PB Planning

Land off Summerdale Drive & Carrs Lane

Cudworth

PLANNING STATEMENT

Barratt Homes

April 2017

Strategy > Partnership > Delivery

CONTENTS

1.0 Introduction

2.0 Site Description & Surroundings

3.0 Planning History

4.0 Proposed Development

5.0 Planning Policy Context

6.0 Consideration of Planning Issues

7.0 Summary

COPYRIGHT

The contents of this document must not be copied or reproduced in whole or in part without the written consent of PB Planning Ltd.

1.0 INTRODUCTION

1.1 This Planning Statement accompanies an application for **full** planning permission for the following development on Land off Summerdale Drive & Carrs Lane, Cudworth: -

> **"Development of 278 Residential Dwellings with open space and associated infrastructure"**

1.2 This Planning Statement has been prepared in support of the planning application and it provides details of the proposed development and an assessment of its compliance with relevant planning policy. The application is accompanied by a separate Design and Access Statement, which provides further details in respect of design and access issues relating to the proposed development.

1.3 The application package is accompanied by electronic copies of the following documents: -

- Completed planning application forms and ownership certificates;
- Drawing Package;
- Planning Statement;
- BMBC PAN30 Site Assessment;
- Statement of Community Involvement;
- Design and Access Statement;
- Landscape Masterplan;
- Landscape Appraisal;
- Transport Assessment;
- Transport Plan;
- Road Safety Audits;
- Flood Risk Assessment Report;
- Extended Phase 1 Habitat Survey Report;
- Arboricultural Report & Impact Assessment;
- Preliminary Ground Appraisal Report;
- Geo-environmental Appraisal;
- Supplementary Mining Investigation Letter;
- Gas Report; &
- Draft S106 Heads of Terms;

Planning Statement

1.4 This Statement is structured as follows:

- Chapter 2 describes the site and surroundings;
- Chapter 3 provides details of the planning history context of the site;
- Chapter 4 describes the proposed development;
- Chapter 5 provides the planning policy context;
- Chapter 6 provides a consideration of planning issues; and
- Chapter 7 provides a brief summary and conclusions.

1.5 The Planning Statement concludes that the proposed development is in accordance with relevant planning policies at national and local levels. The proposed scheme seeks to provide new high

quality family housing in a sustainable location which is appropriate for the proposed residential use. Full planning permission should therefore be granted in respect of this planning application.

2.0 SITE DESCRIPTION AND SURROUNDINGS

2.1 The site is located adjacent to the existing settlement area of the Principal Town of Cudworth. The site is approximately 11.62 hectares in size and presently consists of a private agricultural field. The site's topography is undulating and falls from the north east to south west. The site is located in Flood Risk Zone 1.

2.2 The site is bound by the following land uses: -

- Existing residential areas to the north;
- Existing residential areas to the east;
- A dismantled railway line and open fields to the west; and
- Open fields and a handful of existing properties to the south, including South Yorkshire Police's Mounted Section facilities at Ring Farm.

2.3 The wider context of the site contains a varied mix of built up areas and open countryside. Beyond the immediate setting of the site lies the main settlement area of Cudworth which contains predominantly residential areas with pockets of agricultural, community and recreational uses associated with the services and facilities that the settlement provides.

2.4 The site is currently designated as Safeguarded Land within the Barnsley Unitary Development Plan and is identified as Housing Allocation 'H32' with an indicative capacity of 278 homes within the emerging Publication Draft Barnsley Local Plan.

2.5 The Council's Strategic Housing and Employment Land Availability Assessment (2016 Update) identifies that the site has no physical constraints, is available for development now, and that development is achievable in the next 10 years. The Council's Housing Site Assessment, which solely relate to proposed site allocations (dated July 2016), identifies that the site is a proposed allocation as it is a sustainably located site in a Principle Town, is available on grounds that the owner has confirmed willingness to develop the site and that the site is achievable.

2.6 In respect of accessibility, the site is located within walking and cycling distance of a number of services and facilities available within the surrounding area, and within the settlement area of Cudworth. Available facilities located within a 10 to 15-minute walk of the site include a post office, the Cudworth Centre, retail facilities, legal/financial services and public houses. The Transport Assessment submitted with the planning application includes an accessibility plan providing details of the site's sustainable location.

2.7 In addition, the submitted "Housing Development Sustainability Checklist" as requested by the Council's Planning Advice Note 30 (PAN30) details of the site's sustainability credentials

measured against specific criteria established by the Council. The submitted document identifies a total score of 28. PAN30 identifies that sites which score 22 or over are considered to be sustainable and meet the requirements of the document.

2.8 With regards to the site's location in relation to public transport modes other than the private car, the site has access within walking and cycling distance to the existing bus stops located within 400m from the centre of the site. The bus stops located within proximity of the site provide frequent public transport connections to Barnsley, Pontefract and a number of other settlement areas. There are also interchange opportunities in Barnsley town centre which provide access to more local, regional and national destinations by bus or train. Detailed evidence of the frequency, journey times and destination of public transport modes located within the vicinity of the site are provided within the Transport Assessment submitted with the planning application.

2.9 The provision of residential development at the site would not have an adverse impact on the identified local context and land uses located within proximity to the site.

3.0 PLANNING HISTORY

3.1 In order to fully understand the development context of the site in the preparation of this planning application we have undertaken a full planning history of the application site.

3.2 The planning history search identified two previous planning applications associated with the area adjacent to the site's frontage with Carrs Lane, Cudworth which surrounds the proposed access route into the site in this location.

3.3 The first application was in relation to an outline planning application (Ref. B/85/1638/CU) for residential development which was refused by Barnsley Metropolitan Borough Council (BMBC) in 1986. Whilst details of the refusal of this previous application are not currently available, it is clear that the application bares no relevance to this application on account of the superseding of all national and local planning policy guidance documentation which was relevant to the decision at that time.

3.4 The second application relates, of course, to that which was submitted by Barratt Homes in October 2015 and refused by the Council in August 2016 (Ref. 2015/1070).

3.5 This planning application is essentially a resubmission of the previously refused planning application (Ref. 2015/1070). Accordingly, it is considered pertinent to identify some key planning parameters associated with the previously refused planning application.

3.6 The previous planning application was heard at the Council's Planning Regulatory Board on the 26th January 2016. The Council's full recommendation to board members was as follows: -

"Grant planning permission subject to completion of S106 Agreement (Education, Public Open Space, Affordable Housing and a Travel Plan) and the planning conditions listed below.

In respect of affordable housing, the recommendation is to also authorise officers to instruct the District Valuation Office to undertake an independent viability appraisal of the scheme in order to ascertain the level of the affordable housing commuted sum. Once known, a further report will be presented to members relating to the level of the affordable housing contribution. Should the applicant also submit additional details to satisfy the recommended conditions prior to the further report being considered by members, this report would also summarise any minor changes arising as a result (e.g. updated wording of planning conditions/minor changes to internal layout)."

3.7 In reaching this recommendation the Committee Report provided the following justification in respect of the planning balance: -

"The NPPF states that a presumption in favour of sustainable development should be at the heart of every application decision.

