Design, Access, transport, Viability and Sustainability Statement.

site:

Land at Heelis Street, John Street and Burleigh Street, Barnsley.

for:

Extra residential units to an existing approved scheme incorporating basement parking amendments, removal of lower and upper ground floor commercial and replaced with residential units with further residential units to upper floors all formed around a first floor courtyard. Further addition of a residents gymnasium and all associated works.

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'If we want our culture to rise to a higher level, we are obliged for better to change our architecture.
And this is only possible if we take away the closed character from the rooms in which we live.
We can only do this by introducing glass architecture, which lets in the light of the sun, the moon and the stars, not merely through a few windows, but through every possible wall, which will be made entirely of glass'.
Paul Scheerbart, on glass in architecture.

Context
Site and area appraisal
The site is in a sustainable location at the heart of Barnsley City Centre, highly accessible to public transport, local shops, services and facilities.
7. Spatial Strategy, Urban Barnsley. *'Urban Barnsley is where most development should take place.*
Particular priority will be given to renewing areas within Urban Barnsley where the housing markets have failed.
The locale is bordered by a mixture of residential and commercial.
This buildings structure has laid dormant for a number of years and gives a sense of no identity to the area and without this identity the area will not be able to flourish.
At present if forms nothing of architectural merit and the surrounding structures/existing buildings do not form any architectural merit.
The local area is characterised by some brick buildings and others with a mixture of materials.
These are a mixture of commercial and residential and some are in a state of general disrepair and this has an eclectic selection of uses and businesses that all give it a distinct feel and ambiance.
The Core Strategy objectives states the following:
9.2 *Focussing on and growth on Urban Barnsley.*
9.3 *Reducing the reliance on the private car and encourage walking and cycling.*

Policy
Objectives and brief
It forms part of the 'Barnsley Town Centre Building Heights Study 2009', these and their strategy were adopted by the Cabinet in March 2010 as Council Policy.
It is an area that can be sustainable and form the vision of the Sustainable Community strategy , Vision 6.2, *Ambition 1 – Our communities are attractive, cleansustainable places to live.*
This in essence was to assist the control of development in Barnsley Town Centre, which this site forms part of.
This policy in terms of massing and scale states that
'in general boxy and slab like massing should be avoided. Where taller landmarks are proposed there is a strong preference for massing that reflects a slender and elegant form that is able to contribute to an attractive skyline as well as present a more human scale at street level'.
This development and its close proximity to all facilities will form
'our communities just like our landscapes are varied and diverse', Sustainable Community Strategy, 2008 -2020.

The building is within one of the tall building clusters identified within the *'strategic area of opportunity for tall building, this is in which the local authority will expect exceptional design quality'.*

The original approval for the site was approved during the previous boom years, the days of high priced apartments, where the market values controlled the specification and choice of material palette.
All the works undertaken were to form the structural frame, this is at present in a good state of repair, but evidence of certain areas of damage will if not developed and protected start to become an issue.
Strategic Objectives, 9.5 Ambitions:
Utilising previously developed land in sustainable locations.

Making the best use of existing and proposed infrastructure.
It is our ideal to follow a design approach that embraces diversity and allows individual expression and create a design solution that is environmentally responsive and appropriate to the locale and its context and makes allowance for the downturn in the market.
This has allowed for a revised thinking of the materials to be used, not to form a cheaper constructed building but to rethink the design and use of materials.
To bring an eyesore of a building which is in a central and sustainable location within the Urban Barnsley area, that has laid dormant for many years.
7. Core Policies, CSP 13 The release of allocated land, *'The release of allocated housing sites will: deliver the spatial strategy by giving priority to sustainably located sites within the Urban Barnsley and support the housing regeneration and renewal'.*
To allow the building to become 'elegant and slender', to form a palette of materials that enhances the buildings overall appearance.
7.205 Core Policies. *'The policy also acknowledges the vital role that good design can play in supporting economic and physical regeneration and bringing new forms of distinctiveness by making run down areas both physically and economically more attractive'.*
The development will attempt to *'contribute to place making and be of a high quality, that contributes to a healthy, safe and sustainable environment'.* CSP 29 Design.

