

Land South of Lee Lane, Royston

Full Planning Application

Planning Statement and Statement of Community
Involvement

Contents

1.0	Introduction	1
2.0	Background Information	4
3.0	Development Proposals	9
4.0	Statement of Community Involvement.....	10
5.0	Planning Policy Context.....	13
6.0	Planning Assessment.....	20
7.0	Section 106 Heads of Terms (Planning Obligations).....	28
8.0	Conclusions	29
9.0	Appendices	31
	Appendix 1 – EIA Screening Opinion BMBC reference 2018-ENQ-00667	
	Appendix 2 - Appeal Decision APP/R4408/W/19/3242636	
	Appendix 3 - Consultation Leaflet and Notified Neighbours	

1.0 Introduction

- 1.1 This Planning Statement has been prepared by CBRE Limited (“CBRE”), on behalf of Bellway Homes Limited Yorkshire (Bellway), Stuart Thompson, Adele Thompson, Erica Thompson, Stephen Thompson and The Strategic Land Group (“the Applicant”) in support of a full planning application for a residential development of 249 units (Use Class C3) on land south of Lee Lane, Royston, South Yorkshire, S71 4RT (“the application site” also “the site”).
- 1.2 The site lies within the administrative boundary of Barnsley Metropolitan Borough Council (BMBC) who act in their capacity as both the Local Planning Authority (LPA) and the Local Highway Authority (LHA).

Applicant background

- 1.3 Bellway Homes are a National Housebuilder who have been building homes in the UK for 75 years, delivering over 10,000 new homes in the UK in their last financial year 2020/21.

Application proposals

- 1.4 This detailed description of development is as follows:

Full planning application for 249 no. residential dwellings (Use Class C3) including; means of access, car parking, open space, hard and soft landscaping, servicing, and other associated infrastructure and engineering works including drainage works

Environmental Impact Assessment

- 1.5 The development has been assessed in the context of Part 10b of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 (“the EIA Regulations”).
- 1.6 As the development is not in a sensitive location or would result in significant effects on the environment by virtue of its nature, size or location, the Applicant does not consider that that an Environmental Statement (ES) is required. An EIA Screening Request has been submitted to the LPA under Regulation 5 (1) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 to confirm that the Council do not consider that the development is likely to have significant effects on the environment
- 1.7 A full planning application was previously submitted to BMBC on 25 February 2019 for a development of 250 dwellings with associated access, parking, engineering, landscaping, and ancillary works. The application was subject to an EIA Screening Request prior to submission for which the Council issued its Screening Opinion on 10 January 2019, concluding that “...*The proposal is unlikely to have significant effects on the environment and an EIA is not therefore required*”. A copy of the EIA Screening Opinion under Regulation 5 (BMBC reference 2018-ENQ-00667) is enclosed at **Appendix 1**.

Application content

- 1.8 The application submission has been prepared in-line with national and local validation requirements and agreed with the Case Officer under pre-application submission reference 2021/ENQ/00599.
- 1.9 This full planning application comprises the following plans and documents:

Plans

No.	Title	Drawing No.	Revision	Prepared By
1	Site Location Plan	2202.02	A	STEN Architecture
2	Planning Layout	2202.01	G	
3	Materials Plan	2202.03	C	
4	Street Scenes	2202.04	A	
Boundary Treatments				
5	Boundary Plan	2202.06	C	
6	1.8m Boundary Screen Wall	2202.B.01	-	
7	1.8m Boundary Screen Fence	2202.B.02	-	

No.	Title	Drawing No.	Revision	Prepared By
8	0.45m Timber Knee Rail	2202.B.03	-	
9	0.9m Metal Railings	2202.B.04	-	
10	Brick Pillar and Low Wall	2202.B.05	-	
Garages				
11	Single Garage	2202.G.01	-	
12	Double Garage	2201.G02	-	
House Types				
13	Baxter Detached	2202.BAX.01	-	
14	Bowyer Detached	2202.BOW.01	-	
15	Focal Unit Bowyer Detached	2202.BOW.02	-	
16	Cartwright Semi	2202.CAR.01	-	
17	Cartwright Semi	2202.CAR.02	-	
18	Focal Unit Cartwright Semi	2202.CAR.03	-	
19	Cutler Detached	2202.CUT.01	-	
20	Farrier Detached	2202.FAR.01	-	
21	Forrester Detached	2202.FOR.01	-	
22	Goldsmith Detached	2202.GOL.01	-	
23	Joiner End and Mid	2202.JOI.01	-	
24	Lorimer Detached	2202.LOR.01	-	
25	Scrivener Detached	2202.SCR.01	-	
26	Tailor Semi	2202.TAI.01	-	
27	Tailor & Thespian Semi	2202.TAI.02	-	
28	Thespian Detached	2202.THE.01	-	
29	Focal Unit Thespian Semi	2202.THE.02	-	
30	Turner Semi	2202.TUR.01	-	
Landscape Plans				
31	Landscape Masterplan	GL 1729 01	A	Golby + Luck