The NPPF also states that development proposals which accord with the development plan should be approved without delay. As has been established above, the proposal does not accord with the existing site specific land use policies affecting the site. However, in this case, the UDP policy is classed as out of date by the NPPF and as such the NPPF indicates that planning permission should be granted unless: -

- ***any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or***
- ***specific policies in the NPPF indicate development should be restricted***

The proposal is compliant with the Core Strategy insofar that Cudworth is identified as a Principal Town which is prioritised for housing growth (1800 net new dwellings before 2026). The proposals therefore accord with polices CSP8 and CSP9. These are considerations that need to be afforded significant weight in the consideration of the application.

In addition to the above, the NPPF states that there are three dimensions to sustainable development; economic, social and environmental.

The delivery of 278 net new homes would make a significant contribution towards the Borough wide and local targets being met. The development would also contribution towards addressing the deficiency in the 5-year housing land supply. The proposal would therefore score highly in terms of the economic and social aims of the Borough that are set out in the Core Strategy. In addition, the plans include proposals for policy compliant levels of public open space on site and a commuted sum for the enhancement of formal recreation facilities off site. The development does raise issues for the availability of primary school places off site, but this would be appropriately mitigated through the payment of a commuted sum. This would not be a negative social consequence therefore. In addition, if viable, the payment of a commuted sum for the provision of affordable housing off the site would also be social benefit.

The environmental considerations of the development have been assessed. The site would contribute housing delivery without requiring loss of any Green Belt land which is a positive. Whilst green field, the ecological value of the site has been assessed to be low and can adequately be compensated for by the measures set out in the ecological report. In addition, the site is not classed to be at risk of flooding and includes acceptable measures to prevent an increase in flood risk downstream. Furthermore, the Transport Assessment identifies that the local road network would continue to operate within capacity without any significant impacts, and mitigation would be provided in the form of a travel plan and improvements to footpaths on Carrs Lane. In addition, the plans appropriately take into account ground conditions and the risks posed by shallow coal workings. Overall, it is judged that the environmental implications of the development would not be significant or adverse.

The development would therefore deliver a number of benefits which would indicate that the presumption in favour of sustainable development would apply and is also considered acceptable when taking into account other development plan policies and material considerations."

3.8 The conclusions identified within BMBC's Committee Report above, confirm the following conclusions: -

- The UDP is time expired and out of date;
- The development proposal is compliant with the Core Strategy, which is a consideration that needs to be afforded significant weight;
- The delivery of 278 net new homes would make a significant contribution towards the Borough wide and local housing targets being met;
- The development would contribute towards addressing the deficiency in the 5-year housing land supply; &

- The proposal would score highly in terms of the economic and social aims of the Borough that are set out in the Core Strategy.

3.9 Furthermore, the draft conditions identified within the Committee Report were agreed between the applicant and the Council prior to the publication of the report.

3.10 The minutes of the Council's Planning Regulatory Board identified that members: -

"RESOLVED that the application be granted in accordance with the officer recommendation, subject to completion of S106 Agreement (Education, Public Open Space, Affordable Housing and a Travel Plan) and an additional requirement in condition 7 relating to safer routes to school signage.

In respect of affordable housing, the recommendation is to also authorise officers to instruct the District Valuation Office to undertake an independent viability appraisal of the scheme in order to ascertain the level of the affordable housing commuted sum. Once known, a further report will be presented to members relating to the level of the affordable housing contribution. Should the applicant also submit additional details to satisfy the recommended conditions prior to the further report being considered by members, this report would also summarise any minor changes arising as a result (e.g. updated wording of planning conditions/minor changes to internal layout)."

3.11 Discussions in relation to financial viability matters were commenced between the applicant and the Council immediately following the Planning Regulatory Board. Unfortunately, at that time an agreement could not be reached between the two parties in respect of the appropriate financial planning obligations to be delivered alongside the development proposals.

3.12 Consequently, the Council refused the planning application under delegated authority on the 18th August 2016. The one identified reason for refusal was as follows: -

The proposed financial contribution offered by the developer would not provide sufficient education, public open space and affordable housing provisions necessary to satisfy the NPPF, Core Strategy policies CSP15 'Affordable Housing, CSP35 'Green Space', CSP43 'Education Facilities and Community Uses', along with Open Space Provision on New Housing Developments SPD and Planning Advice Note 33 'Financial Contributions to School Places' despite the Council being in receipt of independent advice that payment of the contribution requested by the Local Planning Authority would not make the development financially unviable. As such the scheme is considered contrary to the aforementioned policies.

3.13 The previous planning application at the site was refused by the Council solely in relation to matters associated with financial viability. Consequently, the Council's previous decision established that the site's development should be determined in accordance with Paragraph 14 of the NPPF when assessed against all other relevant national and local planning guidance and that there is a presumption in favour of the grant of planning permission unless the adverse effects of doing so would significantly and demonstrably outweigh the benefits.

3.14 Accordingly, subject to the appropriate resolution of financial viability matters through this planning application, planning permission should be granted on account of there being no identifiable adverse impacts to the development proposals and as the proposals can deliver a

number of benefits, including, but not limited to, the important contribution that the application proposals can make to meeting BMBC's current 5-year housing land supply deficit.

4.0 PROPOSED DEVELOPMENT

4.1 This section of the statement provides a summary of the Proposed Development that forms the subject of this full planning application.

4.2 The proposals involve the delivery of a new residential development providing new high quality homes to meet existing local housing needs. The development will have full regard to the quality and character of the locality, its existing neighbourhoods and their setting.

4.3 The development proposals comprise 278 high quality new homes. The proposed density of the scheme is 24 dwellings per hectare (gross) or 35 dwellings per hectare (net) once the areas of public open space are removed from the calculation.

4.4 The proposals will deliver dwellings of 1 and 2 storeys in height. The dwelling mix of the proposed housing is as follows: -

- 22 x 2 Bedroom Homes;
- 127 x 3 Bedroom Homes; and
- 129 x 4 Bedroom Homes.

4.5 The scheme includes the provision of 15 bungalows (6x2 bedroom & 9x3 bedroom). The provision of bungalows on site is in direct response to the comments received through the comprehensive consultation work that the Applicants' have undertaken.

4.6 At the request of BMBC's planning officers and local ward members the proposals do not seek to provide any affordable properties on site. A major factor in reaching this decision was BMBC's desire for the proposals to deliver a more aspirational housing mix.

4.7 The Planning Layout identifies that there are two proposed vehicular access points to the site. One from Newland Avenue and one from Carrs Lane. The Transport Assessment submitted alongside the planning application provides details of the appropriateness of the proposed access points.

4.8 The Planning Layout identifies the delivery of cycle and pedestrian access to the two proposed access points also. A footpath is also sought to be provided through the entirety of the site from the proposed public open space located in the site's North West corner along the site's full western boundary to the proposed public open space located at the south of the site.

4.9 The proximity of the application site to existing bus routes, local services and facilities located within walking and cycling distance from the site will ensure that the proposed development

minimises the use of the private car. The planning application is supported by a Transport Plan which sets out a range of measures which seek to increase the use of sustainable modes of transport by prospective residents.