To form a dialogue between the proposed building and the street and afford the passer-by with glimpses into the building and the courtyard this forms an overt gesture attempting to bring the space of the internal into the realm of the city.
To form a connection that mediates with the street, the city, the adjacent buildings and businesses and form an urban generator on a small street and human scale.

The link between the external and internal spaces due to the glazing affords the opening up of the details and an impression of lightness and not overpowering.
To develop and design a building that forms a highly designed and modern structure, yet still sympathetic to the locale and adjacent buildings but not in a pastiche way. To set a standard in design that is simple but of high quality that is not a pastiche attempt.

To augment a revitalisation of the area and the site. To facilitate disabled access to the building where possible within the framework of the site constraints.
Cultural Strategy, 4.45. *'The vision for the strategy is 'To create a culturally inspiring, dynamic and thriving 21st Century Market Town and Borough'.*
Creating a design that celebrates a more modern approach to design elevationally and materially and on plan in line with the ways of living in today's society and to:
5. Context.
5.4, *'To be distinctive is to have a special quality, style or attractiveness*
5.5, *'By design, produced by the DETR in 2000 considers that the positive features of a place and its people contribute to its special character and sense of identity. They include landscape, building traditions and materials, patterns of local life, and other factors that make one place different from another. The best places are memorable, with a character which people can appreciate easily'.*
By carefully choosing the materials durability and reference within the local vernacular. Designing to enhance the locality by reference to detail, style, scale and texture of adjacent dwellings.

Brief
To enhance the streetscape and create a quality of design that is modern in appearance and use of materials yet be appropriate to its context in terms of scale massing and the use of materials.

To use environmentally sustainable materials and to minimize the energy consumption of the building by the unnecessary heat loss and use of fuels.

Design principles and concepts
Concept
To achieve an addition to the locale that compliments and enhances the area and provides well laid out and well designed internal spaces horizontally and vertically.
To form a building that has a clear visual and spatial concept which determines the design along with the historic past of the area.
To comply with the relevant Building Regulations, all other statutory requirements and Barnsley Councils particular design requirements.
We see the need for amendment and alteration and the changes that occur through a person/families life. We are well aware of Building for Life and we attempt to work as closely as we can in line with these parameters in line with 7. Core Policies of the Core Strategy document.

Key design principles and sources
To design a building which when viewed within the street scene creates a high quality addition to the overall street scene and locale.
Based upon our design analysis, consultations, pre-application sketch schemes and meetings with council officers we have concluded that our proposals are an appropriate form of design of a high quality modern piece of architecture.
With an approach that uses a natural pallet of materials designed to harmonise with their setting and create a complimentary counterpoint to the street. All materials chosen are for their tactile, visual and acoustic properties as well as for their sustainability and durability.
Location on the site has been kept in line with the previous approval and we are just intending to increase the numbers of the apartments to form a further 23 apartments and the splitting of apartment 55 into 2 apartments.
This increase of residential units within a sustainable location within the heart of Urban Barnsley can only be a positive and helps the:
7. Core Policies. CSP 11, Providing Strategic Employment Locations.
This increase in employment locations within Urban Barnsley can only mean an increase in employees, which will obviously require residential accommodation in a close and sustainable to their employment.

Design cues have been taken from and some inspiration from the Barnsley Town Centre Buildings Heights study in terms of fenestration, window wall ratio, materials, massing and scale. The modern aesthetic and poetic of the building has taken inspiration from this document and the discussions with the Councils Officers.

Accessibility is to comply with Part M of the Building Regulations and to enhance accessibility where possible.

Design solution
Environmental sustainability
We as a company are more aware of these issues, as we have built a number of developments to level 3 and level 4 of 'The Code for Sustainable Homes'.
This will fall in line with:
7. Core Policies, 7.14, *'Development proposals will be expected to consider energy efficiency and sustainable design from the outset'*
Materials have been selected for their sustainability both in terms of their longevity and also their source and any manufacturing processes involved
The building will be insulated to high levels and will use high performance insulations and materials.
Designed to achieve airtight construction, subject to passive ventilation requirements. windows will be of high performance low E double glazed units and configured to optimize daylight levels, the glazing will be frameless/concealed frames to lower their impact and enhance their transparency.

