannot be significant given the significant existing grassland resource in the locality.
- 5.100 Overall, we consider the development of the site for employment purposes can deliver a benefit in relation to biodiversity and the natural environment.
- 5.101 In light of conclusions reached we find no material conflict with the NPPF, Core Strategy Policy CSP36 or emerging local plan Policy BIO1.
- 5.102 Development of the site for employment uses was always recognised in the adopted development plan since 2000. The latter designated an area to the north east and within the heart of the industrial estate as a Nature Conservation Site to which Policy HN8 applied.
- 5.103 It was clearly considered in 2000 that development of the application site for employment would not give rise to significant adverse impact on the nature conservation site and we conclude no harm arising in the context of adopted Policy HN8.
- 5.104 In the emerging local plan, the nature conservation designation is shown as the Sowell Pond Local Wildlife Site to which Policy BIO1 applies. As with the adopted plan we do not consider the proposed development would result in material conflict with emerging local plan policy in this regard.

Planning Balance

- 5.105 When regard is had to the provisions of the adopted development plan for the area and compliance associated with bringing forward the proposed development in this location, the weight to be attached to emerging policy and the sites designation as green space, and the overall benefits which we consider the proposal could deliver in terms of future employment and wealth creation, and biodiversity, it is our view the overall balance is clearly in favour of the proposed development.

6. Conclusions

- 6.1 Under Section 38(6) of the Planning and compulsory Purchase Act 2004 and Section 70(2) of the Town and country Planning Act 1990, applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.2 Our assessment of planning merits demonstrates that the proposed development accords with adopted planning policy for the area. Development of the site for Class B8 storage and distribution use accords with the allocation of the site for employment purposes. No material harm arises in the context of other relevant considerations in the adopted plan.
- 6.3 We set out our views of the weight to be attached to emerging planning policy for the area, including the proposed designation of the site as green space. Notwithstanding this and as set out in this report, we consider the proposal would result in an overall benefit to the area in terms of the potential offered for biodiversity enhancement alongside development on the application site.
- 6.4 The proposal would also deliver significant benefits for the local area including provision of around 180 new employment opportunities on the application site whilst also facilitating a further 200 jobs nationally for Company Shop, of which around 65 would be likely to be provided elsewhere on the industrial estate.
- 6.5 The significant economic benefits delivered by the proposed development in line with the land use allocation of the site in the adopted development plan for the area, should be given significant weight, as confirmed by the NPPF.
- 6.6 Against this background we consider the proposed development would not give rise to material conflict with the development plan for the area or relevant material considerations and development of the site for a B8 warehouse distribution use would be acceptable in planning terms.