PLANNING, DESIGN AND ACCESS STATEMENT

IN SUPPORT OF AN OUTLINE PLANNING APPLICATION

FOR

ERECTION OF RETAIL UNITS WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING

AT

THE FORMER CENTRE 27 BUSINESS PARK, BANKWOOD WAY BIRSTALL

ON BEHALF OF

AEW UK (Core Property Fund)

JULY 2018

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SITE ADDRESS:
Former Centre 27 Business Park
Bankwood Way
Birstall

PLANNING STATEMENT
DATE ISSUED: JULY 2018
JOB REFERENCE: 10012671

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1.0 INTRODUCTION

1.1 Arcadis has been instructed by AEW UK (Core Property Fund) to prepare and submit a planning application on the site of the former Centre 27 Business Park at Birstall, for the:

Erection of retail units with associated access, parking and landscaping.

1.2 The application is submitted in outline with all matters reserved.

Pre-Application Advice

1.3 The applicant has sought pre-application advice from officers of the Local Planning Authority up to submission of this application. Feedback from officers has confirmed that the proposed development would be acceptable in principle, subject to the completion of retail and transport assessment work demonstrating that the scheme would not have a harmful effect on the surrounding retail centres or the local highways network.

Form and Content of the Application

1.4 In addition to this Planning Statement, this application comprises of the following:

- Suite of existing and proposed plans (indicative)
- Planning Statement;
- Retail Statement;
- Transport Assessment and Travel Plan;
- Bat Survey;
- Geoenvironmental Study;
- Air Quality Assessment; and
- Sustainable Drainage Assessment and Flood Risk Assessment.

2.0 SITE DESCRIPTION AND BACKGROUND

The Site

2.1 AEW UK (Core Property Find) is the freehold owner of the Centre 27 Business Park, Bankswood Way, Birstall. The extent of its land holding is shown in Figure 1.



Figure 1 – AEW UK Site Ownership

2.2 The site, as a business park, accommodated 8 office blocks (class B1a). These blocks provided a total of 3,479 sqm of gross internal floor area across the site. At present blocks 2, 4, 5, 6, 7 and 9 have been demolished, with blocks 3 and 8 programmed for demolition imminently.

2.3 These blocks have been demolished following extensive and prolonged marketing of the site failed to attract occupiers for the units. One contributing factor to this were the structure issues identified within a number of the units. Additionally, the units did not offer the standard and specification of accommodation required by current occupiers. In light of this, and the location of the units within a predominately leisure / retail area, demolition of the vacant units was pursued.

2.4 It is noted that on office block remains, in the northern corner of the business park. The lease hold for this unit was purchased by the occupier, who wishes to remain on site. As such the proposed scheme has been designed to enable the retention of that block.

The Surrounding Area

2.5 The site forms part of the wider Junction 27 area, which lies adjacent to the M62, where the M621 and A62 join the M62. This wider area is delineated in figure 2.

2.6 As can be seen, the location of Junction 27 is clearly bounded to the west and south by established industrial operations, which include a mix of B1, B2 and B8 uses. To the north, the site is bounded by the motorway. As such Junction 27 area forms a distinct location, which is very much separate to the existing settlement of Birstall.

2.7 Due to its excellent location in terms of the highways network, major settlement and access to a wider catchment area, the area has proved to be extremely successful, predominately in relation to retail and leisure uses.