4.10 An integral part of the development proposals has been a review of the local highway network to assess whether improvements are required in order to mitigate the impact of the development. The submitted Transport Assessment identified improvements to footpaths located along Carrs Lane. These improvements would enable the provision of a safe pedestrian route from the application site along Carrs Lane to the north. These measures were previously considered acceptable by BMBC and were previously due to be conditioned to any grant of planning permission for the development. The Independent Road Safety Audits associated with the off-site highways improvements are submitted alongside the planning application.

4.11 The Landscape Masterplan and Design & Access Statement submitted with the planning application provide details in respect of the proposed scheme of hard and soft landscaping to be delivered within the development proposals. The landscape design solution proposed within the development has evolved from detailed site analysis assessing the opportunities and constraints posed by the site. A key landscape element of the scheme is the retention and enhancement of planting along the western boundary of the site in order to mitigate the visual impact of the development proposals. Furthermore, a significant level of landscaping is to be provided within the north western, central and southern areas of public open space in order to provide an attractive amenity space for use by both prospective residents of the site and existing residents of the surrounding area.

4.12 The development proposals include the provision of a significant area of 1.77 Ha of open space, which equates to 15.2% of the gross site area. The areas of open space to be provided within the development proposals are identified on the Planning Layout and Landscape Masterplan submitted with the planning application. The open space will be delivered across a large central amenity area; a large north western parkland area; and the area surrounding the dry drainage basin located on the site's southern boundary. Each of these areas will be connected by a footpath that runs along the western boundary of the site, which further enhances the recreational offer of the proposed development to both potential and existing residents. The significant level of open space being provided within the scheme will enable the development proposals to assimilate into the surrounding landscape in a sympathetic manner.

4.13 The long-term maintenance of the on-site areas of public open space and those incidental landscape areas that are not transferred to each of the proposed dwellings will be maintained in perpetuity by a Management Company.

4.14 The Planning Layout, Landscape Masterplan and Design & Access statement which accompanied the planning application established that the proposed quantum of development detailed above can be accommodated at the site whilst ensuring that a high quality residential development can be delivered.

Section 106 Agreement Obligations

4.15 A Section 106 Agreement will be submitted to the Council in due course to provide details of the amounts and timing of payment of the financial contributions associated with affordable homes, education facilities and off-site public open space. The document will also include details of the transfer of the on-site public open space to a Management Company.

5.0 PLANNING POLICY CONTEXT

5.1 This section of the Planning Statement outlines the relevant planning policy context for the proposed development considering national policy guidance and the policies of the Development Plan. For reference, the following documents have been reviewed:-

National Planning Guidance

- National Planning Policy Framework

Development Plan Policy

- Barnsley Core Strategy DPD;
- Saved Policies of the Barnsley Unitary Development Plan; and
- Emerging Local Planning Guidance.

National Planning Policy Framework

5.2 The NPPF sets out the governments overarching **presumption in favour of sustainable development** as a 'golden thread' running through the decision and plan making process. There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:-

- ***"an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;***

- ***a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and***

- ***an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."***

5.3 Paragraph 14 provides details of the **presumption in favour of sustainable development** and states that for **decision-taking** this means:-

- ***"approving development proposals that accord with the development plan without delay; and***
- ***where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:***
  - ***any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole***
  - ***specific policies in this Framework indicate development should be restricted."***

5.4 Paragraph 214 of Annex I provides guidance to inform decision makers as to when a plan is classed as out of date where it states that ***"for 12 months from the day of publication, decision takers may continue to give full weight to relevant policies adopted since 2004, even if there is a limited degree of conflict of NPPF".*** Footnote 39 to this paragraph notes that this only applies to policies adopted in development plan documents in accordance with the Planning and Compulsory Purchase Act 2004.

5.5 Paragraph 215 continues to note that "in other cases…due weight should be given to relevant policies in existing plans according to their degree of consistency with this Framework".

5.6 With regard to the weight that can be attached to emerging policies, paragraph 216 of the NPPF identifies that decision takers may also give them weight according to:-

- "***The stage of preparation of the emerging plan (the more advances the preparation, the greater the weight that may be given);***
- ***the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and***
- ***the degree of consistency of the relevant policies in the emerging plan to the policies of this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).***

5.7 The NPPF includes 12 core land-use principles to underpin both plan making and local decision-taking including the following:

- ***"Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.***
- **Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;**
- **Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.**
- **Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value."**

5.8 NPPF Paragraph 32 highlights that developments should only be refused on highways grounds where the impact is considered to be severe:-

"Improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."

5.9 Furthermore Paragraph 34 also notes that development that generate significant movement should be located where the "*need to travel will be minimised and the use of sustainable transport modes can be maximised".* Paragraph 36 requires the submission of a Travel Plan for all developments which generate significant amounts of movement.

5.10 The NPPF sets out the Governments objectives to provide sufficient high quality housing to meet local needs, both now and in the future. Paragraph 47 advises that LPA's must:-

- ***"use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;***
- ***Identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5%... Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20%...to ensure choice and competition in the market for land"***

5.11 Paragraph 49 of the NPPF identifies the overarching presumption in favour of housing applications whilst highlighting the need for local planning authorities to demonstrate a 5 year supply of deliverable housing sites:-

"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."

5.12 Paragraph 50 highlights the need for development which delivers a wide choice of high quality homes, widen opportunities for home ownership and creates sustainable, inclusive and mixed communities. It identifies that local planning authorities should:

- ***"plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);***

5.13 Paragraph 58 identifies the need for high quality inclusive design which meets the following criteria: -

- ***"will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;***
- ***establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;***
- ***optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks are visually attractive as a result of good architecture and appropriate landscaping."***

5.14 Paragraph 101 aims to ensure that flood risk is taken into account at all stages of the planning process to avoid inappropriate development in areas at risk of flooding. The importance of flood risk assessments are highlighted and states that development should be encouraged in areas of low flood risk.

5.15 Paragraph 118 aims to encourage and protect biodiversity within a development proposal, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:-

- ***"if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;***
- ***development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;***
- ***opportunities to incorporate biodiversity in and around developments should be encouraged;***
- ***planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss."***

5.16 With regard to ground conditions and land stability Paragraph 121 identifies that planning policies and decision should ensure that:-

- ***the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation;***
- ***after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and***
- ***adequate site investigation information, prepared by a competent person, is presented.***

5.17 In relation to the decision-taking section of the NPPF, paragraph 187 notes that LPA's should ***"look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible***". This includes working proactively with applicants to ***"secure developments that improve the economic, social and environmental conditions of the area".***

5.18 In determining applications, paragraph 196 requires that ***"applications for planning permission must be determined in accordance with the development plan, unless material considerations indicative otherwise"*** in line with the established plan-led planning system. Paragraph 197 confirms that in assessing and determining development proposals, ***"local planning authorities should apply the presumption in favour of sustainable".***

Development Plan

5.19 The adopted Development Plan of relevance to this application is the saved policies of the Barnsley Unitary Development Plan (UDP) and the Barnsley Core Strategy Development Plan Document (DPD).