Facilities are to be provided on site for the storage of recycled waste for commercial and residential uses.
Safety and security have been included into the scheme to allow for a safe environment and defensible space, with windows to provide natural surveillance to the street. There will be low energy lighting throughout including the security lighting controlled by passive IR detectors and also photo-cells [to minimize energy consumption by restricting operation to the hours of darkness]

Conclusion
The proposed development has been carefully designed to form a high quality addition to the street scene and to be appropriate to its context in terms of scale, massing and use of materials.
To form a node within the area to allow visitors and residents to navigate the locale.
To entice visitors to the area through long distance views of the proposed buildings.

The architecture is an exceptional modern understated building with highly designed yet simple detail to the elevations which are characterised by their simplicity and a relatively limited but harmonious palette of durable and long lasting materials including brick, concrete, trespa panels and glass. The building will make use of lighter and more transparent materials and use elevation detail to endow the street scene with visual interest. It will enhance the locality with a building of quality of design.
The proposed development will be in keeping with its locality. It will have no greater impact on the street scene in terms of scale and massing, than the buildings surrounding at present and the existing.

The proposed is to form a poetic response to the site, the clients requirements and their awareness of the importance of good quality design and not to form a pastiche supplement.

Representing a modern insertion within the street scene to fit in urbanistically in a contemporary method.
To form an urban generator for the area.

The design of the building has progressed through the routes of model making, painting, photography, montage and considerable site analysis. This design altered through the design process, but the initial idealism and poetic of the first drawn lines was held within the scheme throughout. This formed a strong foundation and catalyst that developed the design upto the present form.
Due to this the whole design proposal is to augment a contemporary and quality revitalisation of the locale, in line with the Councils policies. This is shown throughout the whole design process which has included the choice of materials, construction methods and treatment of site boundaries which have all been developed in line with the modern poetic of the initial design to form a wholly designed package.
To form part of the overall revitalisation of this area and act as a catalyst for this regeneration
To ignite this area into a bustling mixture of uses and residents.
To form an area of growth, where *'priority will be given to development in the following locations: Urban Barnsley',* 7. Core Policies, CSP 8 The location of growth.

The concept was to create an expressive piece of modern Architecture formed from architectural elements.
This whole design process and the proposed scheme is to strive for both a simultaneous condition of wholeness and harmony including a sense of contradiction and opposition. wholeness, with the dynamics created by these elements, clashing and causing junctions and interest. This creates a distinct identity for the new building and the area in general and puts into question the accepted ideals and ways of seeing, living and working culture

Crime solutions and community safety

To develop a derelict and dangerous site that serves only to detract from the character of the area.

Safety and security have been included into the scheme to allow for a safe environment with defensible spaces, with windows to provide natural surveillance.

Allowing natural surveillance within the new development will augment self-security. This will be due to human nature and will therefore lessen any vandalism or anti-social behaviour, by incorporating and interacting with the street within the design of the development and thus giving the residents a sense of ownership and responsibility.

The introduction of residential units at lower ground and upper ground, which replaces the previously proposed commercial units can only be seen as a positive for a number of reasons:

1. Making the area more pleasant, no boarded up commercial units as this site is not in a suitable location for these.
2. Making the area safer for pedestrians, they do not have to walk in areas of boarded up commercial units, therefore, the residential units will act as self security/natural surveillance. .
3. Give an increase in the number of residential units available.

The design of the site has been to reduce crime opportunities, disorder and anti social behaviour [section 17, Crime and Disorder act, 1988]. To form 'safer places' that are designed in line with 'secured by design', the scheme attempts to do away with 'fortress mentality' and attempts to define defensible spaces by the use of materials and the narrowing of spaces.

All the access routes are fit for their purpose.

Environmental sustainability

Lower environmental impact, lowering energy demands not just by the occupiers, but during the construction stages such as using local sustainable materials.

We will attempt to look at options of renewable energies and educate residents on these items within a residents pack.