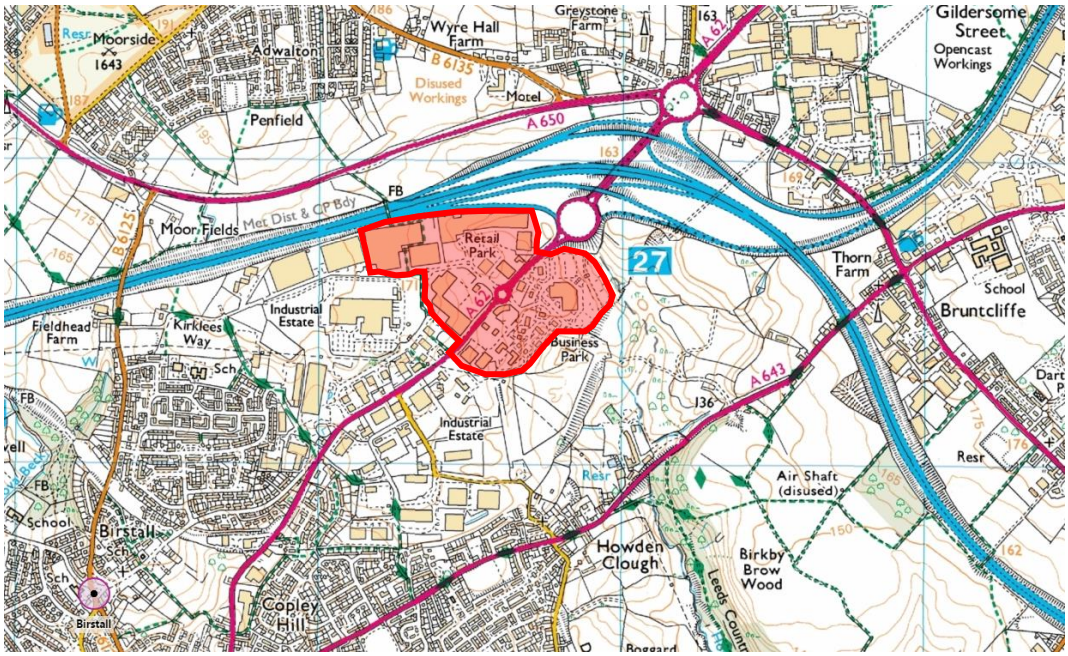


Figure 2 – Birstall Retail, Leisure and Office Area

2.8 The main land uses for the Junction 27 area are set out in figure 3. This highlights the following key areas:

- **Birstall Shopping Park** – an area of comparison shopping units. The park accommodates a number of high street stores, selling a wide range of products such as clothes, stationary, holidays and children's products. An M&S Food Store provides the only convenience shopping on site;

- **Junction 27 Retail Park** – an areas of comparison shopping units, many of which sell bulky goods. The park includes a number of furniture stores, as well as an electronics store;

- **Leisure Area** – adjacent to the two retail parks is an extensive area of leisure provision. This includes a number of restaurants, fast foot takeways, a fitness centre and cinema; and

- **Former Centre 27 Business Park** – the former site of a small office development lying adjacent to the leisure area.



Figure 3

Existing Land Uses at Junction 27

2.9 In terms of flood risk, the site is located in Flood Risk Zone 1, and as such is at a low risk of flooding from fluvial sources. It is also noted that the site not within or adjacent to a Conservation Areas and does not contain any statutorily Listed Buildings.

Planning History

2.10 A review of the publicly available records held by Birmingham City Council has been undertaken in order to determine the relevant planning history relating to the site.

Application Site

2.11 A series of demolition consents have been granted for units 2-9 of the Centre 27 Business Park. Other minor consents, such as signage and telecommunications equipment have also been granted since the construction of the former officer units.

Surrounding Area

2.12 Junction 27, as shown in Figure 3 above, is well established. There is an extensive planning history for these areas, with numerous consents being granted and which has resulted in this area becoming a very popular 'destination' location.

2.13 The table below sets out a selection of these consents to demonstrate the extensive retail and leisure development that has been permitted over more than 20 years.

Table 1 – Planning History

2015/62/93163/E	Land adjacent to DW Sports Gym, Gelderd Road, Birstall, Batley	Erection of non-food retail unit (Class A1), formation of access, car parking and associated works	Approved 14th March 2016
2015/62/90261/E	8a Birstall Retail Park, Holden Ing Way, Birstall, Batley, WF17 9DT	installation of mezzanine floor	Approved 8th April 2015
2014/62/93084/E	Unit L, Junction 27 Retail Park, Holden Ing Way, Birstall, Batley, WF17 9AD	Erection of extension to unit L to provide Class A3 Restaurant at ground floor, provision of mezzanine floor space for A3 use by ground floor restaurant and class A1 retail use for existing unit, along with related servicing and car parking	Approved 11th Dec 2014
2013/64/90321/E	Unit 3, Holden Ing way, Birstall, Batley, WF17 9DT	Installation of 1 no. internally illuminated flex face box sign (Boots the Chemist)	Approved 22nd March 2013
2011/192/93288/E	Next Unit 8c, Birstall Shopping Park, Holden Ing Way, Birstall, Batley, WF17 9DT	Certificate of lawfulness for proposed use of part of floorspace within Class A1 retail unit to provide ancillary Class A3 cafe facility	Approved 13th Feb 2012
2011/64/92640/E	Unit 15, Birstall Retail Park,	Erection of illuminated	Approved

	Birstall, Batley, WF17 9DT	signs (Pets at Home)	23rd Dec 2011
2011/62/90833/E1	Comet Plc, West Yorkshire Retail Park, Holden Ing Way, Birstall, Batley, WF17 9AE	Erection of restaurant within Class A3	Approved 18th Aug 2011
2011/46/92194/E	Former Habitat, Spring Ram Retail Park, Gelderd Road, Birstall, Batley, WF17 9AE	Certificate of lawfulness for the proposed use of part of retail warehouse for pet care and treatment facility	Approved 25th Oct 2011
2010/64/91694/E1	Unit 2, Birstall Retail Park, Birstall, Batley, WF17 9DT	Erection of illuminated and non-illuminated signs (Habit to Home Sense)	Approved 28th July 2010
2009/62/91412/E1	Unit 8b, Birstall Retail Park, Holden Ings Way, Birstall, Batley, WF17 9DT	Installation of replacement shop front (Carphone warehouse)	Approved 30th June 2009
2008/62/90691/E1	Junction 27,Gelderd Road, Batley,	erection of restaurant (Nandos)	Approved 24th Apr 2008
2005/62/93322/E1	Adjacent To Sports World, Birstall Retail Park, Holden Ing Way, Birstall, Batley	installation of ATM cash machine and security pod	16th Sept 2005
2003/62/90447/E1	Ikea Store, Holden Ing Way, Birstall, Batley.	erection of extension to existing retail store (use class a1), including reconfiguration of car parking, new car parking, landscaping and alterations to vehicular and pedestrian access. external alterations to existing building including re-cladding.	10th June 2003
2002/62/92799/E1	Unit H, West Yorkshire Retail Park, Holden Ing Way, Birstall, Batley.	installation of new shop front	Approved 3rd Oct 2002
99/62/91904/E1	West Yorkshire Retail Park, Holden Ing Way, Birstall, Batley	erection of an ATM building	Approved 25th July 1999
99/64/90518/E1	West Yorkshire Retail Park, Holden Ing Way, Birstall, Batley.	erection of 2 no. illuminated retail park signs	Approved 19th Feb 1999
98/62/91077/E1	Holden Ing Way, Off Gelderd Road, Birstall, Batley	erection of non-food retail warehouse units (class a1) and restaurant (class a3) with associated car parking and access works	Approved 5th Oct 1998
98/62/90671/E1	Holden Ing Way/Gelderd Road, Birstall, Batley.	erection of non-food retail warehouse units (within class a1) with associated car parking and access works	Approved 5th Oct 1998
94/62/92060/E1	MFI Store, Unit 2/Spring Ram Retail Park, Holden Ing Way,	installation of external door	Approved 12th Aug 1994