Barnsley Unitary Development Plan

5.20 The UDP was adopted in December 2000 and provides a statement of the intentions for the use of land in Barnsley in the period 1986 to 2001. Policies Identified below were "saved" in 2009 by the Council prior to the adoption of the Core Strategy and the emerging Local Plan. However, with reference to the NPPF, it can be considered that a number of the document's policies are out of date.

5.21 The UDP is divided into two parts. The first part containing Borough wide policies and the second part containing community area based policies. The site is located in the North East Town community area.

5.22 The UDP proposals map identifies that the site is designated as Safeguarded Land. Policy GS10 of Part 1 of the UDP and Policy NE8 of Part 2 relate to Safeguarded Land and both state that the existing use of the area will normally remain during the plan period and that planning permission for the permanent Development of such land will only be granted following a review of the UDP which proposes development on the land in question.

5.23 The UDP is therefore considered to be time expired as the policies contained within it, and indeed the established housing requirements, related to a period up to 2001. The application site was however designated as Safeguarded Land within the document. Which of course relates to land that was safeguarded for its existing use up until 2001, before being considered for permanent development as part of any future review of the UDP.

5.24 In the period since 2001 BMBC have undertaken a review of the UDP. Initially in the form of the Barnsley Core Strategy and more latterly through the preparation of the emerging Barnsley Local Plan. This review process, as identified below, proposes to allocate the application site for residential development.

Barnsley Core Strategy DPD

5.25 The Barnsley Core Strategy was published in September 2011 and provides the strategic planning policies to guide development within the Barnsley area.

5.26 Cudworth is identified as a "Principal Town" within the Core Strategy settlement hierarchy. The document states that Principal Towns, along with Urban Barnsley, should be the main local focus for housing, employment, shopping, leisure, education, health and cultural activities and facilities, and their roles as accessible and vibrant places to live should be enhanced. Policy CSP8 of the document confirms Cudworth's status as a Principal Town.

5.27 With regard to future housing development Policy CSP9 identifies that 21,500 net additional homes will be delivered in the period 2008 to 2026 and that the Council will maintain a minimum 5 year supply of deliverable housing sites. Policy CSP10 identifies that Cudworth will deliver 1,800 (8%) of the 21,500 homes to be built within the Borough.

5.28 With regard to housing mix and the efficient use of land Policy CSP14 states that housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced communities. In respect of density the policy identifies that a minimum density of 40 dwellings per hectare will be expected within good public transport corridors and that lower densities will only be supported where it can be demonstrated that they are necessary for need, viability or sustainable design reasons.

5.29 With regard to affordable housing Policy CSP15 identifies that developments of 15 or more homes located in Cudworth will be expected to provide 15% affordable housing. The policy further states that these percentages will be sought unless it can be demonstrated through a viability assessment that the required figure would render the scheme unviable. The justification text attached to the policy further identifies that in some cases the Council may allow affordable homes to be built off site, but within the local area, where this is beneficial to the affordable housing scheme.

5.30 Policy CSP3 relates to Sustainable Drainage Systems (SuDS) and identifies that all development will be expected to use SuDS and that planning applications must include an assessment to show that SuDS will work and be maintained. The policy further states that developers will be required to contribute to the maintenance of SuDS.

5.31 In respect of Flood Risk, Policy CSP4 identifies that the impact of flooding will be reduced by not permitting development where it would create an unacceptable risk of flooding; by requiring site specific Flood Risk Assessments for proposals over 1 hectare in Flood Risk Zone 1 areas.

5.32 Policy CSP25 relates to Development and Sustainable Travel. The policy states that new development will be expected to be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists. The policy further identifies that Travel Plans will be secured through a planning obligation or a planning condition.

5.33 Policy CSP26 states that new development will be expected to be designed and built to provide safe, secure and convenient access for all road users. The policy further states that if a development is not suitably served by the existing highway, or would create or add to highway safety problems or the efficiency of the highway for all road users, the Council will expect developers to take mitigating action or to make a financial contribution to make sure the necessary improvements go ahead.

5.34 With regards to design Policy CSP29 identifies that high quality development will be expected which takes full account of the landscape and townscape characteristics of the area. It states that development should contribute to a healthy, safe and sustainable environment; be highly accessible to all; and achieve a Building for Life assessment rating of "good" or equivalent as a minimum.

5.35 Policy CSP36 relates to biodiversity and geodiversity and identifies that such features should be conserved and enhanced by protecting and improving habitats, species, sites of ecological value and sites of geological value. The policy identifies the desire for new developments to maximise biodiversity and geodiversity opportunities.

5.36 With regard to landscape character, Policy CSP37 states that development will be expected to retain and enhance the character and distinctiveness of the individual Landscape Character Area in which it is located.

5.37 Policy CSP42 relates to infrastructure and planning obligations and states that development must be supported by appropriate physical, social and economic infrastructure. The policy further states that development must contribute as necessary to meet all on and off site infrastructure requirements to enable development to take place satisfactorily. Where the necessary provision is not made directly by the developer, contributions will be secured through planning obligations. Where appropriate, pooled contributions will be used to facilitate delivery of the necessary infrastructure.

Emerging Barnsley Local Plan

5.38 BMBC published their Publication Draft Barnsley Local Plan in June 2016. The proposed plan period is 2014 to 2033.

5.39 The Publication Draft Local Plan identifies the application site as a future housing land allocation "*Ref. H32 Site Adjacent to Carrs Lane/Summerdale Road, Cudworth*" with a proposed capacity of 278 homes.

5.40 With regard to site-specific policy guidance, Policy H32 states that archaeological remains are known/expected to be present on the site and therefore proposals must be accompanied by an appropriate archaeological assessment. The Appellant is unaware of any archaeological remains on the site. In addition, the requirement for the submission of an archaeological assessment was not previously identified through pre-application discussions with BMBC. However, the draft planning conditions proposed by BMBC in their committee report dated January 2016 (discussed above) included the requirement to submit a Written Scheme of Investigation prior to commencement of development. Which the applicant will undertake should the proposed development progress. Whilst this point is raised within the Publication Draft Local Plan, it is a

matter that was considered properly and fully by BMBC in their consideration of the previous planning application and has subsequently not been raised as an issue that would affect the site's development.

5.41 Cudworth is again identified as a "Principal Town" and Policy LG2 of the document confirms this status. With regard to future housing development Policy H1 identifies that 20,900 net additional homes will be delivered over the period 2014 to 2033 and that BMBC will maintain a minimum 5-year supply of deliverable housing sites. Policy H2 of the document identifies that Cudworth will deliver 1,226 (6%) of the 20,900 homes to be built within the Borough over the identified plan period.

5.42 The development of 278 homes at the application site is therefore fully in compliance with the Borough's housing distribution strategies over the last 30 years, ranging from 1986 to 2016. Resulting in the site's proposed allocation for residential development within the Publication Draft Barnsley Local Plan.

5.43 The present and emerging planning policy context of the site is important in respect of the NPPF. Paragraph 216 of the NPPF identifies that from the day of publication decision takers may also give weight to relevant policies in emerging plans according to the stage of preparation (the more advanced the greater the weight); the extent of any unresolved objections; and consistency of the relevant policies of the emerging plan to the NPPF.