'We will allow development that produces renewable energy', CSP 6 Development that produces renewable energy.

Façade treatment was developed through analysis of the site location and local vernacular and the sites orientation.

Timber framed construction is actively being used where it is heavily insulated in its walls and roof to attempt to achieve 'Eco-homes' 'excellent rating'.

High level insulation to help achieve very low 'U' values and combined with air tight construction to be in line with NHER ratings.

Allowing air into the building brings the potential of noise, insects and air pollution, therefore if this is to be incorporated within the scheme, the following will have to be considered, they will have to be sound attenuated, the insects by filtration, these can reduce the air speeds therefore the openings will have to be designed accordingly. Adequate ventilation is essential for the health, safety and comfort of a buildings occupants. This must be controlled so as to avoid discomfort and energy waste, so as to lower the leakages through the buildings fabric, particularly where the proposals are for low energy naturally ventilated residential units.

Air permeability, air leakage index and air change rate have to be all considered, the development will be registered with 'Robust details', the scheme will attempt to use non-permeable materials, all internal surfaces will receive a plaster finish and allow for movement and shrinkage so as to not break the seal. All joints to be detailed and sealed so as to lower the risk of breaking the seal. All works will be monitored on site to make sure workmanship is to the required standard

Solar gain spaces on the south elevation to have high thermal mass floors to retain heat from the winter solar gains. Solar over heating combated in summer with overhanging roofs.

Larger windows to south elevation and smaller windows to the north.

Water supply
Sustainable approach
Rainwater harvesting where found to be practically possible.
Water efficiency
All new units are to be connected to existing services, including Gas, Electricity and water. All foul and surface water drainage is to be connected to existing mains sewers.

Waste management
Area incorporated into the scheme for storing and sorting of recyclable materials
Materials have been selected for their sustainability both in terms of their longevity and also their source and any manufacturing processes involved
The dwellings will be insulated to high levels and will use high performance insulations and materials.
To detailed to achieve airtight construction, subject to passive ventilation requirements. windows will be of high performance low E double glazed units and configured to optimise daylight levels.
The dwellings will be fitted with low-pressure gas fired condensing boilers or other approved to reduce the amount of harmful emission being exhausted.
Facilities are to be provided on site for the storage of recycled waste.

Water Conservation
Facilities are to be provided on site for the storage of recycled waste.
Also the use of products to lower the use of water, namely, spray taps on wash hand basins and sinks, these could save up to 80% of the water used by traditional taps., particularly if used with either a standard M22 or M24 outlet thread, with the stop cocks will be located in an accessible position within the kitchen area. Water saver showers will be fitted which act similarly to tap aerators.
The use of an efficient wc flush system can reduce the overall household water consumption by approximately 21%.
Any white goods installed such as washing machines will be the most efficient available as their water usage varies considerably. Dish washers if installed will be ones that use 16 litres/cycle as these are approximately 2.5 times as efficient as washing by hand.

There will be low energy lighting throughout including the security lighting controlled by passive IR detectors and also photo-cells [to minimize energy consumption by restricting operation to the hours of darkness].
To include passive measures to balance the benefits of minimising heat loss in winter and preventing overheating in summer.

Carbon Dioxide
Everyone in the world is responsible for producing 4200Kg Carbon Dioxide emissions/year, a UK citizen emits 9600Kg/year. Emissions rise dramatically with the use of electricity heating of our dwellings, also due to the increase in lighting, use of appliances and the increase in mechanical ventilation and air conditioning. It can only be decreased by the use of renewable energy methods. 1 Kw/hr of delivered electricity produces 2.5 times that of delivered gas.
Therefore we must attempt to lower these emissions, this can and must be incorporated into the overall design of the scheme.

To facilitate disabled access to the property where possible within the framework of the site constraints. Allow for access for disabled persons and persons with impaired vision, to design the scheme to allow appropriate door widths.
Materials particularly to the ground to be suitable for persons with impaired vision, so as to ease their navigation of the site.

Utilities statement

The development will require connection to existing utilities and infrastructure systems.

These connections will be for Gas, Electricity, telecommunications and Water. Also the drainage including surface water and foul will have been discussed with LA BCO.