	Birstall, Batley (Now Unit 8 Birstall Shopping Park).		
93/64/01459/E1	Comet Unit, Holden Ing Way, Birstall, Batley (Now M&S Food)	erection of non-illuminated signs	Approved 21st May 1993

2.14 In light of the above it is considered that since the early 1990s, Kirklees Council has enabled this location to become a strong and established retail and leisure area.

3.0 THE PROPOSED DEVELOPMENT

3.1 The application seeks outline planning permission for the development of a series of retail units, with associated car parking and landscaping.

3.2 The indicative plans show a layout incorporating 4 units, with retail floor space over 2 floors. A maximum of 7,896 sqm of floor space is proposed. The indicative unit sizes are shown in table 2 below.

Schedule of Gross Internal Area (GIA) i.e. to inside face of external walls			
Retail Unit	Ground Floor	First Floor	Total
1	1393 sqm (14994 sqft)	929 sqm (10000 sqft)	2322 sqm (24994 sqft)
2	929 sqm (10000 sqft)	929 sqm (10000 sqft)	1858 sqm (20000 sqft)
3	929 sqm (10000 sqft)	929 sqm (1000 sqft)	1858 sqm (20000 sqft)
4	929 sqm (10000 sqft)	929 sqm (10000 sqft)	1858 sqm (20000 sqft)
Total	4180 sqm (44994 sqft)	3716 sqm (40000 sqft)	7896 sqm (84994sqft)

Table 2 – Proposed Units Sizes

Layout

3.3 Though details of the site layout are reserved, an indicative layout has been produced to inform the application. This shows the proposed units fronting onto a landscaped carparking area, which is accessed from the existing access point from Bankwood Way. This route previously served the office accommodation on site. Additionally, customer vehicular access will also be provided from a new access point off Woodhead Road.

3.4 An attractive and active retail frontage will then be formed facing out towards the north of the site.

3.5 To the rear of the units will be a service area, accessed from in and out access points onto Bankwood Way. This area enables heavy goods vehicles to access the site, deliver goods and exit the site all in a forward gear. There will be no conflict between service vehicles and customers accessing the site.

4.0 PLANNING POLICY

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined with the Development Plan unless material considerations indicate otherwise.

4.2 The following section considers the relevant planning policy for the proposed development.

Kirklees Development Plan

4.3 The Kirklees Unitary Development Plan (UDP) was adopted in 1999, with the majority of policies later saved in 2007. Centre 27 was already constructed when the adopted UDP came forward and is shown on the UDP map. Adjacent to Centre 27, land was allocated for further employment development, as can be seen, marked in purple, on the map extract at Figure 4.

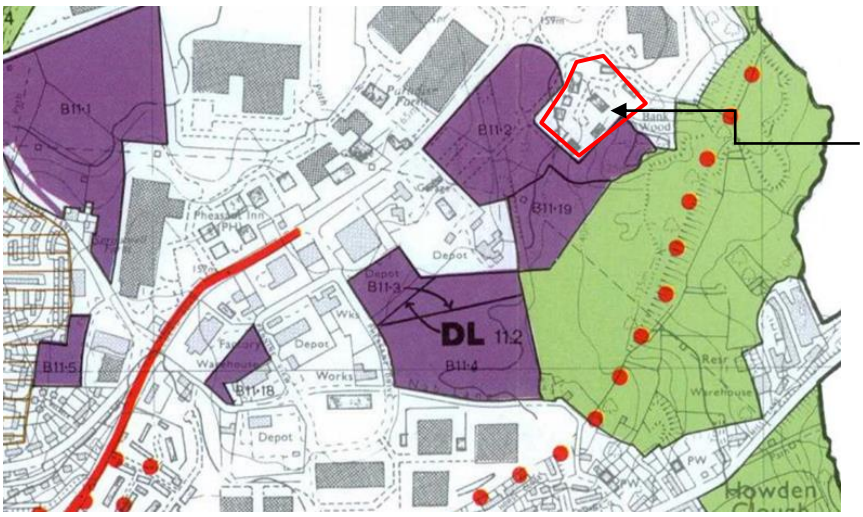


Figure 4 – Extract from Kirklees Unitary Development Plan Map

4.4 The policies of the adopted UDP of relevance to the application area as follows:

- G1 – Regeneration
- G4 – Design
- G6 – Contamination
- BE1 – Built Environment
- BE2 – Design
- BE22 – Disabled Parking

