# PLANNING STATEMENT

FOR THE REDEVELOPMENT OF
FITZWILLIAM INN
24 SACKVILLE ST
BARNSLEY S70 2DB



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## INTRODUCTION

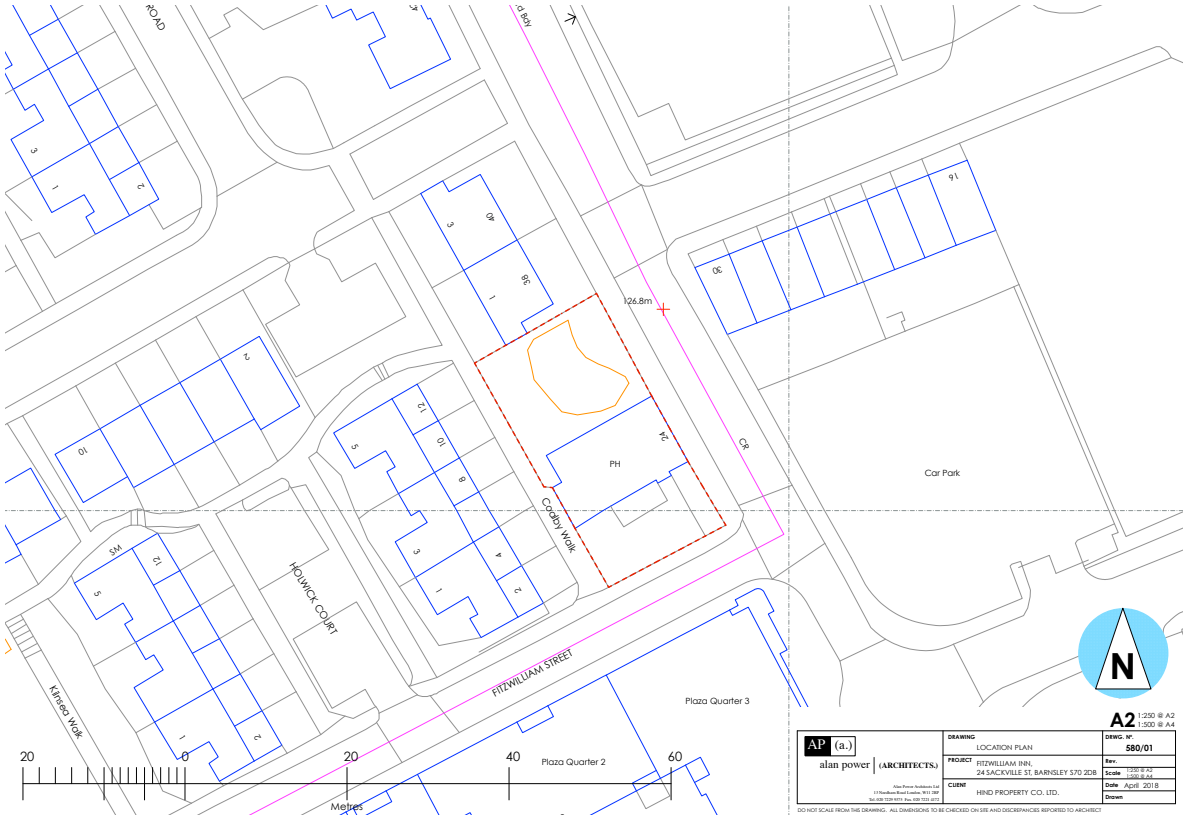
This Planning Statement has been prepared on behalf of Hind Property Co. Ltd. in support of a planning application to demolish the existing public house, clear the site, and erect a part five-storey and part two-storey development comprising 14 no. apartments and 2 no. town houses.

A Design & Access Statement accompanies this Planning Statement, and also forms part of the planning documentation. The full list of drawings that accompany this planning application are set out in the Design & Access Statement.

## THE SITE & ITS SURROUNDINGS

The site is on a corner at Sackville Street and Fitzwilliam Street. It comprises an area of 540 sq m (0.054 ha.) in a more or less rectangular form, with the long axis orientated north-west to south-east along Sackville Street. The site has an elevated position as part of an escarpment that steps down towards the south-east, away from Sackville Street.