Documents

No.	Title	Prepared By
1	Full Application Form	CBRE Limited
2	Planning Statement, including Statement of Community Involvement (this document)	CBRE Limited
3	Royston Masterplan Framework – Masterplan Compliance Statement	CBRE Limited
4	Design and Access Statement (Issue 4)	STEN Architecture
5	Landscape and Visual Impact Assessment (Issue 2)	Golby + Luck
6	Flood Risk Assessment and Drainage Strategy (Reference 105/002/FRA v1.1, February 2022)	OEC
7	Air Quality Assessment (Reference 5345r2, 25/04/2022)	Redmore Environmental

No.	Title	Prepared By
8	Transport Assessment and Travel Plan (Revision 2, April 2022)	Optima Highways
9	Noise Impact Assessment (Reference 2220945, 25/04/2022)	Sharps Redmore
10	Ecological Impact Assessment (October 2021)	BWB
11	Biodiversity Net Gain Calculation (DEFRA Metric 3.0)	BWB
12	Arboricultural Impact Assessment (March 2022)	BWB
13	Archaeological Geophysical Survey (December 2018)	Phase Site Investigations
14	Phase 2 Geo-Environmental Site Assessment (Reference 11-604-r0, February 2016)	E3P

Structure of this Statement

1.10 The purpose of this Planning Statement is to assess the development proposals against the Development Plan and other relevant material planning considerations in the context of Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended).

1.11 The structure of this Statement is as follows:

- **Section 2 (Background Information)** provides details of the site, its surroundings, and the statutory allocations and designations relevant to the proposals;
- **Section 3 (Development Proposals)** describes the proposed development;
- **Section 4 (Statement of Community Involvement)** details the scope of stakeholder engagement undertaken prior to submission of the application and the outcomes;
- **Section 5 (Planning Policy Context)** identifies the relevant planning policies in the adopted Development Plan (the Barnsley Local Plan) and other material considerations relevant to the proposals;
- **Section 6 (Planning Assessment)** assesses the proposed development in terms of its compliance with the Development Plan, other relevant material planning considerations, and other development management considerations pertinent to the proposals;
- **Section 7 – (Draft Heads of Terms for the Section 106 Agreement)** lists the matters to form the basis of discussion between the Applicant and BMBC during the determination of the application to be covered in the Section 106 Agreement, or other Highway Act provisions; and
- **Section 8 (Conclusions)** provides concluding remarks summarising the benefits of the planning application.

2.0 Background Information

Site description and surroundings

- 2.1 The site is located on the western edge of Royston, a principal town within Barnsley Metropolitan Borough. Royston is located approximately 4.5 miles north of Barnsley Town Centre and approximately 7.5 miles south of Wakefield. Junction 38 of the M1 Motorway is circa 3.5 miles to the west.
- 2.2 Royston has a number of local amenities and services within 0.8 miles of the site, including local shops, Royston Leisure Centre, Library and Civic Hall, Royston Parkside Primary School and Royston Welfare Park, a large recreational area containing sports pitches and a play area.
- 2.3 The site is accessed from the B6428 Lee Lane, a main route through the centre of Royston.
- 2.4 The application site is irregular in shape and extends to 8.69 hectares, comprising two fields which are currently in agricultural use. The site has an existing agricultural access and egress from Lee Lane on the northern boundary of the site.
- 2.5 There are no existing buildings or structures on the site.
- 2.6 The topography is relatively flat but rises away gradually from Lee Lane, towards the south of the site. The boundaries of the site are characterised by mature trees and hedgerows.
- 2.7 Land to the west, south and east of the site is in agricultural use. To the north of the site and Lee Lane is Lee Lane Farm and Muscle Hill Farm and the associated farm buildings.
- 2.8 The site is bound to the north by Lee Lane (B6428), and to the east, south, and west by open field boundaries. A belt of trees and hedgerows extends along the western and southern boundary of the site.
- 2.9 Construction work to the northeast of Lee Lane is nearing completion for the development of 166 dwellings by Barratt Homes and includes a new roundabout which has been constructed on Lee Lane