- T1 – Transport
- T10 – Highways
- T14 – Pedestrian Routes
- T17 – Cyclists
- T19 – Parking
- DL1 – Derelict and Neglected Land
- DL2 – Reclamation of Derelict Land
- S1 – Shopping Centres
- S4 – Large stores

4.5 Kirklees Council is currently in the process of preparing a Local Plan. The Local Plan was submitted to the Secretary of State for Communities and Local Government in April 2017 for independent examination. The examination process hearing sessions are currently underway, to be followed by publication of the Inspector's Report and finally adoption. Adoption is expected later in 2018.

4.6 The weight to be given to the emerging Local Plan should have regard to the guidance in paragraph 216 of the National Planning Policy Framework. However, until adoption, the saved policies of the UDP remain the statutory development plan for the area.

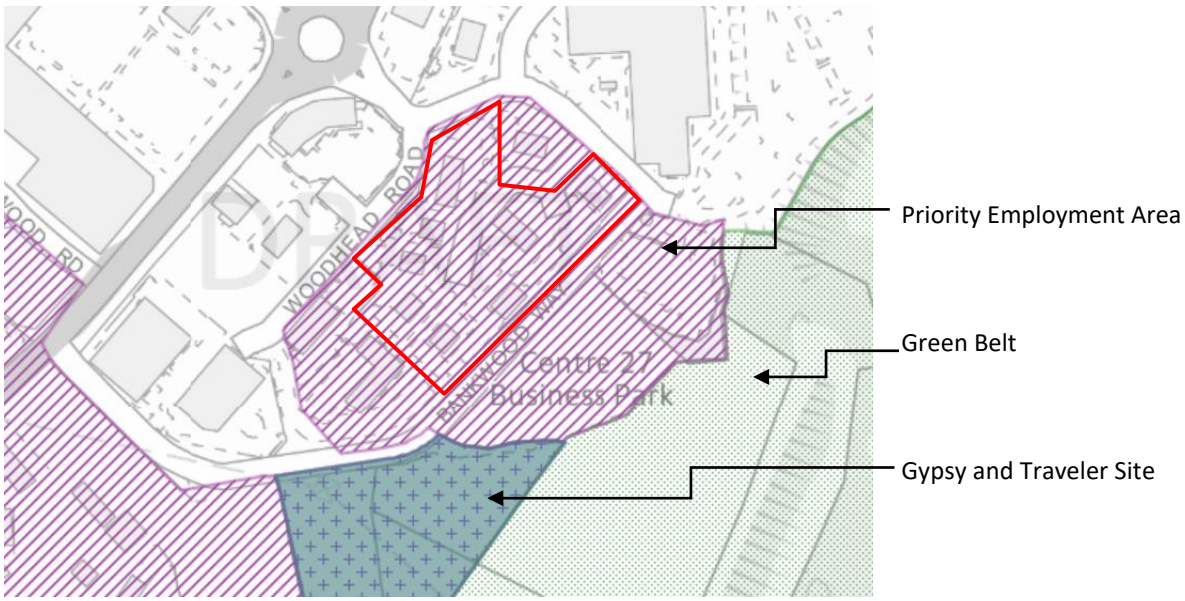


Figure 5 – Extract from Kirklees

4.7 Figure 5 shows the proposed Local Plan designations affecting the application site. The site is proposed as a priority employment area, while the remainder for the retail and leisure area is not specifically identified as a policy area.

4.8 Relevant policies from the emerging Local Plan are:

- PLP 1 – Presumption in favour of sustainable development
- PLP 3 – Location of development
- PLP 7 – Efficient and effective use of land and buildings
- PLP 8 - Safeguarding employment land and premises
- PLP13 – Town centre uses
- PLP 20 – Sustainable Travel
- PLP 21 – Highway safety and access
- PLP 22 – Parking
- PLP 24 – Design
- PLP 27 – Flood risk
- PLP 28 – Drainage
- PLP 30 – Biodiversity & Geodiversity
- PLP 51 – Protection and improvement of local air quality
- PLP 52 – Protection and improvement of environmental quality
- PLP 53 – Contaminated and unstable land
- PLP 59 – Infilling and redevelopment of brownfield sites

4.9 All of these adopted and emerging policies are considered in sections 5 and 6.

National Planning Policy Framework

4.10 The National Planning Policy Framework (NPPF) was published in March 2012, and sets out the Government's planning policies for England, and how they are expected to be applied. A consultation on revisions to the Framework was launched on 5th March 2018, in order that planning policy can be refines, with the aim of bringing forward more land in the right places.

