

Planning Case Report

On behalf of Pipestone Ltd

Proposed residential development at
Land off Wakefield Road, Mapplewell
Barnsley

March 2014

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1.0 Introduction

1.1 This planning case report has been prepared by Johnson Brook Planning on behalf of Pipestone UK Limited in support of their outline planning application for:

“Residential development of up to 250 dwellings on land off Wakefield Road, Mapplewell”

1.2 A number of technical reports have been submitted with the application and should be considered in combination with this report:

- Design and Access Statement – J R Paley Associates
- Building for Life Assessment – J R Paley Associates
- Code for Sustainable Homes Pre-Assessment Report – J R Paley Associates
- Transport Assessment – Bryan G Hall
- Residential Travel Plan – Bryan G Hall
- Arboriculture Survey Report – Iain Tavendale
- Ecological Assessment – ECUS Environmental Consultants
- Flood Risk Assessment – ARP Associates;
- Air Quality Assessment and Addendum Technical Report – WYG Planning and Environment
- Noise Assessment – Environmental Studies, Leeds City Council
- Statement of Community Involvement – Community Consulting
- Preliminary Appraisal Report (Contamination Desk Study) – Sirius.

1.3 These technical reports and their findings are referenced as appropriate in the consideration of the planning case below.

Structure of the planning report

1.4 The planning case report is structured as follows:

- Section 2 provides a description of the site and its surroundings;
- Section 3 details the proposed development and pre-application consultation;
- Section 4 sets out the relevant national, regional and local planning policies and guidance; and
- Section 5 considers the planning case for the development including the overall benefits of the scheme.

2.0 Location and Site Description

- 2.1 The proposal site comprises around 9.8 hectares of land situated to the east of Mapplewell in the Wakefield district. The site, historically in agricultural use (with some short term open cast mining during the 1950s), is currently unused and predominantly covered by a rough grassland with intermittent hedgerow and tree planting. The north-east and eastern boundary of the site is delineated by the A61 Wakefield Road. To the north the site bounds land associated with the Bleak House farm holding with residential development on Paddock Road beyond. The west edge of the site bounds onto a continuation of rough grassland and allotment gardens with Mapplewell Park beyond. A public footpath traverses the western boundary. To the south and south-east is residential development.
- 2.2 The topography of the site slopes down from the north-east to south-west by around 16 metres. An electricity pylon and transmission line crosses the centre of the site. The boundary to Wakefield Road is formed by a tall, largely continuous, hedgerow interspersed with self-seeded trees. Elsewhere boundaries are mixed, although predominantly soft landscaped, with domestic fence and walled boundaries onto residential properties to the southern sections of the site.
- 2.3 The site is within 400-800 metres of a range of local services and facilities, including the local centre of Mapplewell, schools, medical services and public open space. In terms of public transport links bus stops are located on the Wakefield Road and Bar Lane to the south of the site. Services provide links to Barnsley Interchange, Wakefield Centre and Darton rail station, the latter being around 2.4 miles away and providing links to Leeds and Sheffield.

3.0 The Proposed Development and Pre-Application Consultation

3.1 This section of the report provides a summary of the proposed development. The Design and Access Statement, prepared by J R Paley Associates, provides a full description of the proposed development and the issues that have been taken into consideration in the evolution of the design, which has informed the final proposals and the illustrative masterplan for the site. The masterplan illustrates measures in respect of landscape treatment, structural planting, location of open space and green infrastructure, habitat enhancement and connectivity.

3.2 The application is submitted in outline and is described as follows:

“Residential development of up to 250 dwellings”

3.3 Matters in respect of the appearance, landscaping, layout and scale of the development are reserved for later consideration by the Council. Approval is sought at outline stage for means of access to the development. Vehicular access to the site is proposed via the A61 Wakefield Road providing an internal loop road servicing the development. In accordance with the emerging allocations development plan document (see Section 4 below) potential future road connections are indicated to adjoining land to the north and north-west which comprising the remaining allocated area. The provision of the primary access will include the construction of a right hand turn ghost island on the A61.

3.4 The illustrative masterplan demonstrates that up to 250 dwellings can be satisfactorily accommodated on the site based upon a range of apartments, terraced, semi-detached and detached dwellings. Approximately 4 hectares of land is shown as open space with a central landscape corridor and an open area to the south which will also potentially accommodate surface water attenuation areas for sustainable drainage. Existing trees and hedgerows with amenity value are shown as retained where practical and a series of green corridors and pedestrian connections through the site will link with the local footpath network.

3.5 The proposed development will:

- Make a significant contribution to housing provision in accordance with Council policy;
- Provide affordable housing for local needs;
- Create a high quality, sustainable and inclusive residential development;
- Provide benefits to the local economy associated with the increased population;
- Provide areas of public open space, landscaping and ecological benefits;

- Provide contributions in respect of education provision, public open space and public transport.

Pre-Application Consultation

3.6 A pre-application submission was made to the local planning authority on the 27th November 2012 and meeting held with Council officers on the 7th December 2012 to discuss the proposals and technical submission requirements. An 'interim' written response was received from the Council on the 12 March 2013 and sets out the planning policy context for the proposed development at national and local level. In respect of the principle of housing development and policy status of the site the response states that:

“Following a recent decision by the Planning Regulatory Board the authority now considers UDP Safeguarded Land and UDP Urban Land to Remain Undeveloped allocations and associated policies to be ‘out of date’ in terms of the National Planning Policy Framework (NPPF). As a result any applications on UDP Safeguarded Land or Urban Land to Remain Undeveloped, where it can be demonstrated that they are in a sustainable location, will now be determined in line with the NPPF Presumption in Favour of Sustainable Development, relevant development plan policies and other material considerations.”

- 3.7 The response notes that the site is in a sustainable location and that it will likely satisfy the tests set out in the Council guidance document PAN30 Sustainable Location of Housing. It confirms that Mapplewell falls within the Urban Barnsley Area and that Policy CSP8 specifies that economic development should be concentrated in this Area and the principal towns. Guidance is provided in respect of the technical issues in respect of the site and likely range of developer contributions including the policy requirement for 25% affordable housing provision.
- 3.8 The pre-application response from the Council concludes that *“there is likely to be no objection to the development of this site for residential purposes subject to all matters being resolved.”* A copy of the pre-application response is included at Appendix 1 of this report.
- 3.9 Consultation with the local community about the proposals was undertaken during July 2013 by Community Consulting Ltd. A copy of their Statement of Community Involvement, summarised the methodology uses and feedback received, is included with the application.

4.0 Planning Policy Context

4.1 This section identifies the relevant planning policy context for the proposed development and considers the statutory development plan for the site and relevant national and local planning guidance.

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

“If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the development plan unless material considerations indicate otherwise.”

4.3 The development plan for the area, following the revocation of the Regional Spatial Strategy – the Yorkshire and Humber Plan (RSS), comprises the saved policies of the Barnsley Unitary Development Plan (UDP) which was adopted in December 2000 and the Barnsley Core Strategy adopted in September 2011. National Planning Policy and other local planning documents are material considerations. The evidence base to the Local Development Framework is also of relevance in particular the Strategic Housing Land Availability Assessment (SHLAA). Also of relevance are the adopted Supplementary Planning Documents and the retained Supplementary Planning Guidance.

4.4 The Consultation Draft version of the Council’s Development Sites and Places Development Plan Document (Sites DPD) was released for public consultation between July and October 2012. Given the comparatively early stage of the document limited material weight can be accorded to it, although it does provide an indication of emerging land allocations having regard to the Core Strategy housing delivery targets.

National Planning Policy Framework (March 2012)

4.5 The National Planning Policy Framework (the Framework) forms the relevant policy guidance at the national level for the determination of all planning applications, this is especially so where the local development plan is either silent, absent or out of date. The Framework is a material consideration which must be taken into account in all planning decisions.