Statutory designations

Barnsley Local Plan

- 2.10 The application site falls within mixed-use allocation MU5 (Land off Lee Lane, Royston) of the adopted Barnsley Local Plan adopted in January 2019.
- 2.11 Allocation MU5 has an indicative capacity to accommodate 828 dwellings in addition to the 166 dwellings already granted for the Barratt Homes development as approved under BMBC Reference: 2016/1490.

Other designations

- 2.12 The site is not located within a Conservation Area, and there are no locally or statutorily listed structures or Scheduled Monuments on or within, the vicinity of the site.
- 2.13 A review of the Environment Agency's flood map indicates that the site is wholly located within Flood Zone 1 and therefore has a 'low probability' of fluvial flooding as shown, with less than 1 in 1000 annual probability of river flooding in any year (<0.1%).
- 2.14 There are no trees protected under Tree Preservation Orders on the site.
- 2.15 There are no other statutory Environmental Designations on the site.
- 2.16 There is a public bridleway that runs down the western boundary of the site, partly within the application red line.

Planning History

Site-Specific Planning History

2.17 Table 1 details planning applications previously submitted for the site.

Reference	Description	Status
APP/R4408/W/19/3242646	Appeal against the failure of the Council to give notice on the decision within the prescribed period.	Appeal dismissed 17.06.2020
2019/0239	Residential development of 250 dwellings with associated access, parking, engineering, landscaping and ancillary works.	See Appeal decision
B/94/0081/RO	Residential development (Outline).	Refused 28.07.1995

Table 1 - Planning applications related to the site

Appeal Decision APP/R4408/W/19/3242636

- 2.18 An Appeal was lodged by Bellway in December 2019, under Section 78 of the Town and Country Planning Act 1990, against a failure by the Council to give notice within the prescribed period of a decision on an application. This was in respect to the full planning application for up to 250 dwellings on the site under BMBC reference 2019/0239.
- 2.19 The Inspector concluded (paragraphs 130 and 131) that because the proposed development had been brought forward in advance of the Royston Masterplan Framework ("RMF") being adopted that there "...was significant potential to prejudice delivery and comprehensive development of the wider site allocation". The Inspector afforded "...substantial weight to the conflict with the relevant criterion in Policies MU5 and GDT". The Appeal was subsequently dismissed by the Inspector on behalf of the Secretary of State on 17th June 2020.
- 2.20 A copy of the appeal decision is enclosed at **Appendix 2** for reference.
- 2.21 The RMF has now been published and adopted by BMBC as of 29 July 2021. The proposals therefore no longer prejudice the delivery and comprehensive development of the wider MU5 allocation given that this document is now in place.

Principle conclusions

- 2.22 The Inspector made a number of principle conclusions for this application which are of relevance and material considerations in the determination of this application:

Site Access/Egress to Lee Lane

- 2.23 The Inspector confirmed that the priority site access to Lee Lane in terms of form and layout accords with national highway standards and would safely and satisfactorily accommodate vehicles generated by the proposals and the wider allocation. The Inspector went on to confirm at paragraph 72 of the Appeal Notice confirms that:

"...It would have an acceptable impact on the highway safety of Lee Lane, and the residual cumulative impacts on the road network would not be severe. It is designed to provide all transport users within and surrounding the development with safe, secure and convenient access and movement. BLP Policies T4 and D1 are therefore satisfied, and in turn paragraphs 108 and 109 of the Framework would be fulfilled."

Internal access and road arrangements

- 2.24 The Inspector confirmed that the internal access roads and inclusion of public transport access proposed for this application was acceptable overall. Paragraph 90 of the Inspectors report says:

“Overall, the vast majority of the requirements of the Council have been adequately dealt with, and the stipulations of the various highway design guidance documents have largely been met. The internal access roads of the proposed development would comply with BLP Policies T4 and D1 in that it is designed to provide all transport users within and surrounding the development with safe, secure and convenient access and movement. It also accords with Policy MU5 in its provision of a road layout which would allow the development of the wider allocation, and the inclusion of public transport access. The development also complies with Policy T3 in respect of sustainable travel. Paragraphs 108-110 of the Framework would in turn be satisfied.”