4.11 The NPPF is a strong "material consideration" in determination planning applications (paragraph 13). The Government expects communities to plan positively to support local development (paragraph 16). It also follows that "development plans", under the current plan-led system ought to be consistent with the objectives, principles and policies now set out in the NPPF.

4.12 The NPPF includes a clear presumption in favour of sustainable development and seeks to proactively drive and support sustainable economic development. It also sets out the need to apply a sequential test to planning applications for main town centre uses that are not in an existing centre, and the need to assess the impact of new retail development (page 8).

5.0 DESIGN AND ACCESS

5.1 As set out in The Town and Country Planning (Development Management Procedure) (England) Order 2015, any application for 'major' development must be accompanied by a Design and Access Statement.

5.2 In this case, as the current application is submitted in outline with all details reserved for future consideration, it is considered appropriate to combine the Design and Access Statement into the Planning Statement.

5.3 As set out in the relevant legislation, the Design and Access Statement should address a series of key points, all of which are considered below

A. Explain the design principles and concepts that have been applied to the development

5.4 The proposed development provides a series of retail units of a similar scale to other units in the surrounding area and are typical of such a retail area. These units will provide retail accommodation over 2 floors (including a mezzanine floor) with entrances and display windows along the front elevation. Customer parking is also required on site, providing direct access to the units, as well as other retail and leisure uses in the area.

B. Demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account

5.5 The demolition of the redundant office blocks has resulted in a cleared site that provides an excellent development opportunity within the surrounding area. Figure 5 shows the site context, including the existing access point, surrounding road network and neighbouring development. As can be seen, to the north of the site are a series of active frontages to both leisure and retail uses. It is therefore proposed to orientate the development to face outwards towards the north, to link in with this existing development.

5.6 To the South of the site is an estate road and open countryside, and as such it is considered appropriate to have the rear of units facing this direction, including service yard area.



Figure 5 – Site Context

5.7 In light of this an indicative layout plan for the site has been drawn up to address the site context. As can be seen in figures 6 and 7, the proposed layout will provide a new active frontage within the site, which faces out towards, and contributes to, the existing retail and leisure development within the area.

5.8 The proposed units are of a size and scale that complements the adjacent established development, including the Showcase Cinema and the adjacent retail units.



Figure 6 – Indicative Site Plan



Figure 7 – Indicative Sketch of Units and Surroundings

5.9 The proposed redevelopment of this previously developed site is considered to very much be in keeping with the context of the surrounding area.

C. Explain the policy adopted as to access, and how policies relating to access in relevant local development documents have been taken into account

5.10 A full transport statement has been produced to accompany this application. This demonstrates that the proposed development would not lead to a 'severe' impact on the surrounding highway network. The assessment also demonstrates that Site is situated in a sustainable location with established pedestrian, cycling and public transport infrastructure.

5.11 Linked trips will be key to accessing the proposed units. Those visiting the site will largely be existing visitors to the area, shopping at nearby retail units and using the adjacent restaurants and leisure facilities. As such the actual new traffic to the area, generated by the proposed development, will be minimal.

5.12 In light of this and the site's proximity to the regular bus services running along Gelderd Road, the proposed development is considered to be in accordance with Policy T10 'Highway and Accessibility Considerations in New Development' of the adopted UDP. Additionally, the reserved matters design will ensure that safe, convenient and attractive pedestrian routes are provided through the scheme, linking to the existing footpath network, in accordance with Policy T14 'Pedestrian and Cyclists'.

D. State what, if any, consultation has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultation

5.13 Pre-application advice has been sort in relation to the access proposals and has been addressed as part of the current proposal and assessment work. The current site design enables two vehicular entrance points and one exit point to the front of the site. This will enable the customer parking area to be easily accessed by the public.

5.14 To the rear of the site it is proposed to create separate in and out vehicular access points into the service yard. This will keep heavy goods vehicle movement separate to those of private cars.

5.15 Pedestrian access to the site will be provided from the north via a series of clearly legible footpath routes through the site. These will link the retail unit frontages to

the existing footways on the local roads. From here pedestrians can access the other retail and leisure units in the area, as well as the bus stops on Gelderd Road.

5.16 A series of disabled parking spaces will be provided adjacent to the entrance point to the retail units. Throughout the scheme pedestrian routes will be designed to accommodate the needs of those with limited mobility and wheelchair users.

E. Explain how any specific issues which might affect access to the development have been addressed

5.17 No specific access issues have been identified. It is maintained that the proposed development will be accessible for both those using public transport and private vehicles. Many of those accessing the site will already be visiting the other retail and leisure facilities in the area.

5.18 Overall, it is maintained that the new development will achieve a high standard of design, in accordance with UDP Policy G4 'Design' and BE2 'Quality of Design'. Policy BE1 goes on to require the subsequent reserved matters to:

- Create a sense of local identity;
- Is visually attractive;
- Promotes safety, including crime prevention;
- Promotes a healthy environment, including landscaping;
- Is energy efficient in terms of building design and orientation, including the promotion of walking, cycling and public transport.