Ministerial foreword

4.5 The Ministerial Foreword to the Framework states that *“development that is sustainable should go ahead without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision.”* Paragraphs 2 and 11 of the Framework confirm

that planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. However, paragraph 12 expands this point by making a clear distinction in terms of the proposed development being in accordance with an “*up to date Local Plan*” and that local authorities should have an up-to-date plan in place.

Achieving sustainable development

- 4.6 Paragraph 6 states that the purpose of the planning system is to contribute to the achievement of sustainable development. The policies in paragraphs 18 to 219, taken as a whole, constitute the Government’s view of what sustainable development means in practice for the planning system. The Framework identifies that there are three dimensions to sustainable development; economic, social and environmental and these roles should not be taken in isolation, because they are mutually dependent.

The presumption in favour of sustainable development

- 4.7 At paragraph 14 there is a presumption in favour of sustainable development, specifically in relation to 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 impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *Specific policies in this Framework indicate development should be restricted.”*

Core planning principles

- 4.8 Paragraph 17 of the Framework sets out 12 core planning principles to underpin plan-making and decision-taking. Importantly, in relation to this application, core planning principles 3, 4 and 11 state that planning should:
- *“proactively drive and support sustainable economic development to deliver the homes... that the country needs. Every effort should be made objectively to identify*

and then meet the housing... needs of an area, and respond positively to wider opportunities for growth...;

- *Always seek to secure high quality design and a good standard of amenity for all existing and future occupants, of the 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.”*

4.9 Paragraphs 18 to 22 of the Framework set out the Government’s commitment to building a strong and competitive economy. Planning should not act as an impediment to sustainable growth and significant weight is to be placed on the need to support economic growth. In this context lack of housing is identified as a potential barrier to investment.

Promoting sustainable transport

4.10 In relation to sustainable transport, it is noted that paragraph 32 requires that all developments that generate significant amounts of movement are supported by a Transport Assessment or Statement. In determining applications, the paragraph notes that *“development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”*

4.11 Paragraph 34 also notes that developments that generate significant movements 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 amount of movement.

Delivering a wide choice of high quality homes

4.12 Delivering a wide choice of high quality homes is the sixth theme under the heading of delivering sustainable development. Paragraphs 47 to 55 provide the policy guidance for plan making and decision taking under the overall aim of significantly boosting the housing supply.

4.13 The requirement for a five year deliverable supply of sites is stated with an ‘additional buffer of 5% to ensure choice and competition in the market for land’. Where there has been a persistent under-delivery then this buffer should be increased to 20%.

4.14 Local Planning Authorities can now introduce a windfall allowance into their five year supply but they will need to have “compelling evidence that such sites have consistently become available” and “will continue to provide a reliable source of supply”. Any allowance is to be

realistic and have regard to the SHLAA, historic windfall delivery rates and expected future trends (paragraph 48).

- 4.15 Paragraph 49 states that housing applications are to be considered in the context of the presumption in favour of sustainable development and relevant policies regarding housing supply should not be considered up to date if a five year supply of deliverable sites cannot be demonstrated.
- 4.16 A wide choice of high quality homes are to be delivered and opportunities for home ownership are to be widened by planning for a good mix of housing based on the needs of different groups and local demands.
- 4.17 Paragraph 52 states that the supply of new homes can sometimes best be achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns.

Requiring good design

- 4.18 Good design is given great importance in the Framework as a key part of sustainable development. Paragraph 58 includes a series of six criteria to be considered as part of the decision taking process. These state that developments 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;*
 - *Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;*
 - *Create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and*
 - *Are visually attractive as a result of good architecture and appropriate landscaping.”*
- 4.19 It is noted that paragraph 60 states that policies and decisions *“should not attempt to impose architectural styles or particular tastes and they should not stifle innovation.”*

- 4.20 Paragraph 66 states that applicants will be expected to work closely with those directly affected by their proposals and to evolve designs that take account of community views. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.

Promoting healthy communities

- 4.21 The Government's approach envisages that the planning system has an important role to play in facilitating social interaction and creating healthy and inclusive communities. All sections of the community should be involved in planning decisions and should facilitate neighbourhood planning. The aim is to create places which promote i) meetings and interaction between members of the community, ii) safe and accessible environments containing clear and legible pedestrian routes and high quality public spaces which encourage the active and continual use of public areas.

Meeting the challenges of climate change and flooding

- 4.22 The key role of planning in helping to secure radical reductions in greenhouse gas emissions is fully recognised (paragraph 93). This is also considered to be central to all three of the dimensions of sustainable development.
- 4.23 When determining planning applications account is to be taken of landform, layout, building orientation, massing and landscaping in order to help minimise energy consumption.

Using a proportionate evidence base

- 4.24 Each local planning authority should ensure that the Local Plan is based on adequate, up to date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals.
- 4.25 Under the housing sub heading reference is made to the requirements for a SHMA and SHLAA. The SHLAA is to establish realistic assumptions about the availability, suitability and likely economic viability of land to meet the identified housing need over the plan period.

Decision taking

- 4.26 In relation to the decision taking section of the Framework, paragraph 187 notes that local planning authorities should *“look for solutions rather than problems, and decision takers at every level should seek to approve applications for sustainable development where possible.”* This includes working proactively with applicants to *“secure developments that improve the economic, social and environmental conditions of the area.”*
- 4.27 In determining applications, paragraph 196 requires that *“applications for planning permissions must be determined in accordance with the development plan, unless material considerations indicate 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”*.

Annex 1: Implementation

- 4.28 Paragraph 214 of the Framework 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 with this Framework”*. 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.
- 4.29 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”*.
- 4.30 The Barnsley Unitary Development Plan was adopted prior to 2004 and as such, where policies were ‘saved’ under the provisions of the 2004 Act these should be considered in terms of their consistency with the Framework.

Barnsley Unitary Development Plan (2000)

- 4.31 The UDP was adopted in December 2000 and covers the plan period 1986-2001. A number of policies were saved under direction from the Secretary of State in 2007 and these are referenced, where appropriate to the application, below.
- 4.32 Under the provisions of the UDP the application site forms part of an area of land designated as Urban Land to Remain Undeveloped. In respect of such sites Policy GS11 states that:

“On sites shown as urban land to remain undeveloped on the proposals map existing uses will normally remain during the plan period and development will be restricted to that

necessary for the operation of the existing uses. Otherwise planning permission for the permanent development of such land will only be granted following a review of the UDP which proposes that development on the land in question.”

4.33 Darton Community Area Policy DT7 restates the aims of this Policy and indicates that:

“The area was designated partly as land to remain undeveloped and partly as openspace in the Darton Local Plan. Because of several factors including the level of provision of housing commitments already in the area, and the lack of current available educational facilities it is not considered appropriate to propose development of this site at the present time.” (DT7/1)

4.34 Principle policies in respect of new housing development are set out within the adopted Core Strategy, superseding those contained within the UDP and these are summarised below.

Barnsley Core Strategy 2010

4.35 The Barnsley LDF Core Strategy (the Strategy) was adopted in September 2011 and covers the plan period 2008 to 2026. Mapplewell is identified as falling within the Urban Barnsley area wherein Policy CSP8 indicates that priority should be given to development. It indicates that:

“Urban Barnsley will be expected to accommodate significantly more growth than any individual Principal Town to accord with its place in the settlement hierarchy.”

4.36 Policy CSP9 indicates a target of at least 21,500 net additional homes to be built during the plan period. Policy CSP10 sets out the intended distribution of new homes with Urban Barnsley anticipated to accommodate 9,800 or 46% of new housing during this period. Allocated housing sites will be considered in the Development Sites and Places Development Plan Document and accompanying Proposals Maps. The housing trajectory, set out in appendix 2 of the Strategy, indicates a stepping up in delivery targets for the period 2009-2017 to reflect difficult market conditions and projected recovery.

4.37 Policy CSP13 states that the phased release of allocated housing sites will be set out in the Development Sites and Places DPD. The release will seek to deliver the spatial strategy by giving priority to sustainably located sites within Urban Barnsley and the Principal Towns.