Refuse collection including the storage and collection of recyclable collections have been designed into the scheme with an allocated pick up point for refuse collection.

Ensuring a choice of travel

7. Core Policies, 7.126, Transportation Strategy.

'The overall aim for sustainable travel is firstly to reduce the need to travel, but where travel is necessary to make it easy for people to move between home, work, health, community and leisure facilities by walking, cycling, or where necessary using public transport'

This not only reduces the need for cars and therefore, car parking spaces on site, but it also reduces the transport related greenhouse gas emissions.

A large number of secure and safe cycle storage areas are incorporated within the proposals, so that tenants need not worry about storing their bicycles within the apartments, this will help increase residents to purchase bicycles with the knowledge that it will not clutter their apartment and become a hindrance.

The incorporation of a residents gym also attempts to promote healthier living.

The scheme has been designed and developed in line with 'Ensuring a choice of travel Supplementary Planning Document.

It has been to ensure a reasonable choice of access by all modes of transport to the site.

For travellers from further a field, the site is accessible by public transport, where buses terminate at the town bus Station, the main bus station is only a short walk from the site or as alternative a bus can be boarded.

Nationally, trains passengers can depart at the town centre again buses can be caught to the site, bicycles can be ridden or people can walk the short distance. Allowance within the scheme are a high number of secure lockable 'Sheffield' style bicycle stands, also it is intended to incorporate a number of external bike stands for short time visits to the building.

The secure cycle parking will encourage people to walk and cycle as these developed areas will become more pleasant and safer, this would be in line with a Walking Strategy and a Cycling Strateg. By the very nature of visitors being aware of lockable bike racks by either local cycling groups and word of mouth, etc, this will increase the use of bicycles

These promote the ideas of walking and cycling as an alternative transport mode and are not only creating healthier visitors but are forming a sustainable mode of transport.

The need for people who work within this development and other completed developments to use a car to get to work is lowered drastically, due to the fact that the local infrastructure is improved including sustainable transport types. The routes and area become more pleasant and safer environment to travel to and around.

Car parking on a large scale is offered in numerous locations around the city centre including Morrisons.

To almost form a traffic free development and area with car parking within the development provided but with a very high proportion of secure and covered bicycle racks that have lockers and showers.

One of the main issues with people cycling to work are nowhere secure to keep the bicycle and clothing, but also no shower facilities.

This is one of the goals of this scheme and this will be developed with the help of local cycling groups and local groups for access for people within wheelchairs.

Air Quality Management Areas
Barnsley like any town or city area has this due to the increased levels of pollution largely caused by high levels of road traffic.
Also the incorporation of secure bicycle stands with lockers within the development create and promote sustainable modes of transport and travel choice and will therefore make a significant contribution to addressing air pollution emissions from transport. As well as reducing the effects of Global warming this along with the lowering of green house gas emissions [with the use of low energy appliances, boilers etc within the development and the energy saving methods incorporated within the building process] will all help to augment climate change.

Travel Plan
A travel plan will clearly identify that the development has been designed and developed with:
7. Core Policies, CSP 25, New development and sustainable travel.
Recent guidance from the DFT said that the travel plan should be viewed as a pyramid which will form the basis of the travel plan.
The area is predominantly a mixture of light industrial, residential, entertainment. The disused structure and building on our site do not generate any traffic.
The highway network has roads that are approximately 8m wide on all sides. Pathways are between 1-2m wide.
No parking is permitted on the surrounding streets.
The site is within 100m of bus stops. These fall well within 'Guidelines for Planning for Public Transport in Development' which gives a walking distance of 400m.
The times etc are clearly displayed within the bus stops.
There is also good lighting to their areas.
Therefore the site is very well supported by existing bus routes and connections and short walking distances to train stations, IHT 'Guidelines for Planning Public Transport in Development' give 900m as the maximum walking distance.
Therefore, the site has not only very good services by bus but also by train.