5.44 The emerging Local Plan has now been submitted to the Secretary of State. Two responses were received in association with the site's proposed allocation throughout BMBC's consultation on the Publication Draft Local Plan. Both responses were in support of the site's allocation for residential development. In addition, the emerging planning policies of the Local Plan are also more aligned with the policies of the NPPF as its evidence base is more up to date than that of the existing Core Strategy. Weight should therefore be given to the policies of the emerging Local Plan in the determination of this application.

5.45 Turning to the matter of prematurity. There is no basis for concluding that the development of the site would predetermine the emerging plan on central issues, specifically the tests identified in the PPG in respect of cumulative effect of the development proposals. The development proposals represent 278 dwellings of an annual housing requirement of a minimum 1,100 homes (20,900 over the plan period). The development will add approximately 35 dwellings per year over an 8-year build programme. The scheme will represent only 3% of the district's minimum annual housing requirement over the anticipated 8-year build-out period and 1.3% of the Borough's 19-year plan period. Notwithstanding the proposed allocation of the site within the emerging Barnsley Local Plan, under no circumstance could it be argued that this level of development would predetermine any decisions that BMBC may make about the scale, location or phasing of new

development in the emerging Barnsley Local Plan. It is therefore considered that the release of the site for development now cannot be considered premature.

5.46 With specific regard to the detailed policies contained within emerging Barnsley Local Plan, Policy H7 states that housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced communities. In respect of density the policy identifies that a minimum density of 40 dwellings per hectare will be expected within good public transport corridors and that lower densities will only be supported where it can be demonstrated that they are necessary for need, viability or sustainable design reasons.

5.47 With regard to affordable housing Policy H8 identifies that developments of 15 or more homes located in Cudworth will be expected to provide 10% affordable housing. The policy further states that these percentages will be sought unless it can be demonstrated through a viability assessment that the required figure would render the scheme unviable. The justification text associated with the policy identifies that in some cases the Council may allow affordable homes to be built off site, but within the local area, where this is beneficial to the affordable housing scheme.

5.48 General Development Policy GD1 states that development will be approved where there are no significant adverse effects on residential amenity of existing and future residents; they are compatible with neighbouring land uses; they do not adversely affect the potential development of a wider area; they include high quality landscaping; and any adverse impact on the environment is minimised.

5.49 Policy T3 relates to Development and Sustainable Travel. The policy states that new development will be expected to be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists. The policy further identifies that Travel Plans will be secured through a planning obligation or a planning condition.

5.50 Policy T4 states that new development will be expected to be designed and built to provide safe, secure and convenient access for all road users. The policy further states that if a development is not suitably served by the existing highway, or would create or add to highway safety problems or the efficiency of the highway for all road users, the Council will expect developers to take mitigating action or to make a financial contribution to make sure the necessary improvements go ahead.

5.51 With regards to design Policy D1 identifies that high quality development will be expected which takes full account of the landscape and townscape characteristics of the area. It states that development should contribute to a healthy, safe and sustainable environment; be highly accessible to all; and achieve a Building for Life assessment which scores as many “greens” as possible subject to local circumstances.

5.52 Policy BIO1 relates to biodiversity and geodiversity and identifies that such features should be conserved and enhanced by protecting and improving habitats, species, sites of ecological value and sites of geological value. The policy identifies the desire for new developments to maximise biodiversity and geodiversity opportunities.

5.53 With regard to landscape character, Policy LC1 states that development will be expected to retain and enhance the character and distinctiveness of the individual Landscape Character Area in which it is located.

5.54 Policy CC1 relates to climate change and states that developments are expected to demonstrate how it minimises resource and energy consumption, compared to the minimum target under current Building Regulations and how it is located and designed to withstand the longer term impacts of climate change.

5.55 In respect of Flood Risk, Policy CC3 identifies that the impact of flooding will be reduced by not permitting development where it would create an unacceptable risk of flooding and by requiring site specific Flood Risk Assessments for proposals over 1 hectare in Flood Risk Zone 1 areas.

5.56 Policy CC4 relates to Sustainable Drainage Systems (SuDS) and identifies that all development will be expected to use SuDS and that planning applications must include an assessment to show that SuDS will work and be maintained. The policy further states that where SuDS are provided arrangements must be put in place for their whole life management and maintenance.

5.57 Policy I1 relates to infrastructure and planning obligations and states that development must be supported by appropriate physical, social, economic and communications infrastructure. The policy further states that development must contribute as necessary to meet all on and off site infrastructure requirements to enable development to take place satisfactorily. Where the necessary provision is not made directly by the developer, contributions will be secured through planning obligations. Where appropriate, pooled contributions will be used to facilitate delivery of the necessary infrastructure.

6.0 CONSIDERATION OF PLANNING ISSUES

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that:

> ***"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."***

6.2 Chapter 5.0 of this Planning Statement identifies the relevant planning policies in relation to this application, including national and local policies and guidance.

6.3 This chapter identifies the main planning issues associated with the proposed development and considers how the proposals are in accordance with national planning guidance and the development plan.

6.4 As detailed within the previous section of this statement, the site is currently designated as Safeguarded Land within the Barnsley Unitary Development Plan. Furthermore, the site is also identified as a proposed housing allocation for residential development within the emerging Draft Barnsley Local Plan.

6.5 Paragraph 2 of the NPPF identifies that the National Planning Policy Framework must be taken into account and is a material consideration in planning decisions. In the context of housing developments Paragraph 49 of the NPPF identifies that housing applications should be considered in the context of the presumption in favour of sustainable development, as set out in Paragraph 14 of the NPPF, and that policies relevant to the supply of housing should be considered out of date if there is no 5 year housing land supply.

6.6 In the determination of previous planning application at the site, the Council confirmed that a 5-year supply of deliverable housing land is not currently available in the Borough. This is still the case.

6.7 Paragraph 14 of the NPPF identifies that for decision taking, where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless there are any adverse impacts that would significantly and demonstrably outweigh the benefits and where the NPPF indicates development would be restricted.

6.8 We consider the site specific policies of the Barnsley (UDP) to be out of date. The plan was adopted in 2000 with a plan period to 2001. It is therefore considered to be time expired. The policy background of the UDP dates back to policies contained within PPG3 and RPG12, documents that have since been superseded.

6.9 Barnsley has no site specific Development Plan policies that have been adopted since 2000. The UDP expired in 2001 and there is no reasonable prospect of the Council adopting any site specific Development Plan policies prior to the determination of this planning application.

6.10 The adopted Core Strategy provides the strategic planning policies to guide development within the Barnsley area. It does not identify site specific policies with regard to the supply of housing land.

6.11 With regard to the Council's emerging policy guidance, and particularly the Draft Barnsley Local Plan which identifies that the application site is a draft housing allocation, Paragraph 216 of the NPPF identifies that decision takers may also give weight to relevant policies where their preparation is advanced, where there are no significant outstanding objections and where the polices are consistent with the NPPF. As identified in Section 5 above, as the Draft Local Plan has now been submitted to the Secretary of State it is our view that considerable weight can be given to the document in the determination of this planning application.

6.12 Consequently in accordance with Paragraph 14 and 49 of the NPPF planning permission should be granted for the development proposals unless there are any adverse impacts that would significantly and demonstrably outweigh the benefits and where the NPPF indicates development would be restricted.