4.38 Policy CSP14 indicates that housing proposals will be expected to include a broad mix of house type and tenure to help create mixed and balanced communities. Priority will be given to the development of previously developed land and a minimum density of 40 dwellings per

hectare, rising to 45 dwellings per hectare within good public transport corridors. Policy CSP15 states that within the Darton area 25% of new housing on developments of 15 or more dwellings should be provided as affordable.

- 4.39 In respect of other policies CSP1 relates to climate change and indicates that developments will be expected to:
- Reduce and mitigate the impact of growth on the environment and carbon emissions
 - Ensure existing and new communities are resilient to climate change
 - Harness opportunities to increase the efficient use of resources through sustainable construction techniques and the use of renewable energy
- 4.40 Policy CSP2 indicates that development will be expected to demonstrate how it minimises resource and energy consumption. New dwellings will be expected to achieve at least a level 3 rating under the Code for Sustainable Homes, rising to code level 4 by 2013. Under the provisions of Policy CSP3 all development should incorporate sustainable drainage systems. Applications should include an assessment to demonstrate that the proposed drainage system will work and be maintained.
- 4.41 In respect of flood risk Policy CS4 states that the extent and impact of flooding will be reduced by, amongst other things, not permitting new development where it would be at unacceptable risk of flood or would give rise to flooding elsewhere; requiring flood risk assessments for proposals over 1 hectare in Flood Zone 1; requiring developments to demonstrate how the proposal will make a positive contribution to reducing or managing flood risk and; requiring proposals to use sustainable drainage systems.
- 4.42 Policy CSP5 states that all development of 10 or more dwellings should incorporate decentralised, renewable or low carbon energy sources and other appropriate design measures sufficient to reduce carbon dioxide emission by at least 15% for applications submitted up to 2015.
- 4.43 In terms of sustainable travel Policy CSP25 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
 - Provide at least the minimum levels of parking as set out in a supplementary planning document
 - Provide for a transport assessment and travel plan in accordance with best practice guidance produced by the Department of Transport

- 4.44 Policy CSP26 indicates that new development will be expected to be designed and built to provide safe, secure and convenient access for all road users. Where development cannot be suitably served by the existing highway or would create or add to highway safety problems developers should take mitigating action or make a financial contribution to make sure the necessary improvements go ahead.
- 4.45 In respect of the design of new developments Policy CSP29 states that new development should:
- Contribute to place making and be of a high quality that contributes to a healthy, safe and sustainable environment
 - Help to transform the character of physical environments that have become run down and are lacking distinctiveness
 - Enable all people to gain access safely and conveniently
 - Contribute towards creating attractive, sustainable and successful neighbourhoods
 - Achieve a Building For Life assessment rating of good or equivalent as a minimum, in developments of 10 or more dwellings
- 4.46 Policy CSP36 states that development will be expected to conserve and enhance the biodiversity and geological features of the Borough by, amongst other things, protecting and improving habitats, species, and sites of ecological value and; maximising biodiversity and geodiversity opportunities in and around new developments. Development which may harm biodiversity or geodiversity will not be permitted unless effective mitigation and/or compensatory measures can be ensured.
- 4.47 Policy CSP39 confirms that where the future occupiers of a development would be affected by contamination or stability issues proposals must be accompanied by a site investigation report. This should indicate the nature and extent of contamination and set out detailed measures to allow the development to go ahead safely. Policy CSP40 indicates that development will be expected to demonstrate that it is not likely to result in pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people. Developers will be expected to minimise the effects of any possible pollution and provide mitigation measures where appropriate.
- 4.48 Policy CSP41 states that, in air quality management areas, residential development will only be allowed where the developer provides an assessment that shows living conditions will be acceptable for future residents. The assessment should also demonstrate that the development would not have a significantly harmful effect on air quality.

- 4.49 Policy CSP42 indicates that development must be supported by appropriate physical, social and economic infrastructure. Development should contribute as necessary to meet all on and off site infrastructure required to enable it to take place satisfactorily. Where necessary, contributions will be secured through planning obligations.

Development Sites and Places Development Plan Document (DPD)

- 4.50 The consultation draft of the Development Sites and Places DPD was released for public consultation between July and September 2012. The document is at a comparatively early stage of production and as such limited material weight can be attached to it. It does however set out the Council's preferred options for housing delivery and land allocations.
- 4.51 The housing approach set out within the DPD accords with the spatial strategy policies of the Core Strategy and the prioritisation of Urban Barnsley and the Principal Towns for development over the plan period. The DPD seeks to allocate sufficient land for housing in order to meet the requirements of Policy CS9, taking into account currently committed development. The site selection methodology set out in the DPD considers site constraints, greenfield/brownfield status, public transport accessibility, access to services and facilities and considers impacts in respect of matters such as urban character, ecology and visual impact.
- 4.52 The extent of the UDP allocated Urban Land to Remain Undeveloped is identified for housing within the DPD (site reference BAR31, Site West of Wakefield Road, Mapplewell) based upon a site area of 13.76 ha and with capacity for 500 dwellings. The DPD states that this indicative number of homes is calculated taking into account of the requirement for provision for 2 hectares of green space and is identified as being capable of delivering an element of low density housing. Table 3 of the DPD notes the proposed allocation as a Phase1 site which, in accordance with the provisions of Policy H4 of the DPD, will be released at any point in the plan period.
- 4.53 In respect of the BAR31 allocation the DPD indicates that the development must:
- Provide a minimum of 2 hectares of green space as an extension to Mapplewell Park as shown on the Darton Concept Plan
 - Provide pedestrian links through the development to Mapplewell Park
 - Provide adequate access and internal road layouts to allow the complete development of the entire site for residential purposes

- 4.54 The Darton Area Concept statement is set out at paragraph 15.21 of the draft DPD. It notes that the Darton area is deficient in access to green space and, along with the extension to Mapplewell Park, indicates that new housing development on the allocated site BAR31 should include provision for a child and youth facility.
- 4.55 Policy SD1 of the DPD indicates that when considering proposals the Council will take a positive approach that reflects the presumption in favour of development contained in the National Planning Policy Framework. It states that planning applications that accord with other relevant policies, will be approved without delay, unless otherwise taking into account whether:
- *Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
 - *Specific policies in that framework indicate that development should be restricted*
- 4.56 The Policy continues, indicating that proposals for development will only be approved if:
- *They advance the economic ambitions contained in the Economic Strategy*
 - *There will be no significant adverse effect on the living conditions and residential amenity of existing and future residents*
 - *They are compatible with neighbouring land and will not significantly prejudice the future use of the neighbouring land*
 - *They will not adversely affect the potential development of a wider area of land which could otherwise be available for development*
 - *They include appropriate landscaping to provide a high quality setting for buildings, incorporating existing landscape features and ensuring that plant species and the way they are planted, hard surface, boundary treatments and other features appropriately reflect, protect and improve the character of the local landscape*
- 4.57 In respect of green ways and public rights of way, Policy GS1, states that these will be protected. Where development is close to such routes development may be required to provide a link to, or improve the existing route or contribute to a new route.
- 4.58 The DPD sets out a number of key priorities in respect of the Economic Strategy for the Borough. These include the aim to “*create the conditions for economic growth and greater prosperity through the provision of quality employment sites, appropriate housing mix and a fully integrated transport infrastructure.*” Specifically this will include designating residential

sites deemed to be commercially attractive and deliverable and increasing the supply of low density housing.

Supplementary Planning Documents

Designing New Housing Development (March 2012)

4.59 The SPD supplements policy CSP29 of the Core Strategy which sets out design principles in respect of new development. It indicates that proposals will be assessed having regard to a range of guidance including:

- Relationship with existing dwellings and space between proposed dwellings
- External and internal spacing standards
- Design character and local context
- Street design to accord with Manual for Streets (DoT) and the South Yorkshire Residential Design Guide
- Design of residential parking and garages in accordance with the South Yorkshire Residential Design Guide
- Front gardens and landscape design
- Walls and fences
- Retention of existing trees and hedgerows and other feature of ecological value
- Incorporation of existing and new public rights of way
- Drainage design and flood risk
- Recycling and waste management

4.60 Whilst much of the guidance within the SPD relates to detailed design matters the broader principles are relevant to the consideration of the illustrative masterplan layout.