'Distances under 2 kilometres for walking offers the greatest potential to replace the use of the car'
'Walking is the most important mode of travel at the local level and offers the greatest potential to replace short car trips'.
The IHT guidelines recommends distances for town centres of 200 – 1200mm with approximately 500m being the most desirable.
Commuting by foot falls within 1000-2000m.
Therefore the site is well within the guideline distances to town centres, bus stops and train stations.

Journeys under 5 kilometres cycling forms an alternative to car journeys.
The local roads are adequate for cycle journeys.
The cycle racks installed within the development will encourage people to visit the site by cycle as they are aware that secure cycle racks are included within the development.
Within the development secure, covered cycle racks are offered with lockers.
On completion of the project the residents will be issued with travel options and differing modes of transport locally and on a wider scale. These will be issued to people within the apartments and will be issued to the persons within the commercial units.

This will be in the form of a printed document and also available electronically, 'A home user guide' similar in format to the 'Code for Sustainable Homes' setting out clearly and precisely the many alternative travel options to and from the site
This is actively being incorporated within the design to allocate a considerable number of secure cycle spaces and lockers.

The implementation of the cycle racks for staff working at the building site will be installed prior to any works starting onsite, exact time is dependent on the Planning process.
The development will take into consideration the ideas of a 'Workwise' project and residents and employees will be made aware of this to remove transport as a barrier to residents for work, etc.
The schemes such as Workwise travel cards and scooter commuting will be made aware of.
In conclusion the site is at present capable of encouraging the use differing and sustainable modes of transport, these include, bus, train, cycling and train.
It has an extremely close proximity to the town centre for walking and connections are adequately provided to travel further easily and safely.
It falls in line with relevant guidelines and PPG13 and with all these there is significant infrastructure and services to reduce travelling by car.
Refer to drawings for car parking, cycle and motorbikes, with access to this via two entrances.
Servicing vehicles will access the bin store via an access from the ca parking.
Access to the building from visitors to the residential can if travelling by car utilise a number of high capacity car parks within walking distance.
But with the installing of external bicycle racks externally and internally will only help to encourage their use.
Also the extremely good public transport will also encourage its use.

There will be an increase in the traffic generated by the proposals but allowance has been made by the new morrisons shopping centre and an increase in public transport. With this and other incentives the increase of transport would not be huge and would certainly not adversely affect the existing highway network.
The travel plan will attempt to make the site accessible by all and by use of sustainable modes of transport.
Before the building is occupied a 'Framework travel plan' will be required to reduce car travel.
Due to the site location and the small number of employees and the residents will not increase the numbers of car travels and staff could undertake public transport or car share.
Incentives, objectives and management strategies could be incorporated to attempt to make staff and residents aware of alternative sustainable modes of transport.
Inclusion of local cycle and walk routes could advise people of these alternatives.
These will be augmented by the travel coordinator in an attempt to incorporate the site and are in line with Government Planning Policies.
This travel plan will have to be implemented correctly and ensure that they are affective.
These include
Management of the travel.
Marketing of the travel plan plan.
Monitoring and reporting of the travel plan.

The travel plan coordinator will be responsible in all of the above on granting of Planning Permission and 3 months prior to occupancy.
He will become responsible once the travel plan, is approved by the LA and for 6 months after occupation.
He will be undertaking:
To be a contact for travel information to staff.
Promote and encourage the use of sustainable modes of transport.
Make sure relevant information is available and clear on notice boards.
To coordinate car share and cycling groups.
To correlate staff comments and undertake staff surveys.
To review the travel plan and liase with LA.

To make sure the travel plan is successful the travel plan coordinator should monitor the plan on an annual basis
Implementation of the travel plan will be as follows:

Prior to occupation – travel packs for staff. Forming of a marketing package and provide for cycle racks.

Within 3 months of occupation – liase with local public travel networks, review framework travel plan. Form a budget for implementation. Have information for all modes of transport. Have travel information notice boards. Make staff aware of all modes of transport.

Within 6 months of occupation – undertake travel surveys. Identify relevant travel plan measures, travel surveys including car and cycle and liase with LA. Travel plan action plan. Reduced travel fare incentives. Car shares and cycling groups.