6.13 On account of the above, this section of the statement assesses the development proposals against the NPPF's requirements of the presumption in favour of sustainable development and the need to provide a 5 year supply of deliverable housing land.

PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

6.14 At the heart of the National Planning Policy Framework is the presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. The NPPF identifies that there are three dimensions to sustainable development: economic, social and environmental. We set out below how the development proposals can be considered as sustainable development.

ECONOMIC ROLE

6.15 The NPPF defines the economic role of sustainable development as being:-

> ***"Contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at***

the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure"

6.16 One of the NPPF's Core Planning Principles identified in Paragraph 17 is to proactively drive and support sustainable economic development to deliver the homes that the country needs. It states that every effort should be made to objectively identify and meet the housing needs of an area. Paragraph 19 of the NPPF furthers the Government's commitment to securing economic growth and states that significant weight should be placed on the need to support economic growth through the planning system.

6.17 The table below identifies the economic benefits that the development would deliver to the local area:-

Direct Impacts	Indirect Impacts	Wider Economic Effects
Capital Expenditure of £33.98m	67 Construction Jobs Per Annum of Build Programme	Meeting the housing needs of Cudworth and the wider Barnsley area.
48 Construction Jobs Per Annum of Build Programme	New Homes Bonus of £2.43m & £404,622 additional Council Tax receipts per annum	Supporting mixed communities by providing bungalows on-site and potential contribution to delivering affordable housing off site.
£2.45m GVA of Direct Employment	New Retail and Leisure Expenditure of £5.09m each year and a first occupation retail expenditure of £1.39m	Delivery of substantial financial contributions towards improvements to local education and recreation facilities, and the provision of affordable housing off-site.

6.18 The development of the site will deliver a £33.98m construction investment to Cudworth and the wider Barnsley area over an 8 year period. This level of investment will deliver a wide range of direct and indirect economic benefits to the area, stimulating employment growth during and post construction.

6.19 A large proportion of the workforce for each of Barratt Homes' sites are drawn locally. It is therefore highly likely that the majority of the proposed construction jobs will be taken up by a local workforce. Furthermore, local business will also benefit from trade linkages established through the construction of the development, meaning that a large proportion of the indirect jobs would be supported locally from suppliers of construction materials and equipment.

6.20 Following the construction of the development new employment opportunities will be created and existing facilities/services sustained as a result of the spending patterns of new residents within Cudworth and the local area. It is estimated that the development will generate over £5.09m pounds each year of spending power to the local retail and leisure economy.

6.21 The development will deliver significant economic gains through the Government's New Homes Bonus incentive and annual Council Tax payments. At a time when local authorities budgets are being reduced these areas of financial gain can provide beneficial ways in which Councils can continue to support their communities.

6.22 The development will also deliver substantial financial contributions towards improvements to local education and recreation facilities, and the provision of affordable housing off-site.

6.23 Finally, a substantial proportion of the proposed homes to be delivered at the site are detached family homes. The provision of this type of housing will meet the economic and housing strategies of the Borough which seek to deliver aspirational house types in order to retain and attract higher earners to the area.

6.24 Overall, the development will deliver a number of economic benefits to Cudworth and the wider Barnsley area, and in doing so will meet the Government's economic objectives of sustainable development. In doing so the proposals will also comply with Barnsley Core Strategy DPD Policies CSP9, CSP10 and CSP42 and Policies LG2, H1, H2, H32 and I1 of the emerging Barnsley Local Plan.

SOCIAL ROLE

6.25 The NPPF defines the social role of sustainable development as being:-

> ***"Supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being"***

6.26 The development proposals will contribute to supporting a strong, vibrant and healthy community by providing a supply of housing that is required to meet the needs of the present and future generations.

6.27 Paragraph 47 of the NPPF identifies that in order to boost significantly the supply of housing Local Planning Authorities are required to ensure that they meet in full their objectively assessed needs for housing and in doing so demonstrate annually a 5 year supply of deliverable housing sites.

6.28 As identified above the Council cannot demonstrate a 5 year supply of deliverable housing land. Therefore in accordance with the guidance presented in Paragraph 49 of the NPPF this application should be considered in the context of the presumption in favour of development and relevant Development Plan policies which restrict the supply of housing should not be considered up to date. Policies which include the site's designation as Safeguarded Land.

6.29 In accordance with the NPPF decisions to release the land required to meet Barnsley's housing needs should be taken without delay. Especially when the site is identified as a draft housing allocation in the emerging Barnsley Local Plan.

6.30 With regard to timescales, waiting until the adoption of the emerging Barnsley Local Plan to meet the Borough's housing shortfall is not an option as new homes would not be delivered across the authority until at least 2018/2019. The need for new homes exists now and withholding planning consent on sites such as the application proposals will only exacerbate this issue.

6.31 Indeed, to withhold planning permission for sustainable housing developments on the basis that sites should be allocated before planning permission may be granted would be wholly inconsistent with the NPPF.

6.32 The development will deliver high quality homes for local families on a draft housing allocation located within an identified Principal Town. The development is within walking and cycling distance of a range of leisure and community services. The development will help to sustain local services and facilities by providing new retail and leisure expenditure.

6.33 In respect of the provision of a good housing mix within the development, in order to meet the identified needs of the community the proposals offer the potential to provide dwellings of a mix of 2, 3 and 4 bedroom homes to ensure that the housing needs of all members of the community can be met including first time buyers, couples of all ages and families. To ensure a wide mix of housing is delivered the development includes the provision of 15 bungalows.

6.34 Following discussions with the Council's planning officers, local ward members and local residents the proposals do not seek to provide any affordable properties on site.

6.35 The development proposals will deliver a high quality of design that will complement the character of the settlement, creating an attractive place to live. The application seeks to deliver 278 dwellings at a density of 24 dwellings per hectare (gross) or 35 dwellings per hectare (net) once the areas of open space is removed from the calculation. The development will deliver three new public open space areas measuring 1.77Ha in size, including children play facilities, recreational and general amenity areas.

6.36 The design of the proposals will result in a high quality local environment for residents, with appropriate levels of private amenity space for new residents of the development and existing residents who neighbour the site. The design of the proposals have also taken account of the need to reduce the opportunities for crime.

6.37 We consider the quantum of development proposed will deliver a high quality residential development whilst ensuring an efficient use of land. Full details in respect of the design of the development proposals are set out within the Design & Access Statement that is submitted as part of the planning application.

6.38 As stated above, the development will also deliver substantial financial contributions towards improvements to local education and recreation facilities, and the provision of affordable housing off-site.

6.39 Overall, the development will deliver much needed new homes in a sustainable location and will meet the Government's social objectives of sustainable development as set out in Paragraphs 47, 49, 50 & 58 of the NPPF. In doing so the proposals will also comply with Barnsley Core Strategy DPD Policies CSP8, CSP9, CSP10, CSP14, CSP29, CSP37 and Policy CSP42. As well as Policies H7, H8, H32, GD1, D1, LC1 and I1 of the emerging Barnsley Local Plan.