Open Space Provision on New Housing Development (March 2012)

4.61 The SPD supplements Policy CSP35 of the Core Strategy and the expectation that new residential development should provide and maintain appropriate green space. It confirms that, for developments of 20 or more dwellings, a minimum of 15% of the gross site area should be open space appropriate to the character of the site, its location and the layout and nature of the new housing and adjoining land uses. The SPD sets out the type and quantity of green space which will normally be required:

- *Equipped children's play areas* – For developments of over 100 houses provision will generally be required on site.

- *Informal play space and informal landscaped areas* – For developments of 40 houses or more provision should be made on site.
- *Formal recreation (sports pitches, courts, greens, etc.)* – For developments of more than 200 houses provision may be required on site. Alternatively, a financial contribution to provide or enhance facilities off site may be acceptable.

4.62 The SPD notes that the amount of each different type of open space to be provided on a development site will depend on the type of the development, the availability of open space in the vicinity of the site and other factors including the shape of the site and potential areas of nature conservation value. The open space, on larger developments, should be provided when 25 houses have been substantially completed or within one year of the commencement of the development, whichever is the sooner.

Parking (March 2012)

4.63 The Parking SPD supplements Policy CSP25 of the Core Strategy in respect of sustainable travel. Under Table 1 the SPD sets out maximum spaces allowed for new residential development in the Barnsley Urban Area. It indicates that 1 car parking space should be provided for dwellings with 1 or 2 bedrooms and 2 spaces for dwellings with 3 or more bedrooms. In respect of cycle parking standards the SPD indicates that provision will be assessed individually in terms of proposed housing developments.

4.64 In addition to supplementary planning guidance the Council has issued two Planning Advice Notes (PAN) of relevance to the consideration of the application. PAN30, Sustainable Location of Housing Sites 2011, which aims to ensure that new housing development is focused within the main settlements of the Borough and takes place in sustainable locations within them. It sets out a checklist which should be completed and submitted for any housing developments on sites above 0.4 hectares. A completed checklist is submitted with the planning application.

4.65 PAN33, Financial Contributions to School Places 2005, sets out requirements for financial contributions to primary and secondary school place provision in respect of new housing developments.

Local Development Framework Evidence Base

4.66 The evidence base for the LDF comprises a number of documents of relevance to the consideration of this application. These are summarised below.

Barnsley Strategic Housing Land Availability Study – 2009 Update (February 2011)

- 4.67 The SHLAA seeks to follow national policy guidance (as previously set out in Planning Policy Statement 3, Housing and now contained within the National Planning Policy Framework) in seeking to:
- Identify sufficient sites to deliver housing in the first five years
 - Identify a further supply of specific, developable sites for years 6-10 and, where possible, for years 11-15.
- 4.68 Potential housing sites identified by the Council and through stakeholder consultation are assessed based on their suitability, availability and achievability. They are then graded according to deliverability during three periods, 2011-2016, 2016-2021 and 2021-2026 or indicated as held in abeyance, unsuitable for development during the LDF plan period.
- 4.69 The application site comprises part of the site referenced within the SHLAA as SAF14, comprising 13.76 hectares of land and noted as a LDF safeguarded allocation. The site is given a 'green' rating within the SHLAA for delivery during the period 2011-2016 with a gross potential yield of between 482-550 houses.

Barnsley Housing Land Supply April 2011 – March 2016

- 4.70 The housing land supply report sets out the Council's position in respect of the housing land supply as at 2011 having regard to the targets set out within the Core Strategy and National Government guidance on the maintenance of a rolling 5-year land supply. It sets out a schedule of those sites included within the 5-year supply calculation and sets out the position in respect of later years supply.
- 4.71 The housing trajectory set out in Table 1 of the document reflects that set out in the Core Strategy including the 'stepping up' of the housing targets through the plan period. Discounting for demolitions the report sets a net total 5-year housing land supply target of 4,958 dwellings (5,340 gross) for the period 1st April 2011 to 31st March 2016.
- 4.72 In calculating the 5-year supply position the report includes sites then under construction, with full permission, with outline planning permission, remaining UDP allocated sites and redundant school sites. The assumptions on development rates are set out under table 2 and, in the case of allocated and redundant school sites, assume builds at 40 dwellings per hectare. The net deliverable housing supply derived from these sources is set out under table 3a in respect of the Core Strategy settlements:

Barnsley Urban	2296	(36.5%)
Cudworth	330	(5.2%)
Goldthorpe	1207	(19.2%)
Hoyland	533	(8.5%)
Penistone	250	(4.0%)
Royston	371	(5.9%)
Wombwell	903	(14.3%)
Other	389	(6.2%)
Total	6298	

- 4.73 Percentage figures have been rounded up to illustrate the spatial distribution of supply and this is discussed further in the next section. On the basis of the supply assumptions the Council conclude that a five-year supply is identified for the 2011-2016 period, 6,298 dwellings against a gross target of 5,350 as set out in the Core Strategy.
- 4.74 For the period beyond 2016 the report identifies a residual supply of 2,668 dwellings from sites with planning permission, UDP allocations and redundant school sites. It also notes that the SHLAA 2009 update identifies sites with a potential to deliver 15,559 new homes from 2011.

5.0 The Planning Case

- 5.1 This section of the report identifies the main planning considerations and assesses the site against planning policy to provide the case in support of the proposed development.

The Principle of Development

- 5.2 The National Planning Policy Framework indicates that the presumption in favour of sustainable development should be the basis of every planning decision and sets out a core principle to proactively drive and support sustainable economic development to deliver the homes that the country needs. It sets out a policy aim to boost significantly the supply of housing and indicates that housing applications should be considered in the context of the presumption in favour. Relevant housing policy at local level should not be considered up-to-date if a five-year supply of deliverable housing cannot be demonstrated by the Council. In such cases applications for housing development should be assessed having regard to the provisions of the Framework.
- 5.3 The Framework seeks to create a housing supply which meets the full, objectively assessed, needs for market and affordable housing. In this regard, particularly following the revocation of the Regional Spatial Strategy, a robust evidence base is required in order to determine appropriate housing targets and, following on from this, the five-year housing land supply target.
- 5.4 Policy CS9 of the Core Strategy adopts a trajectory driven approach to housing supply targets, rather than annualising the overall plan period housing target, setting lower targets during the early part of the plan period with higher rates of delivery in later years in anticipation of improved market conditions. The identified 5-year supply is therefore constrained on the basis of this trajectory and does not take into account residual supply requirements based upon under performance in past delivery rates.
- 5.5 The use of the trajectory driven approach by the Council was considered by the Inspector who held a public inquiry into the refusal of outline planning permission for a residential led redevelopment at the former North Gawber Colliery site in Mapplewell (APP/R4408/A/10/2138041). The appeal was allowed, following call-in by the Secretary of State, in January 2012. In considering the Council's approach to calculating the 5-year supply requirement the Inspector expressed concern that the use of the trajectory approach would tend to reinforce the local economic down turn and would not encourage a correction in past under performance in housing delivery. He therefore favoured the appellant's argument that

an annualised method should be adopted, with correction for under performance, based on the overall Core Strategy requirement. In reviewing the decision the Secretary of State agreed, stating that:

“The Secretary of State agrees with the Inspector’s conclusion at IR94 that the appellant’s methodology for calculating the 5 year period is to be preferred over that advocated by the Council and, in particular, given the ambitious overall target included in the Core Strategy, that there is little benefit to be gained from adopting a methodology which effectively constrains the 5 year requirement.”