The existing building on the site, formerly a public house the Fitzwilliam Inn, is an imposing three-storey structure with a large rear extension. On either side of the building there are open areas, which originally formed part of the garden areas for the pub. The south-west boundary runs along Coalby Walk, as pedestrian route that links into Fitzwilliam Street, and provides access to nos. 2-12 Coalby Walk.




Above: location plan

The site is well located on the western edge of the town centre: the new Local Plan shows the site just outside the Barnsley Town Centre Boundary, although the properties immediately

to the north of the site are within the Barnsley Town Centre Boundary. The adjacent town centre area is known as Westgate/Churchfields. The LPA describe the site as being "…*located within the periphery of the Town Centre Boundary*…" It can therefore be said that the site should read as part of the western end of the town centre, with the commensurate assumptions regarding massing in relation to its immediate context.

The site is not within a conservation area, but is adjacent to the Victoria Road Conservation Area. It is located adjacent to the Gateway Plaza, a structure which, at 11 storeys along Sackville Street, dominates the locality. The immediate context is of mixed scale and provenance, and includes a large stone gabled end block of Victorian terraced houses, low rise two-storey houses, areas of open car parking, as well as the substantial bulk of the Gateway Plaza.

Because of its central location, the site is well served for public transport, and it is an approximately 10 minute walk to Barnsley station.

The LPA asserts that Fitzwilliam Street acts as a boundary to the high-rise development to the south, but there is no particular logic to this analysis. It is noted that the buildings along Sackville Street to the north-west of the Gateway Plaza are more modest in height, but the redevelopment of sites in this area should be considered in relation to the urban grain in both directions. The key consideration of scale should therefore be derived from the effect of the development on the immediate neighbours, and this approach is set out in detail in the Design & Access Statement.

Gateway Plaza creates a strong building line at the back of the pavement along Sackville Street, which is presently also reinforced by the existing building on the application site. This building line is then set back at nos. 38-40 Sackville Street, before sitting forward again at 42 Sackville Street. It is proposed, therefore, that the new development will mediate between the two lines of building, between the Gateway Plaza and 38 and 40 Sackville Street. Consequently, the apartment building aligns with Gateway Plaza, whilst the two town houses at the north-west end of the site adopt a mediation line between the Gateway Plaza and 38-40 Sackville Street.

## RECENT PLANNING HISTORY

The following applications are the most relevant to this application:

B/04/1737 – Erection of a 5 storey block of 14 apartments approved.

2007/1499 – Erection of a 7 storey residential block supporting 36 apartments (Outline) – Refused

2008/1387 – Erection of a 7 storey residential block supporting 30 apartments (Outline) – Refused and subsequently dismissed at appeal.

2013/0428 – Demolition of existing public house and erection of 6 terraced houses – Refused

2013/1364 - Demolition of existing public house and erection of 6 no. dwellings with underground parking Refused and subsequently dismissed at appeal.

2015/1122 - Change of Use of public house with residential on first and second floor to 5 self-contained flats, erection of rear extension and alterations to roof – approved.

2016/1549 - Demolition of former pub building and erection of 3/4 storey building containing 12 no. studio apartments and 2no. 2 bedroom apartments. Approved 28 April 2017 .

The last application, reference 2016/1549, was for a scheme of predominantly studio accommodation, for single people. The proposed building is orientated towards the north-east, with no habitable rooms having a southerly aspect, and no external amenity space.

Thus, this residential accommodation would receive no sunlight, contrary to the LPA's policies in respect of orientation and sustainability, and contrary to all accepted norms for standards of amenity for modern living.

Having taken the appropriate expert advice, the applicant considers this scheme to be completely unviable in the current market, and is seeking a more effective use of the land; we believe the present application achieves this intent.