5.19 Emerging Local Plan Policy LPL24 sets out similar criteria for new development, which further stress the need for high levels of sustainability. All these principles will be adhered to when drawing up the details of the scheme.

6.0 COMMENTARY

Overview

7.1 This section assesses the development proposals against the planning policy framework. Considering the key planning issues raised by the development in order to demonstrate how the proposal delivers sustainable development.

Principle of Development

7.2 It is noted that an existing employment allocation and a proposed Local Plan Priority Employment Area (B&S3) covers the Centre 27 Business Park and adjacent land. However, officers have confirmed that the definition of 'employment land' and 'economic development', as included in emerging Policy PLP8, includes not only Class B uses but also public and private community uses and main town centre uses (excluding housing development). As such, it is confirmed by officers in the Local Plan consultation responses that the 'Priority Employment Area designation would not preclude the site being brought forward for an alternative employment generating use. Therefore, leisure and retail would be acceptable subject to town centre policies set out in national policy and the Local Plan'.

7.3 Additional to this, an Economic Statement was previously produced to accompany Local Plan representations made on behalf of AEW UK. The report identified that Centre 27 was a poorly performing asset with minimal growth potential unless a major refurbishment/redevelopment is carried out to reposition the accommodation within the out-of-town market. However due to the lack of demand in this area and the availability of better quality competition, the viability of such expenditure could not be justified. This situation did not improve and as such the office units have been demolished.

7.4 In light of this, the redevelopment of the site to provide retail units is considered to be the most appropriate re-use of a redundant employment site. Additionally, the proposed development will continue to provide significant levels of employment and will result in environmental improvements which will benefit the wider area.

7.5 It is therefore considered that the proposed development accords with the aims of Policy G1 'Regeneration', by strengthening and broadening the economic base for the area, and by sustainably securing the reuse of land and the improvements of its surroundings. The principle of development also accords with Policy PLP1 of the emerging local plan which highlights the NPPF's presumption in favour of sustainable

development. Furthermore, emerging Policies PLP3 and PLP7 stress that development proposals must reflect the Spatial Development Strategy, while making best use of land. As set out in this statement it is considered that the supporting assessment work has demonstrated that the proposed development will accord with this requirement.

Retail Impact

7.6 A Supporting Retail Statement has been prepared by MWA to consider the retail impacts of the proposed development. Based on the pre-application consultation response from WYG, this includes a sequential test and an impact assessment.

7.7 For the sequential test, all relevant centres have been examined. A range of criteria have been applied to the site assessments and it has been demonstrated that they are either unsuitable because of their size or their preferred use within the draft Local Plan (Allocations and designations). The units within the centres are too small to accommodate more than a very limited proportion of the development planned at Centre 21 and have similarly been judged to be unsuitable. In assessing whether alternative sites are available the Secretary of State's decision also confirms that the test is whether these are available now and not within a reasonable period of time. The assessment concludes that none of the sites including those within the draft Local Plan are available.

7.8 In terms of the potential retail impacts of the proposed development on centres within the four identified zones from which the majority of the turnover is predicted to be drawn, all will trade at levels in excess of those achieved in 2013 and 2018. This is identified in the health checks undertaken by WYG in 2013. The majority of the diversion will fall on out-of-centre stores including those which are sited on retail parks. The diversion from other centres including Huddersfield, Leeds and Bradford will be limited and in any event these centres perform sub-regional shopping roles.

7.9 Having regard to the outputs of the retail impact assessment carried out for the site it is not consider that the proposal would undermine the vitality or viability of any town centre or their future investment prospects and performance. The consequences for the town centres are well within acceptable parameters and are not of an order of 'significance' that would lead to conflict with the NPPF or UDP Policy S1 'Shopping and Service Uses' or Policy S4 'Large New Stores'. Moreover, the proposed development is in accordance with Policy PLP13 of the emerging Local Plan, which sets out the requirements for a sequential test and impact assessment in relation to retail development outside of defined centres.

Transport and Highways

7.10 BWB Consulting Ltd has produced a Transport Assessment (TA) to consider the potential impacts of the proposed development.

7.11 The TA stresses that, in terms of sustainability, the established retail, commercial and employment presence in proximity of the Site enabled the provision of footway links, public transport with average frequency of one bus every 12 minutes and access to a range of local amenities. Therefore, the existing sustainable infrastructure should provide good accessibility for future staff and customers, which will be further strengthened by a Framework Travel Plan.

7.12 In terms of vehicle movements, the highways modelling results demonstrate that the proposed development is not expected to have a material impact on the operation of the aforementioned study area junctions.

7.13 However, the TA indicates that the proposed development would have an impact on the Woodhead Road approach of the A62 Gelderd Road roundabout during the Saturday peak hour in 2023. Such impact is considered minimal as it equates to a developmental impact of 8.7%.

7.14 Nonetheless, it is believed that the use of the part-time signals on A62 Gelderd Road eastern approach and the northern circulatory carriageway (not currently operated) would improve the efficiency of the roundabout, particularly during the peak hours of the highway network.