- 5.5 In considering the 5-year housing target the Inspector concluded that, based upon an annualised approach and including a residual requirement for previous years under-supply, the requirement for the period 2010-2015 should be at least 6,688 dwellings.
- 5.6 The Inspector also consider the formulaic approach adopted by the Council within the SHLAA (2009 Update) to calculating deliverable housing land supply for the 5-year period. He expressed doubts regarding the deliverability of the UDP allocated sites given that they had been available for, at that point, 12 years without being brought forward. He therefore concluded that the promotion of the land identified within the 5-year supply figure advocated by the Council was questionable and discounted the sites. In addition the Inspector concluded that some discounting of the former school sites should be made given the likely lengthy lead in times for bringing these sites forward. In reviewing the Appeal the Secretary of State agreed with these concerns and with the Inspector’s conclusion that a 5-year supply of deliverable housing land had not been identified.
- 5.7 The most recently published consideration of the 5-year housing land supply position was released by the Council in August 2011 and considered the supply position for the period 2011-2016. A summary of the document is provided at paragraph 4.68 of this report. In terms of the supply target the document continues to use the trajectory based method and arrives at a target of 5,350 gross for the 2011-2016 period. Supply remains based upon the formulaic approach adopted within the SHLAA and on this basis the Council concludes that it has a five-year supply of 6,298 dwellings.
- 5.8 Were the annualised methodology to be adopted, as favoured by the Inspector in considering the North Gawber Colliery Appeal, the 5-year supply target, derived from the adopted Core Strategy plan period 2008-2026, would be around 5,972 dwellings net and, applying the Council’s assumptions on demolitions during the 5-year period (392 units), 6,364 gross additional dwellings. Notwithstanding the concerns regarding the methodology used be the

Council in the calculation of the available supply this identified supply falls short of the annualised target. This situation would be further compounded were this supply to be discounted in line with the Inspector's comments and a residual component added to the target having regard to previous years under-supply. Whilst up-to-date figures on housing completions have not been published by the Council it is likely, given current market conditions this under-supply has continued to date. Further, the application of a 5% buffer to the 5-year supply target, as required by the National Planning Policy Framework, would increase the likely shortfall in deliverable supply.

5.9 It is also notable that the land supply identified within the 2011 supply update report (paragraph 4.70 above) is inconsistent with the spatial distribution advocated within the adopted Core Strategy. In particular the housing land supply identified in Urban Barnsley, at around 36.5% of the five year supply, falls well short of the Strategy target that 46% of housing development should be accommodated in this area.

5.10 Having regards to these considerations it is concluded that the likelihood is that a 5-year supply of deliverable housing land has not been identified by the Council. The NPPF indicates that in such instances relevant policies for the supply of housing should not be considered up-to-date (paragraph 49). Paragraph 14 of the Framework states that in such circumstances the Authority should grant 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; or

Specific policies in this Framework indicate development should be restricted.”

5.11 The interim pre-application response received from the local planning authority, whilst not commenting on the 5-year supply position, stated that, following a recent decision by the Planning Regulatory Board the UDP Urban Land to Remain Undeveloped allocations and associated policies are now considered out of date in terms of the National Planning Policy Framework. As a result applications on such land should be determined in line with the Framework presumption in favour of sustainable development, relevant development plan policies and other material considerations.

5.12 As such it is concluded that there is no in principal policy objection to the application proposals. Consideration against the provisions of the Framework and relevant development plan policy is set out below.

National Planning Policy Framework and the Development Plan

5.13 Paragraph 14 of the Framework makes clear that in instances where relevant policies are out of date local planning authorities should grant permission for development unless the adverse impacts would outweigh the benefits. This should be assessed against the policies set out within the Framework, taken as a whole. This assessment is set out below with reference made to extant policies within the adopted UDP and LDF Core Strategy where they remain consistent with the Framework. The assessment draws upon the technical findings set out in the reports accompanying the application.

Building a Strong, Competitive Economy

5.14 Paragraph 19 of the Framework indicates the Government's commitment to ensuring that the planning system does everything it can to support sustainable economic growth and that significant weight should be placed upon it. The lack of housing, infrastructure and services are identified as potential barriers to investment.

5.15 The proposed development will make a significant contribution to the five year housing land supply and provide a range of benefits:

- Delivery of new family housing
- Provision of open market homes
- Provision of affordable housing including potential off-site contribution
- Direct and indirect construction jobs
- New Homes Bonus
- Section 106 monies in respect of transport, education and public open space
- Increased expenditure in the local economy

5.16 As such the proposed development is fully consistent with the aim of building a strong and competitive economy. In addition it is fully in accordance with the provisions of Core Strategy Policy CSP8 which seeks to concentrate growth and development within Urban Barnsley.

Promoting Sustainable Transport

5.17 Paragraph 32 of the Framework states that all developments which generate significant amounts of movement should be supported by a transport assessment. Development proposals should be assessed as to whether opportunities for sustainable transport modes have been taken up, safe and suitable access to the site can be achieved and improvements can be undertaken within the transport network that cost effectively limit the significant

impacts of the development. The Framework is clear in stating that “*development should only be prevented or refused on transport grounds where the residual impacts of development are severe.*”

5.18 The Transport Assessment of the development, confirms that the site is in a highly sustainable location with good accessibility on foot and by bicycle to a range of facilities and services within Mapplewell. The site is in close proximity to the public transport network with connections to the main urban centres of Barnsley and Wakefield, and to employment opportunities. As part of the development proposals a range of sustainable travel improvements are promoted. These include the provision of pedestrian and cycle linkages through the site, connecting with the local network of public rights of way and cycle routes. A Residential Travel Plan is also included with the application and sets out a range of measures including:

- The designation of a Travel Plan Co-ordinator to liaise with the Council and local bus operators on the promotion of sustainable travel opportunities available to residents
- The provision of information packs to residents showing safe pedestrian routes to and from the site
- The provision of secure cycle parking spaces in line with local authority guidelines and the provision of plans to residents showing cycle routes in the locality
- The provision of information to residents on local cycle groups and clubs
- The provision of information packs to residents showing details of local bus services
- Investigation of schemes such as free bus passes for residents, for example providing one month free bus travel
- The promotion of a car sharing scheme

5.19 The Transport Assessment demonstrates that the development can be undertaken without significant impact upon the transport network. It confirms that the location of the proposed access via the A61 was agreed in principle with highways officers at the Council during pre-application discussions. As noted the development will also be supported by a residential travel plan to promote the use of non-car modes of transport. On this basis it concludes that there are no transport related reasons why the development proposals should not be granted planning permission.

5.20 The development is demonstrably located within a highly sustainable location and as indicated in the Transport Assessment will not prejudice the existing highway network. As such it is in accordance with Framework provisions in respect of sustainable transport and

with the assessment criteria set out within Policies CSP25 and CSP26 of the adopted Core Strategy. The illustrative layout submitted with the application incorporates linkages with the existing pedestrian and cycle network and confirms that satisfactory parking provision within the site can be achieved and confirmed at detailed design stage.

Delivering a Wide Choice of High Quality Homes

- 5.21 As set out above the development is fully in accordance with Framework policy to boost significantly the supply of housing (paragraph 47). It is consistent with Paragraph 52 which indicates that the supply of new homes can sometimes be best achieved through extensions to existing villages or towns. Given the sustainability of the site and having regard to its previous designation as safeguarded land its development for housing is in accordance with this approach.
- 5.22 The development provides the potential to provide for a mix of high quality homes and the illustrative masterplan and design and access statement propose a range of 2 to 5 bed open market dwellings. In addition, and in accordance with Core Strategy Policy CSP15, 25% of the units will be made available for affordable housing provision either within the site or, subject to discussion with the local planning authority, in combination with off-site contributions to facilitate affordable delivery and provide investment stimulus elsewhere within the Borough. This is consistent with the provisions of the Framework (paragraph 50).