This application therefore proposes a viable scheme for the site, one that makes the best use of this brownfield site, so well located on the edge of the town centre. The scheme does, however, take note of the previous applications, and the responses they have elicited from both the LPA and the Planning Inspectorate, and the new scheme proposes solutions to issues regarding the relationship with adjoining properties, most notably with Coalby Walk to the immediate south-west.

## THE PROPOSAL

The applicant is seeking a sustainable and viable way of bringing the site back into productive use. With the existing pub on the site having been derelict for several years, it has always been the applicant's intention to demolish the existing building and to redevelop the site for residential use. Re-use of the existing building, and its integration into any new development, is considered to be uneconomic. The brief was, therefore, to consider the optimum development for the site.

It is understood that the LPA has previously accepted the loss of the public house and that this was not raised as an objection when previous schemes for the site were being assessed. In addition, when assessing a previous scheme for the site, the LPA commented:

*"Residential use represents a logical use of the site given the evident compatibility with adjoining properties where this use is established."*

The proposal, therefore, is for the demolition of the existing pub, and the erection of a part five-storey and part three-storey development, comprising 14 no. apartments, in a mix of 12 no. one-bedroom apartments and 2 no. two-bedroom apartments plus 2 no. four-bedroom town houses.

The massing of the proposal has been derived from a jelly mould that assesses the daylight/sunlight constraints, together with an assessment of the context. Consequently, the massing arrived at is highest at the eastern (Gateway Plaza) end, stepping down at the western end along Sackville Street, to meet the scale of the houses adjacent at Nos. 38-40 Sackville Street

Full details of the provenance of the design can be found in the Design & Access Statement that accompanies this Planning Statement.

In particular, the D&AS describes in detail how the relationship between the new development and the adjoining properties has informed the design, particularly the relationship with the houses to the south-west along Coalby Walk. At the same time, the D&AS also sets out how the LPA's policy guidelines in respect of orientation and sustainability has informed the design.

## PLANNING POLICY

The key documents are the Core Strategy, adopted in September 2011, and the Local Plan, which was adopted in January 2019, together with the National Planning Policy Framework 2018.

## CORE STRATEGY

The following are appropriate for the policy context for this application:

CSP1 'Climate Change' Development will be expected to reduce and mitigate the impact of growth on the environment and carbon emissions. Preference to development of previously developed land in sustainable locations.

CSP2 'Sustainable Construction' All new dwellings shall be expected to achieve at least a level 3 rating under the Code for Sustainable Homes'.

CSP3 'Sustainable Drainage Systems' – Expects all developments to use SUDS.

CSP5 'Including renewable Energy in Developments' all development above 10 or more dwellings will be expected to incorporate decentralised, renewable or low carbon energy sources and other appropriate design measures sufficient to reduce he developments carbon emissions by at least 15%.

CSP8 'Location of Growth' Priority will be given to locating new development within the Town Centre and Principal Towns. Urban Barnsley will be expected to accommodate significantly more growth than any individual Principal Town to accord with its place in the settlement hierarchy.

CSP9 'The Number of New Homes' Seeks to achieve the completion of at least 21500 net additional homes during the period 2008 to 2026. A minimum five year supply of deliverable sites will be maintained.

CSP10 'The Distribution of New Homes' – (46% of the 21,500 new homes planned for Barnsley) are proposed to be built in Urban Barnsley up until the year 2026.

CSP14 'Housing Mix and Efficient Use of Land' states that proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and sustainable communities. It also states that a minimum development density of 40 dwellings per hectare will be expected. In addition priority shall be given to the development of previously developed land with a target of 55% and 60% of the overall amount of new housing.

CSP17 ' Housing Regeneration Areas' Recognises Urban Barnsley as an areas of low housing demand we will support a range of housing market regeneration programmes aimed at the renewal of poor housing and the revitalisation of the neighbourhoods and communities.

CSP25 'New Development and Sustainable Travel' Expects new development to be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people, and should not provide more than the maximum number of car parking spaces.

CSP29 'Design' sets out that high quality design shall be expected. New housing developments of 10 or more dwellings should achieve a rating of 'good' as a minimum under an assessment against the CABE Building for Life scheme.