Within 12 months of travel plan initiation – correlate car sharing data. Liase with LA to discuss and finalise travel plan strategies formalise objectives and targets. Help with cycle purchases and form final travel plan document.

Annual review – survey success of travel plan, annual survey of cars. Annual surveys and liase annually with LA.

Travel Assessment, Plan and Transport Statement

The scheme is to form a major development within the area, albeit the area has and still is under redevelopment and would therefore not form any negative impacts to the surrounding community, but would give positive impacts in its regeneration to the overall area and its lowering of anti social behaviour and safety due to the unsafe nature of the existing building.

The present transport modes to the site are adequate and any new improved modes will make the access to the site and completed building more efficient, accessible and sustainable.

Works could take consideration of:

Access by all modes of transport
Maximise access to the site by sustainable modes
And protect the safety of all road uses
Control and protect the efficiency of all networks
Protects the natural environment and actually enhances it.

These works along with works incorporated within the development will take note and attempt to overcome of the following issues:

Encourage sustainable access, reducing the need to travel, particularly by car by installing cycle racks that are secure with lockers. Improve sustainable transport choice by the forming of new bus routes to and within the area. This will make the site and area more accessible. The cycle racks will encourage people to visit the site by cycle as the are aware that secure cycle racks are included within the development. The opening up of disused roads that have been fenced off will make accessibility to the site easier and safer by pedestrians and cyclists alike.

Trip rate per 100m/2

Peak AM, 8.00 – 9.00 - arrivals – 1.118, depart – 0.186, total – 1.304.
Peak PM, 4.30 – 5.30 – arrivals – 0.132, depart – 0.707, total – 0.839.

Proposed trips

Peak AM, 8.00 – 9.00 - arrivals – 7, depart – 2, total – 9.
Peak PM, 4.30 – 5.30 – arrivals – 1, depart – 5, total – 6.

As mentioned previously high capacity car parks are available locally and a good proportion of on street parking.

With these in mind the site will not have an adverse affect on the existing very good highway network. With the existing car parks these and the existing on street parking can easily accommodate any increase in requirements.

Also the introduction of traffic calming methods and the upgrading of existing pavements will only make the site and area safer to visit.

These improvements can and will only enhance the ease of visiting the site and due to the much improved transport modes will give people a wider choice of travel mode which in its own right will encourage people

to adopt these reliable and sustainable modes of transport.

Viability statement.
Scheme viability is a material consideration in the determination of Planning Applications, as it is inherently linked to delivery.
Financial viability in determining Planning Applications is important in the context of the negotiating section 106 contributions/obligations/affordable housing.
In order for schemes to be delivered, the S106 payment relating to the level of affordable housing sought affects the GDV.
This ultimately impacts on the residual land value and profit.
This in turn makes the development less attractive, increases development risk and could deter development.

Regulation 122 of the Communities Infrastructure Levy Regulations 2010, sets out the lawfulness of Planning Obligations.
The Regulation provides that a Planning Obligation may only constitute a reason for granting planning permission if it is:

Necessary to make the development acceptable in planning terms.
Directly related to the development, and,
Fairly and reasonably related in scale and kind to the development.

Planning Circular 05/2005, Paragraph B5 requires that all Planning Obligations are only sought where they meet all of the required tests.
Namely, they must be:

Relevant to Planning.
Necessary to make the proposed development acceptable in Planning terms [criterion 1, 2010 regs].
Directly related to the proposed development [criterion 2].
Fairly related in scale and kind to the proposed development [criterion 3].
Reasonable in all other aspects.

Financial viability is the key consideration.
B10 of the Circular confirms this and states that
'it is the Local Authority and other Public Sector agencies to decide what is to be the balance on contribution by developer'.