Requiring Good Design

- 5.23 Whilst submitted in outline the Design and Access Statement sets out design principles to guide future reserved matters considerations of detail, appearance and layout of landscaping and open space. These are based upon a desire to create a high quality development based upon a number of spatial and design themes to provide for:
- A mix of apartments, terraced, semi-detached and detached dwellings constructed in 2 to 3 storeys
 - Retention and incorporation of trees and hedgerows with amenity value within boundaries and open areas within the site
 - Green corridors, open spaces and structural landscaping
 - Sufficient separation distances from existing residential properties in order to protect amenity
 - The use of construction materials complimentary to the existing urban context
 - Good orientation which ensures many of the homes have a southern aspect

- The use of dual aspect dwellings on corner plots
 - Retention of existing public rights of way and provision of new pedestrian linkages through the site
- 5.24 The Statement sets out parameters in respect of the creation of character areas, street hierarchy and parking, green infrastructure and landscaping, block layout, external appearance, materials and detailing. These aim to underpin the detailed design and layout of the development. They are fully consistent with the policies within the Framework which seek to ensure that, amongst other things, developments function well and add to the overall quality of the area, establish a strong sense of place, optimise potential to incorporate green and public space and create safe and accessible environments (paragraph 58). The parameters also provide the basis to ensure that the detailed design of the development will incorporate good architecture and appropriate landscaping and promote local distinctiveness (paragraph 60).
- 5.25 The Design and Access Statement, parameters guidance and illustrative masterplan demonstrate that the development will be in compliance with relevant retained Core Strategy policy in respect of sustainable design as expressed in Policy CSP29. Regarding Building for Life criteria an assessment based upon the outline proposals is submitted with the application and demonstrates that the development has the potential to deliver positive ratings in respect of each criterion.

Promoting Healthy Communities

- 5.26 The Framework indicates the important role of the planning system in facilitating social interaction and in the creation of healthy, inclusive communities (paragraph 69). This includes the creation of places which promote opportunities for meetings between members of the community and safe and accessible environments which provide clear and legible pedestrian routes and high quality open space. The Framework attaches weight to the need to ensuring that sufficient choice of school places is available to new and existing communities (paragraph 72), provision of open space and recreational facilities (paragraph 73) and the protection and enhancement of public rights of way and access (paragraph 75).
- 5.27 The site has good accessibility to a range of recreational facilities within Mapplewell. As noted within the Design and Access Statement satisfactory provision is made within the illustrative masterplan for the accommodation of open space within the development, this exceeding the Council's policy standards. In addition developer contributions to off-site open space and recreational provision can be considered subject to discussions with the local planning

authority. The development incorporates inter-linkages with the surrounding pedestrian and cycle network and the Residential Travel Plan promotes journeys by foot and cycle as alternatives to the motor car. The proposed layout and parameters guidance for the detailed design of the scheme provides the basis for a safe and accessible scheme fully consistent with Framework guidance.

- 5.28 As regards school capacity within the area, for Primary and Secondary provision, the pre-application feedback received from the local planning authority indicates that a development of 300 dwellings would result in an additional 63 pupils to be accommodated in the local area. It confirms that the authority would be seeking an education contribution to ensure that satisfactory provision is made for additional pupil numbers and such a contribution can be secured via a section 106 legal agreement.
- 5.29 It is considered that the scheme is fully in accordance with the aims of the Framework to promote healthy and inclusive communities.

Meeting the Challenge of Climate Change, Flooding and Coastal Change

- 5.30 The Framework notes the role of planning in seeking reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change and in supporting the delivery of renewable and low carbon energy. This is central to the economic, social and environmental dimensions of sustainable development (paragraph 93). In supporting the move to a low carbon future authorities should seek new development in locations and ways which reduce greenhouse gas emissions and, in determining applications expect account to be taken of landform, layout, building orientation, massing and landscaping to reduce energy consumption (paragraphs 95 and 96).
- 5.31 The site is located adjacent to the built up area of Mapplewell and has good accessibility by non-car modes to existing services and facilities and to the public transport network. The residential travel plan submitted with the application will further seek to promote and facilitate non-car modes of travel. A Code for Sustainable Homes Pre-Assessment Report submitted with the planning application sets out the commitment, amongst other things, to achieve at least a level 3 Code rating. This satisfies the requirements of Policy CSP2 of the Core Strategy. The Design and Access statement sets out a framework sustainability strategy which, taken together with current mandatory requirements including compliance with Part L of the Building Regulations 2010, demonstrates that the development can be brought forward in line with the Framework's policy aims. This strategy includes the provision of sustainable drainage systems, landscaping to provide shading from the sun, low energy design

(incorporating Building for Life principles) and considerate building massing and materials including orientation of buildings to maximise solar gain. The scheme seeks to protect local wildlife and habitats and makes provision for open space and additional landscaping.

- 5.32 The Framework indicates that new development should be directed away from areas at risk of flooding (paragraphs 100). The Flood Risk Assessment submitted with the planning application confirms that the site falls within Flood Zone 1, an area with a low probability of fluvial flooding, is not affected by flooding from any river or watercourse and is not within a groundwater protection zone. Subject to the adoption of sustainable drainage systems in respect of surface water attenuation the development can be undertaken with no adverse impact upon flood risk. A series of mitigation measures in respect of surface water drainage and attenuation are set out within the document. Having regards to the findings of the Assessment the proposed development is consistent with the policy provisions of the Framework and with the requirements of Policy CS4 of the Core Strategy.

Conserving and Enhancing the Natural Environment

- 5.33 The Framework indicates that the planning system should contribute to and enhance the natural and local environment through, amongst other things, the protection and enhancement of valued landscapes and by minimising impacts on and, where possible, providing net gains in biodiversity. In addition development should not contribute to, or be affected by, pollution (paragraph 109).
- 5.34 In respect of the landscape and visual impact of the development the site is not subject to any specific designations and is considered it to hold a comparatively low landscape value. This is based upon the absence of landscape designations and the location of the site, at the edge of the Mapplewell built up area. Whilst the development will remove an area of open land the impact upon wider landscape character will be largely mitigated through the retention of existing features such as woodland edge and hedgerows which will help to contain the development within the immediate landscape. In addition the introduction of a new green framework, connecting with existing landscape features, along with substantial open space provision will further mitigate the impact of the development.
- 5.35 In terms of impacts upon ecology and biodiversity the Ecological Assessment submitted with the application and including the results of a Phase 1 habitat survey, indicates that the site is not subject to any statutory or non-statutory ecological designation at European, national or local level. The development will therefore not give rise to impacts upon designated wildlife sites or loss of species or habitats of high nature conservation value. It put forwards a range

of measures to provide positive biodiversity enhancement in order to increase flora and fauna diversity.

- 5.36 The location of the site and nature of the development does not give rise to any potential issues in respect of noise pollution. The site is within 2km of an Air Quality Management Area (Wakefield Road/Burton Road Junction) designated by the Council. An Air Quality Assessment is included with the planning application and concludes that the traffic generated by the proposed development would have a negligible impact upon the AQMA. As regards potential construction and operational (post completion) phase impacts the Assessment does not identify any potential issues in respect of the exceeding of air quality standards or impacts upon sensitive receptors, including neighbouring residential properties. Impacts are therefore concluded to be negligible.
- 5.37 As regards ground conditions a preliminary desk based geo-technical appraisal report submitted with the planning application considers potential contamination sources from the previous use of the site, neighbouring land uses and potential contamination pathways. It notes that the site has remained historically undeveloped although two areas were subject to opencast mining for a short period during 1952. A large proportion of the site is underlain by backfilled open cast workings in the Abdy (Winter) Coal and Two Foot Coal seams and unrecorded mine workings could affect surface stability. The report therefore makes a series of recommendations in respect of building foundations including the consolidation of old mine workings.
- 5.38 The appraisal report provides a preliminary conceptual site model which identifies potential contaminants and ground gas generation associated with the open cast backfill. It recommends additional intrusive site investigation, including gas monitoring, in order to establish ground conditions and a suitable mitigation strategy prior to development commencing.
- 5.39 Overall it is considered that the development would not give rise to any significant adverse impact upon landscape or ecological interests and would not, subject to appropriate mitigation, give rise to pollution issues. As such it is fully in accordance with Framework policy and with relevant Core Strategy Policies CSP36, CSP39, CSP40 and CSP41.