Housing mix

- 2.25 Paragraph 96 -98 sets out the Inspectors conclusions in relation to the housing mix. Paragraph 98 specifically is relevant to this application in terms of proposed mix in which the Inspector states:

“The higher proportion of detached 3 and 4 bed houses on the site is justified by the evidence within the SHMA for the sub-area. This shows a lower than average stock profile for detached housing and sales values as being relatively low compared to elsewhere in the Borough. The Royston area has a reasonably high proportion of smaller, older, terraced dwellings and the evidence from the appellant suggests that the market demand for detached houses is strong. I have no reason to disagree with this evidence and as such the proposed housing mix would be appropriate in this location.”

Density

- 2.26 Paragraph 99 – 105 sets out the Inspectors assessment on density proposed for this site.

- 2.27 At paragraph 104 the Inspector says:

“...Densities, mix and house designs are likely to evolve as the allocation progresses. Future planning submissions would be guided by the MPF, but also influenced by a number of factors including the individual attributes and constraints of each individual land parcel, and market demand at the time. The provision of standard house types, a mix of largely 3-4 bed detached houses and a slightly lower density here is unlikely to either set some form of precedent for future phases or have the effect of reducing the number of dwellings overall. “

- 2.28 Of note the Inspector was also of the view (paragraph 105) that this application “... would not result in any significant prejudice to the future comprehensive development of allocated site MU5 in terms of achieving an appropriate mix of uses, design, layout and density. It would be in general compliance with BLP policies GD1, H6, H7, H8 and D1. In turn it would conform with paragraph 127 of the Framework.”

Design and layout

- 2.29 The Inspector made the following conclusions (paragraph 94) on design and local distinctiveness which are of relevant for this application:

“A future design code for the allocation would not necessarily preclude the use of standard house types, and a variety are proposed here. On my site visit I saw a varied range of housing designs in the locality. There is no prevalent local distinctiveness to this edge of the town and the proposed dwellings would not appear incongruous here.”

- 2.30 On the layout proposed for this scheme the Inspector concluded at paragraph 95 that the overall design and layout of the development was appropriate and was unlikely to result in prejudice to the design of future phases of the allocation nor comprehensive development of the whole site.

Living Conditions

2.31 On the layout proposed for this scheme the Inspector concluded at paragraph 95 that the overall design and layout of the development was appropriate and was unlikely to result in prejudice to the design of future phases of the allocation nor comprehensive development of the whole site.

2.32 In this respect to living conditions that Inspector concluded at paragraph 113 that:

“The proposed development would be compliant with BLP Policy GD1 which supports development which has no significant adverse effect on the living conditions of existing and future residents, and Policy D1 in relation to high quality design and placemaking. In turn, the proposals would be in conformity with paragraph 127 f) of the Framework which seeks to create places which promote health and wellbeing, with a high standard of amenity for existing and future users.”

2.33 In relation to compliance with the South Yorkshire Residential Design Guide (SYRDG) the Inspector had the following concluding comments at paragraph 109:

“In this case, the majority of the 250 proposed dwellings meet the standards in the SYRDG. Of those that do not, most are only marginally below the recommended room size and adequate justification has been provided by the appellant. Internal walls could be opened out either during the build to the buyers’ specification or later, once occupied. In many house types, the deficiency in size is so small as to be inconsequential, or the deficiency is compensated for by other rooms which are well over the required sizes. Overall, each house type would offer an adequate standard of living conditions to future residents, hence I do not find any harm in this respect”

Open space

2.34 On the Open Space provision, the Inspector had the following comments:

“BLP Policy GS1 requires the provision of (or contribution towards) green space, and the SPD ‘Open Space in New Housing Developments’ offers guidance to developers on what will be expected in terms of open space provision to achieve the relevant standards. This includes a minimum of 15% of the gross site area of new housing development to be open space. The proposed provision on the site amounts to slightly less than this, however the [the] guidance is not a fixed standard which would be rigidly applied in every case. The slight deficiency in provision would not result in any significant harm to the overall scheme, and I note that a number of narrow ‘green corridors’ around the perimeter of the site would provide additional recreational opportunities, particularly around the public right of way. Contributions towards off-site open space are set out within the S106 in accordance with the SPD.

Biodiversity /Great Crested Newts

2.35 The Inspector confirms at paragraph 115 that:

“The main parties [the Council and the Appellant] agree that the site is of low ecological value. An objection has been raised in relation to Great Crested Newts (GCN), a European protected species, and PRFR 6 relates to insufficient information to assess effects of the proposed development on GCN.”