**THE LOCAL PLAN**

The following Local Plan policies are appropriate for the policy context for this application:

Policy GD1 General Development

The following are relevant extracts from Policy GD1:

*"Proposals for development will be approved if:*

*There will be no significant adverse effect on the living conditions and residential amenity of existing and future residents;*

*They are compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land;*

*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;*

*Any adverse impact on the environment, natural resources, waste and pollution is minimized and mitigated;"*

Policy H4 Residential Development on Small Non-allocated Sites

*"Proposals for residential development on sites below 0.4 hectares (including conversions of existing buildings and creating dwellings above shops) will be allowed where the proposal complies with other relevant policies in the Plan."*

Policy H6 Housing Mix and Efficient Use of Land

*"Housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced communities. Homes must be suitable for different types of households and be capable of being adapted to meet the changing needs of the population.*

*Proposals to change the size and type of existing housing stock must maintain an appropriate mix of homes to meet local needs.*

*A density of 40 dwellings per hectare net will be expected in Urban Barnsley and Principal Towns and 30 dwellings per hectare net in the villages.*

*Lower densities will be supported where it can be demonstrated that they are necessary for character and appearance, need, viability or sustainable design reasons."*

Policy LG2 The Location of Growth

*"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.*

*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 CC2 Sustainable Design and Construction

Development will be expected to minimise resource and energy consumption through the inclusion

Policy SD1 Presumption in favour of Sustainable Development

*"When considering development proposals we will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. We will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area."*

Policy SD1 (paragraph 6.5) goes on to say:

*"The National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development(3), which is to be seen as a 'golden thread' that runs through plan-making and decision taking. In respect of making planning decisions, development proposals that accord with the development plan should be approved without delay unless there are adverse impacts of granting permission that would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework, taken as a whole or specific policies in that framework, indicate that development should be restricted."*

We note that Policy H7 of the Local Plan, which refers to the provision of affordable housing, states that any development of 15 or ore dwellings "*will be expected*" to provide affordable housing. These proposals sit just above the threshold for when the provision of affordable housing might be considered, but the applicant advises that the site is not of sufficient size to sustain a contribution to affordable housing.

Barnsley Council has also adopted The South Yorkshire Residential Guide as a best practice guide, covering issues relating to sustainability, local distinctiveness and quality in design.

There is substantial policy support from the Council's Core Strategy and Local Plan for the proposals. In considering matter of housing supply it is clear that the development would contribute towards housing growth targets being met within the Urban Barnsley which is a priority to accommodate housing growth (Core Strategy polices CSP8, 9 and 10).

The scheme also accords with the minimum objective of policy CSP14 'Housing Mix and Efficient Use of Land' which aims to use land efficiently as possible; this is particularly pertinent given that Barnsley has been reviewing the release of Green Belt land through the Local Plan process.

Notwithstanding the contribution the development would make towards the current deficiency in the 5 year housing supply, and to the choice of housing stock within Urban Barnsley, it would also achieve regeneration benefits in line with objectives of policy CSP17 'Housing Regeneration Areas'. In accordance with policy CSP9, CSP14 the proposals would add to the overall housing supply and to that to be delivered in the Town Centre. The reuse of a brownfield site accords with CSP14.

**NATIONAL PLANNING POLICY FRAMEWORK 2018**

The National Planning Policy Framework (NPPF), came into force on 27 March 2012, and was revised in 2018. It is a material consideration in planning decisions.

At the heart of the NPPF is a presumption in favour of sustainable development, and the policies in Paragraphs 18 to 219 of the NPPF, taken as a whole, constitute the Government's view on what sustainable development in England means in practice for the planning system.

There are three dimensions to sustainable development, which include an economic role (contributing to building a strong, responsive and competitive economy), a social role (providing the supply of housing required to meet the needs of present and future generations) and an environmental role (which includes minimising waste and pollution).

Permission should therefore be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Para 65, p. 17 states:

*"Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount."*

This scheme cannot be considered 'major'. In addition this scheme is re-use of a brownfield site, where there is a property that has been vacant for a very considerable amount of time.