7.15 In conclusion, this Transport Assessment report has demonstrated that the proposed development would not lead to a 'severe' impact on the surrounding highway network. Furthermore the TA has shown that The Site is situated in a sustainable location with established pedestrian, cycling and public transport infrastructure. As such it is considered that the proposed development is consistent with the National Planning Policy Framework and the local development policies and therefore should not be refused on highway grounds.

7.16 In terms of this UDP Policy T1 'Transport' aims to minimise the use of private cars and encourage the use of public transport, while reducing the need to travel. Due to the site's location within an existing retail and leisure destination, further retail development will result in a large number of linked trips, with existing visitors to the area also visiting the application site. As such it is considered that the proposed

development accords with the aims of Policy T1. Emerging Local Plan Policy PLP20 'Sustainable Travel' has similar aims to promote sustainable transport.

7.17 Emerging Policy PLP21 'highways safety and access' highlights that new development must demonstrate adequate information and mitigation measures to avoid a detrimental impact on highway safety and the local highway network. The TA sets out this information, as explained above.

7.18 UDP Policy BE22 'Parking Facilities for People with Disabilities' sets out the need to provide parking for people with disabilities. This issue will be dealt with as part of any future reserved matters, as will the provision of cycle parking and routes through the site, in accordance with Policy T17 'Cycling'.

7.19 Parking provision on site is also considered in the UDP Policy T19. In light of the maximum parking standards set out in policy, a car parking accumulation assessment has been undertaken which demonstrate that the proposed parking provision is sufficient to accommodate the development's traffic.

Ground Conditions

7.20 A Geoenvironmental Report has been produced by Delta-Simons, which considers the ground conditions on site, in terms of stability and contamination.

7.21 In terms of stability it is recognised that the on-Site Made Ground is considered to be too deep, unpredictable, and compressible in its existing condition for conventional shallow foundations at the Site. Proposals for the foundations are therefore detailed in the report, along with additional investigation works.

7.22 A contamination investigation has been carried out in order to provide information on the quality of the soil and groundwater beneath the Site, in the context of land contamination and provide information on the ground gas regime beneath the Site for a commercial end use. The assessment is being completed prior to the proposed redevelopment of the Site.

7.23 Elevated Polycyclic aromatic hydrocarbons (PAHs) concentrations have been recorded at depth in the landfill waste encountered in the south-east of the Site. There are considered to be no exposure pathways to future Site users, given the depth to the waste. No other elevated concentrations of contaminants of concern were recorded by chemical analysis.

7.24 Ground gas monitoring indicates the Site can be classified as CS2. Basic gas protection measures should be included within the design of the proposed buildings at the Site.

7.25 No contamination of groundwater was encountered during this investigation and any migration of contaminants further into the underlying bedrock will be limited. Additionally, it is considered that migration of contaminants to the on-Site culverted watercourse and the more distant Howden Clough Beck will be limited by the cohesive soils identified across the Site. Therefore, it is considered that no further action is required.

7.26 Based on the findings of this report, it is considered that additional intrusive ground investigation is undertaken to determine the extent of the possible voids or collapsed workings. The findings of this investigation would assist with determining a suitable treatment method.

7.27 In light of the assessment work carried out to date, it is considered that the proposed development will be in accordance with UDP Policy G6 relating to contamination and land instability. Policy PLP53 of the emerging Local Plan seeks to ensure that contaminated and unstable sites are dealt with appropriately.

7.28 Additionally, the proposed development will make best and most appropriate use of derelict and vacant land, in accordance with UDP Policies DL1 and DL2, and emerging Local Plan Policy PLP59.

Health and Safety Executive Zone

7.29 It is noted that the proposed application site falls within a Health and Safety Executive (HSE) middle and outer zone around a major hazardous installation (in this case the Tennants Distribution facility on Gelderd Road, which stores and distributes chemicals). This is shown in Figure 8 below.

7.30 In accordance with the HSE Land Use Planning Methodology, within the middle zone type 2 development, being 'developments for use by the general public' is considered acceptable. Indoor retail premises, such as the units proposed, fall with the definition of type 2 development.