2.36 At paragraph 118 the Inspector concluded that *“...GCN populations are highly unlikely to be present within this area. This is based on the previously submitted evidence regarding pond conditions, the consensus that Lee Lane forms a barrier to travel of newts, and the recent eDNA survey. Development within the site to the south of Lee Lane could therefore proceed without constraints from GCN. Consequently, the proposed development would accord with BLP Policy BIO1 and paragraphs 170 and 175 of the Framework.”*

Planning Balance

2.37 In setting out the Planning Balance in determining the Appeal (paragraphs 126 – 132) the Inspector confirmed that the proposals would also make an important contribution to the overall housing supply in the Borough and given the Framework’s emphasis on the delivery of housing he attached significant weight to this, notwithstanding that the Council can demonstrate a five year housing supply (paragraph 126).

2.38 The Inspector concluded at paragraph 128 that, many of the issues raised in the putative reasons for refusal for this application, in isolation, would not result in any significant harm.

2.39 She also confirmed at the same paragraph that *“...Subject to suitable conditions or planning obligations, the proposed development would generally accord with policies relating to sustainable transport and highway safety (access and internal layout), living conditions, design and layout, housing mix and densities, amount of greenspace, and biodiversity.”*

- 2.40 The Inspector also placed significant weight to the benefits for the wider area which would arise from investment into the off-site infrastructure (paragraph 129).
- 2.41 All of the above points are material considerations for the Authority to balance into the mix in determining this planning application where they are of relevance to this application.

Other key permissions

- 2.42 An application for 164 dwellings submitted by Barratt Homes was approved on 16 February 2018 (BMBC Reference 2016/1490). This development forms the first phase the MU5 allocation.
- 2.43 A s73 application to amend the scheme to 166 dwellings was subsequently submitted and approved in December 2018 (BMBC Reference: 2018/0687). This scheme is partially built out by Barratt Homes.
- 2.44 An outline planning application for up to 115 dwellings was submitted on the adjacent site to the east (BMBC Reference 2020/0330) on 25 March 2020. The application has a delegated approval subject to the completion of the Section 106 Agreement. The application site is immediately to the east of the Applicant's site and also within the MU5 allocation.

3.0 Development Proposals

- 3.1
- The following section provides a brief description of the proposals. This text should be read in conjunction with the Design and Access Statement prepared by STEN Architecture along with the supporting plans.
- 3.2
- The description of development is as follows:

Full planning application for 249 no. residential dwellings (Use Class C3) including; means of access, car parking, open space, hard and soft landscaping, servicing, and other associated infrastructure and engineering works including drainage works.
- 3.3
- The proposals will also include the delivery of high-quality, on-site public open space and a LEAP (Local Equipped Area for Play), accessible to new and existing residents of Royston.
- 3.4
- The application proposes up to 249 dwellings that will predominantly be constructed of red brick to be in keeping with local character and existing homes in the area.
- 3.5
- Further detail on the materiality of the proposed dwellings can be found in the Design and Access Statement, prepared by STEN Architecture, which accompanies this application.

Masterplan layout

- 3.6
- A layout plan has been prepared by STEN Architecture, which details the scheme proposals and accompanies this application submission.
- 3.7
- The majority of dwellings will be 2 storeys in height, with some plots being 2.5 storeys.
- 3.8
- The layout plan shows that the development can be accommodated within the site and includes the provision of car parking in accordance with the adopted car parking standards.

Mix and quantum of development

- 3.9
- The proposals will provide a mix of 2-bed, 3-bed and 4-bed accommodation through detached, semi-detached and terrace housing types across two and three storey homes.
- 3.10
- The following housing mix is proposed across the development site:

Accommodation Type	Number of Units
2 bed	7
3 bed	95
4 bed	147
Total	249

Table 2 - Housing mix

Access and car parking

- 3.11
- The site will have a new priority junction to the north of the development on to Lee Lane, which is the only highway boundary. This junction has been modelled and vehicle tracked and operates satisfactorily.
- 3.12
- All homes within the scheme are provided with a minimum of 2 no. parking spaces, regardless of bedroom no.
- 3.13
- Cycle storage will be provided within detached and integral garages (depending upon house type).
- 3.14
- Full details on access are provided in the accompanying Transport Assessment prepared by Optima Highways.