It is the cumulative of all these Planning Obligations and the developments requirements that impact on the viability of the development.
Albeit the site is to some extent started, this by no means makes the scheme any less expensive or viable, to an extent it is not necessarily cost effective as all previous works need to be checked, amended, altered.
Below are the key elements that form its viability:

S106 financial contributions towards social infrastructure or provision.
Affordable Housing [could be part of 1].
Highways contributions.
Design standards/sustainability.
Abnormal scheme costs [not known]

Therefore, given the potential demands on this scheme the decision needs to balance these requirement within the scope of what is viable, therefore, to ensure that what is deliverable is sustainable and otherwise acceptable in planning terms.
The application is submitted as an amendment to the previous planning permission that has been started onsite.
It is to undertake a small increase to the number of units, replacing the commercial units with residential units, all within the same footprint with very little increase in scale and massing.
The previous scheme was started but was by no means built out and this went into financial difficulties due to the expense of the build costs and as a direct result of the dramatic drop-off in the commercial viability and funding streams for apartment led developments where buyers could easily receive mortgages].
This is clear in that it stalled as a result of this deep recession in the economy.
With the end values of apartments of this type greatly reduced, yet build costs no less, albeit more, this ultimately affects the viability of the development.

There are though, general Planning benefits, as set out in the above Design and Access Statement.
It is important at this juncture to highlight the important material consideration which is that the proposed development is entirely in accordance with established development plan policies for the area.
It is precisely the type of regeneration development on a commenced brownfield site in a sustainable location, that the Government expects developments of this nature to be supported.

The Local Authority is aware that the Government provides a presumption in favour of such sustainable developments.
Paragraph 14 of the National Planning Policy Framework [NPPF], it is stated Government Policy that such developments should *'be approved without delay'!*

Finally, Government advice in relation to S106 obligations is clear.
Under the plan-led principles discussed in respect of Planning Obligations, must be set in the context of the Secretary of States Policy tests laid out in the NPPF and CIL Regs, and notably must be *'necessary to make the proposed development acceptable in planning terms'*.
This means that it should be needed in order to bring proposals into line with national, regional and Local Planning Policy and other material Planning Considerations.
Government Policy advice is therefore, clear on the link to the planning balance, the logic of which suggests that where a development proposal is in line with the development plan and relevant National Policy [NPPF], the proposal is acceptable and as such the requirement for Planning Obligations must directly relate to the impacts of the proposal and some general 'Planning Gain' requirement. Even if they are themselves predicated on laudable objectives.
Noting the above, the lawful application of S106 is therefore very clear: in dealing with planning obligations, Local Authorities consider each on its merits and reach a decision based on whether the application meets the requirements of the relevant development plan, unless material considerations indicate otherwise.
This is what the law under the duties to determine Planning Applications under section 70 of the Town and Country Planning Act 1990and section 38[6] of the Planning and Compulsory Purchase Act 2004.
In some cases it may be possible to make acceptable development proposals which might otherwise be unacceptable, through the use of conditions or where this is not possible, through planning obligation.
Where there is a choice between imposing conditions and entering into a planning obligation, the imposition of a condition is preferable.

Of the tests set out above, it is clear that any planning obligations sought from the proposed development must be for the purposes that are required to mitigate impacts of the development, [eg: to compensate demonstrable adverse impacts].
This does not include for example, seeking to gain payments for other aspects of 'planning gain', which expressly do not relate to the proposed development.
Bearing in mind all that we say in the above sections, it is palpable that the proposed development is acceptable, in principle, in fact.
It is also very true and not contended otherwise by the Local Authority that the proposals accord strongly with the relevant policy context and sustainable development policies and regeneration objectives set down in the NFFP.

It is our view, therefore, that any planning obligation that the Local Authority might wish to impose on this acceptable development proposal will need to be carefully thought through and identified so that they can be attested against the five tests, particularly bearing in mind that the proposed development seems to be agreed by the Local Authority to be in line with planning policy.

It is therefore hoped that the Local Authority will understand the position that the developments viability for the site has been in for many years, [clearly this is why no developer has took it on] and be sympathetic to the applicants arguments to be relieved from paying the S106 financial payments with the proposed development.
The planning and regeneration benefits arising from the restart of this development [with a small increase in numbers], the local jobs and training and positive social and economic impacts should not be put at risk of stalling for what is considered to be unreasonable S106 payments.

On the basis of the above comments and information it is recommended that the Local Authority consider not imposing planning obligations and that common sense prevails and the proposed development will be granted planning permission subject to the putative conditions that will be set out in the Planning Committee Report.