ENVIRONMENTAL ROLE

6.40 The NPPF defines the environmental role of sustainable development as being:-

> ***"Contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."***

6.41 The development site is not located within any national, regional or locally designated environmental protection areas. The supporting technical documents submitted with the application identify that the development will not have an adverse impact on the local environment.

Flood Risk & Drainage

6.42 A Flood Risk Assessment Report prepared by ARP Associates is submitted alongside the planning application.

6.43 The assessment identifies that the residential development areas of the site fall within Flood Zone 1 and that accordingly the NPPF Sequential Test is satisfied. The report states that in order to accommodate the possibilities of flood from extreme storm, blocked sewers or any possibility of issue of groundwater, the following precautionary mitigation measures are recommended:-

- Ground floors to the property shall be set above external levels by a minimum of 150mm and preferably 300mm, if possible.

- The property shall be designed without any basements and ground floors shall comprise solid concrete slabs or beam and block with screed construction.
- Incoming electricity supplies shall be raised above ground floor level and ground floor electric sockets shall be served by loops from first floor level.
- The external alignment to the road and hard paved areas shall be designed to direct any flood water through the site to the southern boundary as exists at the present time, without causing ponding or flooding to building.

6.44 The report further states that a 30% increase in rainfall shall be incorporated into any new positive drainage system to satisfy the requirements of climate change for developments extending beyond 2085.

6.45 An intrusive investigation of the ground infiltration will need to be undertaken and a report submitted to the Planning Authority for approval prior to construction on site. However, for the purposes of this application, it is assumed that the characteristics of the soils will be unsuitable for soakaways.

6.46 Surface water discharge shall be restricted to a greenfield run-off rate of 5l/s/ha. The proposed surface water drainage system shall be restricted to the agreed discharge rate with appropriate attenuation for a 1 in 100 year storm plus climate change incorporated into the design, prior to discharge into the watercourse to the south of the site. The detailed design and calculations shall be submitted to the Planning Authority for approval prior to construction on site.

6.47 With regards to foul drainage, the report identifies that foul water from the development can discharge to the existing combined sewer crossing the site. The existing public sewer crossing the site will need to be incorporated into the design layout with appropriate easements or diverted under a Section 185 Agreement to the Water Industry Act 1991.

6.48 No special mitigation measures are required for emergency egress during times of flood

6.49 The submitted report provides evidence that the proposed development of the site complies with Paragraph 101 of the NPPF, Policies CSP3 & CSP4 of the Barnsley Core Strategy DPD Policies CC3 & CC4 of the emerging Barnsley Local Plan.

Highways

6.50 A Transport Assessment and Transport Plan have been prepared by SCP and are submitted alongside the planning application.

6.51 The submitted Transport Assessment (TA) has considered the transport and highway implications of the development proposals. Relevant national and local planning policy has been

reviewed with regard to transport considerations for the development. The document identifies that the development is compliant with the intentions of the various planning policies.

6.52 The TA identifies that the development is accessible on foot or by cycle to a range of local destinations. There are also convenient and realistic options for undertaking trips by public transport for journeys further afield. The site is well served by local facilities and services in the centre of Cudworth and therefore it is in a sustainable location.

6.53 Vehicular and pedestrian access to the development will be by way of a new access approximately midway along Carrs Lane and also by extending the southern end of Newland Avenue into the site.

6.54 The TA demonstrates that the highway network in the vicinity of the site is operating safely and well within capacity at present. The development is predicted to generate 161 and 164 vehicle trips in the morning and evening peak hours respectively, equating to less than 2 vehicles every 3 minutes. An assessment of the operation of the local highway network in the vicinity of the site has been undertaken and has shown that, even with the development traffic, the local highway network will continue to operate well within capacity.

6.55 Some footway widening works are proposed on Carrs Lane to remove a 'pinch point' where the existing footway is narrow. Independent Road Safety Audits of the footway widening work have been carried out and are submitted as part of the planning application documentation.

6.56 The document concludes overall that the proposed residential scheme will not have a severe impact on the local highway network and consequently there are no material highways or traffic reasons why planning permission should not be granted.

6.57 The submitted Travel Plan identifies a number of proposed measures to increase the use of sustainable travel patterns from the development.

6.58 The document identifies that the administration of the travel plan will include the appointment of a Travel Plan Co-ordinator (TPC). The key processes required to monitor the progress of the travel plan have been detailed, including the initial and annual surveys and data collection exercises to be carried out at the site. Measurable targets have been produced which will be monitored against the predicted modal split. It is intended that further measures, initiatives and promotions will be developed over time by the TPC with the assistance of the Barnsley Council's travel plan team.

6.59 The measures identified in the Transport Plan satisfy the key objectives of national and local planning policy guidance. The proposals seek to build upon the site's location by promoting

sustainable travel through a combination of travel plan measures.

6.60 In conclusion, the development proposals comply with the guidance identified within Paragraphs 32 and 35 of the NPPF, Policies 25 & 26 of the Barnsley Core Strategy DPD and Policies T3 & T4 of the emerging Barnsley Local Plan.

Landscape

6.61 A Landscape Appraisal undertaken by FDA Landscape is submitted alongside the planning application.

6.62 The appraisal has determined the nature and scale of change posed by the proposed housing on the landscape character and visual amenity of the site, its immediate surroundings and the wider landscape within which it lies. It also aims to inform and guide the development process, suggesting factors to mitigate any negative effects of the proposals on landscape character and visual amenity.

6.63 The appraisal identifies that the analysis of effect on landscape character and effect on visual amenity concludes that the proposals will have a slight/moderate adverse effect.

6.64 The appraisal states that the proposed layout has addressed many of the potential adverse effects by retention and improvement of the boundary hedgerows and a layout that provides a sympathetic interface with the Green Belt.

6.65 In conclusion, the development proposals comply with the guidance identified within Policy CSP29 of the Barnsley Core Strategy DPD and Policy LC1 of the emerging Barnsley Local Plan.

Ecology

6.66 An Extended Phase 1 Habitat Survey Report has been prepared by SLR and is submitted with the planning application.

6.67 The Barnsley Biological Records Centre was contacted for ecological data for the application site and land within a 1.5 km radius of the application site boundary, including records of designated sites and species of conservation concern at a national, regional and/or local level.

6.68 An on-site field survey was also undertaken to assess the site and surrounding area's habitats and features with potential to support protected and/ or conservation priority fauna, together with any field signs of such species. Trees were assessed for their potential to support roosting

bats following. Accessible water bodies located within a 500m radius or so of the application site boundary were assessed in order to determine their suitability for great crested newt. In addition searches were undertaken for invasive species, including those listed on Schedule 9 of the Wildlife and Countryside Act 1981.

6.69 The report identifies that the application site consists of a mixture of large arable fields/ part-fields, and three smaller fields of improved grassland, further east. The hedgerows bordering and/ or separating these arable/ grazing fields are mainly overgrown, species-poor and defunct (i.e. gappy and not stock-proof). There are no mature trees within the site itself; a small number of semi-mature trees are situated along the northern boundary, and another semi-mature to mature oak is located between two of the arable fields.