Emerging Development Sites and Places DPD

- 5.40 Whilst limited weight can be attached to the emerging Sites and Places DPD the proposals are fully in accordance with the BAR31 housing allocation which is consistent with the Core

Strategy spatial policies which seek to focus development within the Urban Barnsley Area. In accordance with Policy H4 of the DPD the site is considered appropriate for release at any stage during the plan period and, as noted above, will be capable of making an immediate contribution to the 5-year housing land supply.

6.0 Conclusions

- 6.01 The National Planning Policy Framework indicates that housing applications should be considered in the context of the presumption in favour of sustainable development which should be seen as the golden thread running through both plan-making and decision-taking. The assessment set out above indicates ongoing concerns about the Council's ability to demonstrate a five year supply of deliverable housing land needed to meet the delivery targets and spatial distribution policies set out within the Core Strategy. In addition the Council has acknowledged that UDP policies in respect of housing are now out-of-date. In such instances the Framework is clear in stating that authorities should grant permission unless the development would give rise to adverse impacts which would significantly and demonstrably outweigh the benefits. On this basis the planning application should be assessed with respect to the relevant policy provisions of the Framework and the adopted policies within the LDF Core Strategy.
- 6.02 The proposed development is fully in line with the aim of the Framework to boost significantly the supply of housing. It will make a significant contribution to housing delivery, including the provision of affordable housing, within the Borough and to the Council's deliverable five year housing land supply. The development of the site is in accordance with the spatial policy of the Core Strategy which seeks to direct substantial growth to the Barnsley Urban Area. It is in compliance with the emerging allocation of the site for housing within the Sites and Places DPD and, in the absence of up-to-date housing policy, having regard to the provisions of the Framework, development would not raise issues of prematurity.
- 6.03 The range of technical reports submitted in support of the application demonstrate that the development will not give rise to any significant adverse impact upon matters in respect of transport, landscape, ecology, flood risk or pollution. It is therefore fully compliant with the policy requirements of the Framework and relevant retained UDP policy and guidance.
- 6.04 The development accords with the provisions of the National Planning Policy Framework and represents a sustainable development providing significant benefits in terms of housing delivery and choice and a range of developer contributions including affordable housing. As such the planning application should be supported.

APPENDIX 1:
LPA Pre-Application Interim Response

Planning and Regulatory Services
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Date: 12 March 2013

Dear Mr Bottomley

RESIDENTIAL DEVELOPMENT, LAND OF WAKEFIELD ROAD, MAPPLEWELL

I refer to your letter and plans submitted on 27th November and our subsequent meeting on 7th December 2012.

In our meeting you outlined that the proposed scheme involves redevelopment of the site for up to 300 dwellings at a density of 40 dwellings per hectare. An illustrative layout has been submitted showing public open space on site and a single access point on Wakefield Road.

I have looked into the planning merits of your proposals and the following issues are of relevance.

Key National Planning Policy

National Planning Policy Framework (NPPF)

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. At its heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, 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 Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Saved UDP Policies

The site is designated Urban Land to Remain Undeveloped.

Key Core Strategy Policies

- CSP 1 Climate Change
- CSP 2 Sustainable Construction
- CSP 3 Sustainable Drainage Systems
- CSP 4 Flood Risk
- CSP 5 Including Renewable Energy in Developments
- CSP 8 Location for Growth.
- CSP9 The Number of New Homes to be Built.
- CSP10 The Distribution of New Homes.

Development Management – Head of Planning: Tim Cliffe BSc MRICS
www.barnsley.gov.uk/developmentmanagement



CSP14 Housing Mix and Efficient Use of Land.
CSP15 Affordable Housing
CSP 25 New Development and Sustainable Travel
CSP 26 New Development and Highway Improvement
CSP 27 Parking Strategy
CSP 28 Reducing the Impact of Road Travel
CSP 29 Design
CSP36 Biodiversity and Geodiversity.
CSP 39 Contaminated Land
CSP 40 Pollution Control & Protection
CSP 42 Infrastructure & Planning Obligations

Relevant Supplementary Planning Guidance, Documents, Advice Notes or Planning Brief

SPD-Designing New Housing Development
SPD-Open Space on New Housing Development
SPD - Parking

Emerging Development Sites and Places DPD

The Draft Development Sites and Places DPD allocates the site for housing (BAR31).

PAN

30 Sustainable Location of Housing
33 Financial Contributions to School Places

Principle

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The development plan includes the Core Strategy and saved Unitary Development Plan policies. The UDP shows the site as Urban Land to Remain Undeveloped for the plan period.

The Council has produced a Consultation Draft of the Development Sites & Places Development Plan Document (DSAP), which shows possible allocations up to 2026 and associated policies. The document is a material planning consideration but the weight afforded to it is limited by the fact that it is at an early stage in its preparation. The site is designated for housing in the DSAP.

Following a recent decision by the Planning Regulatory Board the authority now considers UDP Safeguarded Land and UDP Urban Land to Remain Undeveloped allocations and associated policies to be 'out of date' in terms of the National Planning Policy Framework (NPPF). As a result any applications on UDP Safeguarded Land or Urban Land to Remain Undeveloped, where it can be demonstrated that they are in a sustainable location, will now be determined in line with the NPPF Presumption in Favour of Sustainable Development, relevant development plan policies and any other material considerations.'

Policy CSP8 specifies that economic development should be concentrated within Urban Barnsley and the principal towns. Mapplewell is within Urban Barnsley.

The site is in a sustainable location and it is likely that you will be able to demonstrate that this site meets the tests set out in PAN30 Sustainable Location of Housing.

Policy CSP14 seeks a broad mix of house size, type and tenure to help create mixed and balanced communities. The policy also seeks a minimum density of 40 dwellings per hectare. Lower densities

will only be supported if it can be demonstrated that they are necessary for need, viability or sustainable design reasons.

The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

A planning Policy Statement should be submitted to address the above matters.

Greenspace

The Councils SPD Open Space Provision on New Housing Developments requires that a minimum of 15% of the developable site area of a proposal should be green space, unless the council deems it appropriate to seek an off-site contribution in the context of a green space assessment.

Due to the size of the site it is considered appropriate in this instance to incorporate all formal open space, informal open space and a minimum LEAP standard children's play area on site. The formal recreation requirement could be in the form of an off-site contribution if there are existing facilities nearby that need to be upgraded. If this is the case a green space assessment will determine where these monies are recommended to be spent and provide the figure for off-site improvements to formal recreation.

Discussions should take place between the applicant and Park's Services to agree the specification of any on site open space and to determine whether long term maintenance of the public open space will be through means of a management company or through adoption by Parks Services with a commuted sum agreed for maintenance.

A condition can be imposed on an outline application with a section 106 agreement needed at the detailed planning stage when numbers of bed spaces are known.

Design

A Design and Access Statement will be required to explain the design considerations that have informed the layout. How the development potential of adjoining land has been taken into account will need to be addressed in any design statement.

The Council will guidelines in the SPD Designing New Housing Development, which follows the advice given in the South Yorkshire Design when assessing the proposed layout. Amongst other things the layout should create local distinctiveness, not be over dominated by parked cars, houses and garden sizes should achieve minimum space standards and boundary treatments will be important on the main road frontage.

The development should be legible with safe and convenient connections within the development and to and from its surroundings. A Building For Life Assessment will be required to assess these and other factors.

Perspective views of the development will be required especially from the existing housing on Wakefield Road. Any detailed planning application will need to include streetscape drawings from all main vantage points.

The Barnsley Design Review Panel can offer further advice regarding detailed design. We would urge that the scheme be presented to the Panel prior to submission of a planning application.

Residential Amenity.