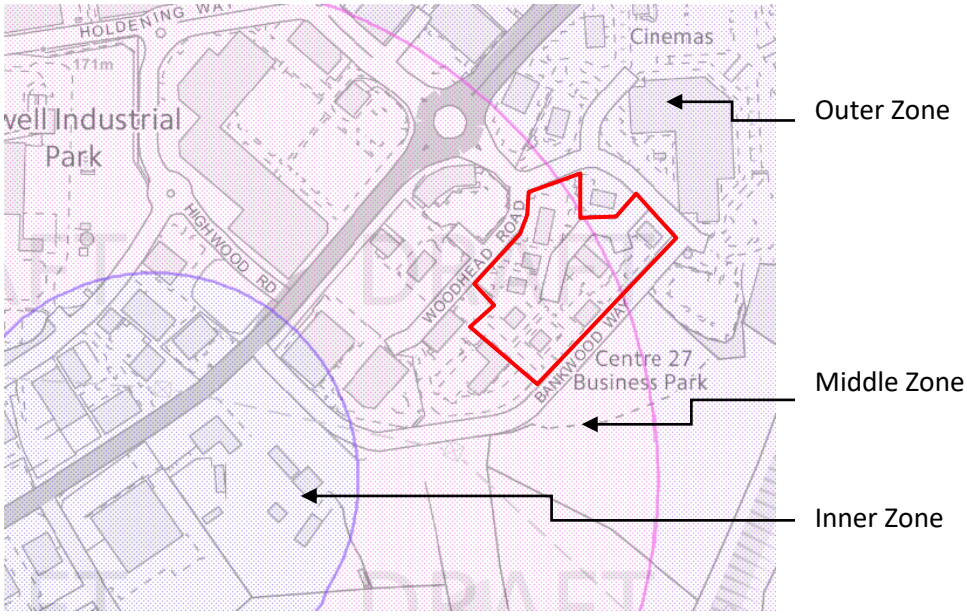


Figure 8 – HSE Zones

Flood Risk and Drainage

7.31 A Flood Risk Assessment and Drainage Strategy has been produced by Deltasimons. This identifies the Site as being located in Flood Zone 1. The proposed development is classified as "Low Vulnerability", which is permitted across all Flood Zones. Given the low risk and appropriate nature of the development the Sequential Test is deemed to be passed and the Exception Test not required.

7.32 The risk of flooding to the Site has been assessed for the Site and is considered low for all sources of flood risk. The impact of the proposed development on flood risk has also been assessed. The study considers that surface water flood risk is the most likely to be impacted by the scheme.

7.33 The Drainage Strategy for the development is to maintain the existing discharge regime from the site. Foul and surface water flows from the proposed development are to discharge to the existing sewer networks in Bankwood Way. Surface water is to be restricted to brownfield runoff (30%), with attenuation provided on site to ensure no external flooding for the 1 in 30 year event and all flows retained on site for up to the 1 in 100 year plus climate change event. Overall the impact from surface water runoff will be low.

7.34 For the detailed scheme design the following standard development mitigation measures are recommended:

- Finished floor levels to be set minimum 150mm above external levels to mitigate any risk from blockage and exceedance events.
- Within the detailed drainage design blockage/exceedance events should be considered ensuring the proposed development and surrounding areas are not put at risk from overland flows.

7.35 In light of these findings and recommendations, the report concludes that the proposed development is compatible with existing flood risk and national and local policy (including emerging Local Plan Policies PLP27 'Flood Risk' and PLP28 'Drainage') and is therefore acceptable.

Ecology

7.36 A Bat Survey was carries out by Enzygo in June 2017. This showed that there was some potential for bats to be roosting in units 4, 5 & 6 on site. Following this survey work the necessary bat licenses were secured to enable the demolition of the units, along with the other units on site (except for unit 1). The ecology work recommended the installation of replacement roosting features on the exterior of any new building to come forward on site.

7.37 It is considered that the proposed development is in accordance with Policy PLP30 'Biodiversity & Geodiversity' as it has the potential to enhance the biodiversity of the area.

Air Quality

7.38 An Air Quality Assessment has been prepared by BWB. This considers the air quality impacts from traffic visiting the site. Emerging Local Plan Policy PLP51 seeks to protect and improve local air quality. It is considered that the proposed development is in accordance with the aims of that policy.

Summary

7.39 As set out above, it is considered that the proposed retail units would accord with the relevant policies of the adopted UDP and the emerging Local Plan and as such the scheme represents appropriate sustainable development.

7.40 In light of this it is also maintained that the scheme accords with the requirements of the NPPF and the clear presumption in favour of sustainable development set out in the document. The proposals seek to proactively drive and support sustainable

economic development within the area, by bringing back into active use a site which has been failed to attract office occupiers for a number of years and has been under performing economically.

7.0 SUMMARY

7.1 As set out in this statement and accompanying documents, AEW UK (Core Property Fund) seek outline planning approval for retail development on the site of the former Centre 27 Business Park.

7.2 Over recent years, the Business Park proved to be uneconomic and unattractive to modern occupiers. Some of the buildings on site also suffered from structural issues. In light of this AEW UK (Core Property Fund), as freeholders of the site, made the unavoidable decision to demolish to the office units and seek a more appropriate use for the previously developed site.

7.3 The site is located within a well-established retail and leisure area, and officers have confirmed that the site's Priority Employment Area designation would not preclude the it being brought forward for an alternative employment generating use. Therefore, leisure and retail would be acceptable subject to town centre policies set out in national policy and the Local Plan.

7.4 Following this acceptance of the principle of retail development, comprehensive assessment has been carried out to consider the potential impacts of the proposed development. In particular, retail and transport assessments have been produced. All the assessment work has identified that the redevelopment of the site is acceptable in terms of its potential impacts on the site, surrounding area and wider highways network and retail strategy.

7.5 In accordance with the relevant local and national planning policy, it has been demonstrated that the proposed development represents sustainable development, that make best use of previously developed land and provides retail premises which will closely link with the surrounding leisure and retail offer.

7.6 For reasons set out above, and taking into account the proposals and supporting plans, it is respectfully requested that planning permission is granted.

ARCADIS
JULY 2016

ARCADIS Design & Consultancy for natural and built assets

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