6.70 With regards to Great Crested Newts the desk study indicated that there is a single great crested newt record within the search area; this record (dating from 2000) relates to a pond located over one kilometre to the north-east of the site, on Cudworth Common, and is separated from the application site by extensive residential development and agricultural land. A single pond found within 500m radius of the application site, which lies circa 320m to the north-west beside the Trans Pennine Trail, was subject to assessment and was found to have 'below average' suitability for great crested newt. Given this, the absence of great crested newt records within 500 metres of the site boundary, and the low pond density which appears to exist in the area, it is concluded that the likelihood of great crested newt occurring on site is considered negligible, and no further surveys are recommended.

6.71 In respect of birds the hedgerows, although mainly defunct and lacking field margins, contain some continuous sections which are either overgrown or have dense growth; these sections in particular have potential for breeding birds, mainly common passerine species. It is recommended that vegetation clearance within the site should be scheduled to avoid the main bird breeding season, which for most species extends between March and August inclusive. If this is not possible then a breeding bird survey of habitat to be removed should be carried out by a suitably experienced ecologist, immediately prior to clearance taking place. If any active bird nests are found the nest and surrounding vegetation should be protected until the nesting attempt is concluded, and the young have fledged. In order to ensure that the site retains its value to nesting, and foraging birds, it is recommended that landscape planting should shrubs which provide both cover, and berries or fruits; potentially suitable species include hawthorn, blackthorn, crab apple and rowan.

6.72 With regards to Bats, the site does not contain any buildings, and none of the trees contain features of potential value to roosting bats. However, the margins of the site, particularly the larger and less intensively managed hedgerows, have potential for roosting bats. In order to retain its value for foraging bats, it is recommended that a sensitively designed landscaping and

lighting scheme should be employed. The landscaping scheme should aim to retain existing hedgerow wherever possible, and to plan new or replacement hedgerows, wherever necessary. In order to enhance the site for roosting bats, it is recommended that a number of tree mounted wooden and/ or woodcrete bat boxes should be erected, and that a proportion of the new houses should be fitted with externally mounted bat boxes, or internally fitted bat 'tubes' or 'in cavity bat boxes'.

6.73 Each of the above recommendations have been considered within the development proposals and can be conditioned to any approval where appropriate. Accordingly, in respect of ecological matters, the proposed development has the potential to comply with Paragraph 118 of the NPPF, Policy 36 of the Barnsley Core Strategy DPD and Policy BIO1 of the emerging Barnsley Local Plan.

Arboriculture

6.74 An Arboricultural Report (AR) & Impact Assessment (IA) for the development proposals has been prepared by JCA Limited and is submitted alongside the planning application.

6.75 The document identifies that the trees surveyed were generally found to be in good condition. One tree has been recommended for removal for arboricultural reasons. A number of trees require removal in order to facilitate the proposed development. All the trees listed are retention category 'C' trees. The removal of these trees can, in time, be part mitigated by the planting of new trees, as shown as indicative on the landscaping scheme proposed for the site.

6.76 All the retained trees will be protected during the construction phase by a temporary protective barrier (protective fencing). The installation of the temporary protective barrier will be the very first job on site following the tree removal and pruning works.

6.77 In conclusion, the development has the potential to proceed without having an adverse impact on existing trees of identified value located within or adjacent to the application site and the proposed junction works in accordance with Paragraph 118 of the NPPF.

Geo-Environmental

6.78 A number of documents have been prepared by Sirius in respect of the geo-environmental conditions of the site and are submitted alongside the planning application. These are as follows:-

- Preliminary Ground Appraisal Report;
- Geo-Environmental Appraisal;
- Supplementary Mining Investigation Letter; &

- Gas Report.

6.79 The submitted documentation have been prepared on the basis of a number of desk top studies, on-site intrusive investigation work, on-site gas monitoring and the results of tests carried out within one or more laboratories.

6.80 The documents conclude that the site is suitable for residential development taking account of ground conditions and land instability, including from natural hazards or former activities such as mining and any pollution arising from previous uses. The documents identify a number of recommendations that should be taken into account when developing the site. We propose that the documents and their recommendations are conditioned to any planning approval.

6.81 The submitted documents identify that there are no geo-environmental matters that would preclude the development of the site. Accordingly the proposed development complies with Paragraph 121 of the NPPF.

SUMMARY

6.82 On account of the information presented in this section of the statement and the accompanying application documents it is considered that the development proposals comply with the guidance presented in the NPPF, the Barnsley UDP, the Barnsley Core Strategy and the emerging Barnsley Local Plan. As a consequence the development proposals can be considered Sustainable Development as defined by the NPPF and accordingly there is a presumption in favour of granting planning permission for this development without delay.

7.0 SUMMARY

7.1 This application seeks full planning permission for the delivery of 278 new homes, open space and associated infrastructure at Land off Summerdale Drive & Carrs Lane, Cudworth.

7.2 This Planning Statement has reviewed relevant planning policy at the national and local levels. It demonstrates considerable support for the proposed development of the application site.

7.3 The key benefits of the proposed development are:-

- The application proposals represent a deliverable housing development, located within a sustainable location, which can contribute to local housing objectives in respect of housing needs and demand.
- The new housing development can provide a number of substantial economic and social benefits to Cudworth and the wider Barnsley area.
- The development will deliver substantial financial contributions towards improvements to local education and recreation facilities, and the provision of affordable housing off-site.
- The release of the application site for the development of 278 new homes would provide a valuable contribution to meeting the Borough's housing needs and 5-year housing land supply requirements.
- The proposed development will achieve a high standard of design that protects and enhances the local area's setting and character.
- The submitted Planning Layout, Design & Access Statement and Landscape Masterplan identify that the proposed quantum of development can be accommodated on the site whilst providing a high quality development. This includes the provision of significant new open space on-site.
- The application site is situated in a sustainable location, within walking and cycling distance from public transport modes and the number of services and facilities available within Cudworth.
- The application proposals provide the potential to include a mix and type of housing to meet local housing needs. Including the provision of bungalows and aspirational detached family housing.
- The Ground; Ecology; Tree; Highways and Flood Risk reports that have been submitted with this planning application identify that there are no technical issues that would constrain the development of the site.
- The development proposals meet the NPPF definition of Sustainable Development and there is therefore a presumption in favour of granting planning permission for this development without delay.

7.4 Based on the evidence set out in this Planning Statement and the accompanying documents it is considered that the application proposals will create a sustainable, high quality and accessible development which will provide significant social and economic benefits to Cudworth and the wider Barnsley area.

7.5 The previous planning application at the site was refused by the Council solely in relation to matters associated with financial viability. Consequently, BMBC's previous decision established that the site's development should be determined in accordance with Paragraph 14 of the NPPF when assessed against all other relevant national and local planning guidance and that there is a presumption in favour of the grant of planning permission unless the adverse effects of doing so would significantly and demonstrably outweigh the benefits.

7.6 Accordingly, subject to the appropriate resolution of financial viability matters through this planning application, planning permission should be granted on account of there being no identifiable adverse impacts to the development proposals and as the proposals can deliver a number of benefits, including, but not limited to, the important contribution that the application proposals can make to meeting BMBC's current 5-year housing land supply deficit.