There are space standards that the Council will apply to the proposed layout that are set out in the SPD Designing New Housing Development, which follows the advice given in the South Yorkshire Design Guide. Whilst, it may be the case that occasionally shortfalls in standards can be tolerated within the site, if there are sound design reasons for doing so, space standards will be strictly adhered to in relation to safeguarding the amenity of the occupiers of existing and future properties around the site.

Highways

A transport assessment and draft travel plan will be needed with an application. At our meeting Barbara Wilson had no objections to principles shown in the illustrative layout i.e. a single access from Wakefield Road. However, some other issues needed to be looked at further before a definitive view could be given (e.g. any planned highway improvements in the area). I will endeavor to send out a full response regarding highway matters at a later date.

Public Footpaths

Trees

Archaeology

Ecology

I offer the following comments with respect to the Ecological Assessment draft:

- The report was produced and the surveys conducted in February 2011 - a considerable time ago, since which 2 springs have passed during which most ecological surveys are optimal. So I would suggest the surveys are re-done so the LPA can have more confidence in their findings.
- The author does not list their qualifications and experience relevant to the report in hand - this must be provided to our satisfaction.
- At section 1.1.1 it states that there is no ecological records centre for Barnsley. However, we created Barnsley Biological Records Centre in October 2011 - the report should be re-done with data sourced from the Centre via: www.barnsley.gov.uk/countryside-general-information. The consultants should also consult the separate South Yorkshire Badger Group and South Yorkshire Bat Group as their records are not part of BBRC.
- At s1.1.2 it says the MAGIC website was used for sites of nature conservation - however, Local Wildlife Sites do not appear there and so data gained will be incomplete. BBRC can provide LWS data too.
- s1.3.2 relates to bat roost potential, which is good, but no substitute for activity surveys which need carrying out in the spring.
- s1.4.1 states that all surveys were conducted at an optimal time of the year - this runs counter to my knowledge of the surveys in question.
- s2.3.5 refers to the Barnsley BAP, but I don't recall a reference to the BAP so I don't know if they were using the correct one (2008 - 2012) this needs clarifying and referencing.
- Regarding the hedgerow habitats, I believe there is contradiction between s2.3.16 where it says most of the hedgerows on site qualify for protection under the UK BAP and s2.3.17 where it says none of them qualify under the local BAP. Can the ecologists clarify that most of the hedgerows DO qualify for protection? Table 8 shows most of the hedgerows dominated by hawthorn, yet the report seems to say this is not a woody species - can they clarify why that is?
- Regarding ditches in s2.3.18 I accept what they saw during their survey but I would want to look at the site myself to see if it offered any opportunities for newts in either the ditches or the marshy grassland before I was comfortable with this finding.

- s2.4.1 lists some birds found in February, but for a site like this and the development proposal it really needs a breeding bird survey and there has been time to do one. Similarly for bats, reptiles and flora.
- s2.4.17 notes no ponds within 2km, yet my OS search shows one 660m to the SW and I know of others 1.3 km to the SW, so how did they reach their conclusions? This needs reviewing.
- Regarding s3 Ecological Assessment and mitigation, the assessment must be re-done after the further surveys listed above. Even so, although much of the mitigation suggested is worthy, I do not feel it is sufficient for a site of this size and ecological interest, even if the overall value turns out to be 'of immediate zone interest only'. I would suggest that the only way sufficient mitigation can be offered by the developer is if they put aside an area for nature conservation within the site as well as some of the mitigation listed. This could for example, take the form of a wildlife pond with associated wildflower rich grassland round about.
- The further surveys suggested by s3 should be carried out and interpreted.
- Mitigation proposals should be detailed such that the developer can endorse them and the LPA could condition them if approved.

Hence I would suggest the ecological assessment is inadequate currently and needs re-doing.

Air quality

I am aware that you are still in correspondence with Chris Shields regarding this matter.

Drainage

There are several un-named watercourses crossing the site. There are some flooding issues in the vicinity of the site.

Using the central greenspace to facilitate SUDs is the preferred method of surface water drainage. Flows will be limited by condition and a Flood Risk Assessment will be required with any planning application. The YWA will need to be consulted regarding the adequacy/capacity of the sewerage system. Given the size of the proposed development we will also consult the Environment Agency.

Contaminated Land

Due to the former mining use a phase 1 should be carried out by a competent environmental consultant and include the following:

- Planning History
- Site use history
- Site plan
- Changes in Land/Building usage
- Geology/Topography/Hydrology of site
- Storage tanks on/under site
- Surrounding land use
- Potential contamination sources and pathways
- Potential risks to proposed development
- Walk over survey
- Conceptual Site Model
- Risk Assessment
- Recommendations regarding further investigation (if necessary).

SY Mining Advisory Service

The site does have many mining legacy issues, namely from the former opencast operations and potential for shallow mine workings. The submitted desk top study identifies the need to carry out further investigative and remedial works.

Renewable Energy

Policy CSP 5 of the Core Strategy requires that the development incorporate decentralised renewable or low carbon energy sources and other design measures sufficient to reduce the developments CO2 emissions by 15% and states that this would rise to 20% for applications submitted after 2015. There are a number of ways of achieving these standards which should be addressed in a sustainability/energy statement.

Policy CSP 2 Sustainable Construction relates to meeting Code level 3 for residential development, rising according to when the scheme is built.

Affordable Housing

Policy CSP 15 requires affordable housing on developments of 15 or more dwellings. In this area you will be expected to provide 25% affordable housing. This will be secured via a section 106 agreement.

There are other issues that need discussion such as tenure mix. I would advise that you speak with Lloyd Downer in Strategic Housing regarding these matters. Therefore, I will endeavour to send you some additional notes regarding affordable housing at a later date.

Education

The formula for calculating the impact on schools based on 300 dwellings would result in an additional 63 pupils to be accommodated in the local area. It needs to be stressed that parents from this site will want their children to attend a school in Mapplewell. We have granted planning permission at North Gawber with a section 106 agreement requiring a contribution for education. This permission may or may not be implemented. Therefore, the situation at the present time is that we would be seeking an education contribution.

If a contribution is required this will be achieved via a section 106 agreement.

Environmental Impact Assessment

The application would need to be screened to ascertain whether an Environmental Impact Assessment would be required but this is not likely given the scale of the proposal.

Waste Management Plan

It is now a local requirement for all major developments to include information show how construction and household waste will be dealt with in the future.

Pollution Control

A noise and dust management plan will be required prior to commencement of the development. There should be no burning of waste on site unless the required permission has been obtained from the Environment Agency

The Hours of Operation of construction will be restricted to:

Monday to Friday 08:00 until 18:00

Saturday 08:00 until 13:00

With no working on Sundays and Bank Holidays

Statement of Community Involvement

This is likely to be a controversial site and community engagement will be essential prior to any planning application being submitted. The methodology and results will need to be explained as part of any planning submission.

Further Information Required with an Application

The following supporting documents would also have to accompany an application, the level of detail required commensurate with the scale of the development:

- Design & Access Statement
- Planning Policy Statement
- Flood Risk Assessment
- Contaminated Land Assessment
- Coal Mining Report
- Ecological Assessment
- Draft Travel Plan
- SUDS and Foul & Surface Water Drainage Details
- Sustainability/Energy Statement
- Transport Assessment
- Draft Travel Plan
- Noise assessment
- Waste Management Plan
- Statement of Community Involvement

A S106 agreement will be required to for dealing with affordable housing in accordance with policy CSP15 and any other matters that involve a financial contribuion.

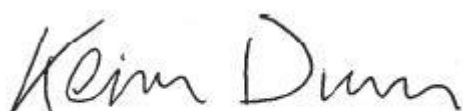
Conclusion

There is likely to be no objection to the development of this site for residential purposes subject to all the matters raised being resolved.

This advice is based on the information submitted and is given without prejudice towards the determination of any subsequent planning application.

I hope this information is of use to you but if you do have any further queries please do not hesitate to contact me.

Yours faithfully



For and on behalf of Head of Planning