Para 85 states:

*"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.*

*Included in the list of considerations that planning policies should take into account is set out in sub-paragraph f):*

*f) recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites."*

This is exactly the intention with this application.

Para 105 includes the following:

*"If setting local parking standards for residential and non-residential development, policies should take into account:*

*a) the accessibility of the development;*

*b) the type, mix and use of development;"*

<u>11. Making effective use of land</u>

Paragraph 117 states:

"Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land."

Paragraph 118 develops this theme:

*"Planning policies and decisions should:*

*a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;*

*b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;*

*c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;*

*d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)"*

It is therefore considered that the proposals are consistent with the objectives of the adopted Core Strategy, the Local Plan, and the provisions of the NPPF.

## ACCESS AND PARKING

Sackville Street is the principal access point for the adjacent Westgate and Gateway Plaza development. It serves as a link between Victoria Road to the north and Summer Lane/Town End roundabout (via Fitzwilliam Street). Fitzwilliam Street defines the south-east boundary of the site, and runs along a steep incline down to Summer Lane. Both Fitzwilliam Street and Sackville Street are subject to Traffic Regulation Orders.

Core Strategy policy CSP25 intends that there be an appropriate amount of on-site parking in new developments. Unfortunately, it does not distinguish in terms of the scale of development, and it is obvious that small developments such as this one can be catered for without on-site provision, particularly in such a central location. Where attempts have been made in previous proposals for the site to provide on-site parking, these have greatly compromised the scheme, with a commensurate deleterious effect on the neighbours to the south in Coalby Walk.

The central location within the town centre means that the site is highly accessible to a variety of transport means. The main interchange is a short distance from the site (within 500m) which provides bus and rail connections, in addition there are also bus stops located along Summer Lane, Shambles Street and Victoria Road. The availability to services presents an ideal opportunity to promote sustainable transport, encouraged by the provision of the onsite cycle parking.

Consequently, it is argued here that a sustainable and viable scheme, one that makes the best use of the site, as is required by current local and national planning policy, is one that has no on-site parking, and is, in fact, car free. We understand that the principle of a car-free development was supported by officers for the application reference 2016/1549.

There is substantial parking nearby in any case. The existing surface car parks at Churchfield and Westgate and are owned and operated by BMBC. They offer free parking at weekends and outside of core hours (08:00hrs-18:00hrs) Mon-Fri. Permits are also available and this is charged at: £22 a week; £82 a month; £230 for three months; or £770 for a full year.

## CONCLUSION

The site for this application is centrally located and highly accessible. It has been long derelict, and must now be brought into productive use. Local and national policies support the intent and the detail of this application.

Paragraph 38 of the NPPF 2018 states that: "***Local planning authorities should approach decisions on proposed development in a positive and creative way***. *…and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area.* ***Decision-makers at every level should seek to approve applications for sustainable development where possible***." *(our emphasis)*

This Planning Statement establishes that the proposed development would be consistent with guidance provided at a national level in the NPPF, as well as local polices in relation to land use compatibility, residential amenity and highway safety.

The proposed development is located, as the LPA itself notes, "*within the periphery of the Town Centre Boundary*". It is consequently ideally situated for a sustainable residential development, having excellent pedestrian and transport links to employment, leisure, health and cultural facilities. Its location also fully justifies a car-free development.

A high quality scheme would be delivered, with generous accommodation, within a design that has been approached in a sympathetic and imaginative manner. The design, and choice of materials, would ensure that the building would be of a scale and appearance that reflects the character of existing context. In addition, the redevelopment would regenerate a long derelict brownfield site, and this will secure direct environmental benefits as well as the social and economic benefits associated with the contribution to the housing stock for Barnsley.

The development would be highly sustainable, and would achieve energy targets over and above the current standards.

Therefore, in accordance with the NPPF, and in the absence of any adverse impacts which would significantly and demonstrably outweigh the benefits of the use, we respectfully request that this application be granted planning permission.