4.0 Statement of Community Involvement

- 4.1 In accordance with national and local policy guidance, in advance of submission of this full planning application, a programme of public consultation has been undertaken by the Applicant.
- 4.2 The following section outlines the importance of pre-application consultation, as stated in national and local policy, as well as detailing how consultation was undertaken by the Applicant to inform stakeholders of the forthcoming proposals.

Policy Context

National Planning Policy Framework (as amended, July 2021)

- 4.3 The National Planning Policy Framework (NPPF) says the following with respect to pre-application consultation and its importance in the planning system:

Paragraph 39: “Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community”.

Paragraph 40: “Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. They cannot require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they do offer. They should also, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community and, where relevant, with statutory and non-statutory consultees, before submitting their applications”.

Paragraph 41: “The more issues that can be resolved at pre-application stage, including the need to deliver improvements in infrastructure and affordable housing, the greater the benefits. For their role in the planning system to be effective and positive, statutory planning consultees will need to take the same early, pro-active approach, and provide advice in a timely manner throughout the development process. This assists local planning authorities in issuing timely decisions, helping to ensure that applicants do not experience unnecessary delays and costs.”

- 4.4 The Applicant considered the guidance outlined in the NPPF when developing this consultation strategy, specifically by:
- Informing the community of the emerging development proposals;
 - Enabling the community to put forward ideas and discuss opinions; and
 - Ensuring consultation took place prior to the submission of a full planning application for the redevelopment of this site.

Localism Act (2011)

- 4.5 The Localism Act (‘the Act’) received royal assent in November 2011. The Localism Act aims to reform the planning system to make it clearer, more democratic and more effective. In order to further strengthen the role of local communities in planning the Act introduced a new requirement for developers to consult local communities before submitting planning applications for very large developments. This gives local people a chance to comment when there is still a genuine scope to make changes to proposals.
- 4.6 As outlined in Part 6, Chapter 4, Paragraph 6W of the Act, the Applicant must publicise the proposed application in such a way that they reasonably consider it will be brought to the attention of the majority of persons who live at, or otherwise occupy, premises in the vicinity of the land to which the application relates.
- 4.7 Furthermore, when the Applicant decides to make the application, they should have regard for any responses to the consultation that have been received.

BMBC Local Guidance

- 4.8 The Council’s Statement of Community Involvement (SCI) was adopted in April 2020.

4.9 Section 1.3 of this SCI states:

“It is important to us that all sections of the community are given the opportunity to take part in the planning process at the earliest opportunity so that decisions can take account of the range of community views and reflects, as far as possible, the concerns and aspirations of the people affected by them.”

4.10 Section 3.6 further advises that:

“All applicants should consider the benefits of involving the community in developments which are considered likely to have an impact on the community, even in cases where these may be below thresholds for significant applications. This is encouraged [sic] at an early stage before the application is submitted.”

4.11 The Applicant supports the principle of public consultation, appreciates the value it can add to a development proposal, and has sought to engage with both the Council and the local community on the proposed development in accordance with both national and local policy guidance.

4.12 In addition to public consultation, the Applicant has engaged with officers from BMBC and the relevant statutory and regulatory bodies as part of extensive pre-application discussions.

Pre-application consultation

4.13 Following the submission of a pre-application enquiry by Bellway, a formal pre-application response was provided to the Applicant by the Council on 3 December 2021.

4.14 In summary, the following points were raised by BMBC:

- Commentary on compliance of housing types, densities and materials with the Royston Masterplan Framework (RMF) and Design Code;
- Need to ensure open space provision across the site and compliance with RMF by providing a LEAP/NEAP;
- Indicative Section 106 contributions likely to be attributed to the development;
- Confirmation on the requirement for provision of 10% biodiversity net gains on site, or elsewhere if not possible on the application site; and
- Need for the inclusion of the ‘Masterplan Framework Compliance Statement’ as a validation requirement.

4.15 Additional meetings and correspondence have been held with BMBC Officers to discuss in the interim to further refine the proposals.

Stakeholder engagement

Local Ward Councillors

4.16 The following local Ward Councillors, serving the Royston Ward, were notified of the proposals in writing on 3 March 2022:

- Councillor Pauline McCarthy
- Councillor Caroline Makinson
- Councillor Tim Cheetham

4.17 Briefing sessions were offered to each Councillor should they have any concerns about the proposals or wish to learn more, however there was no uptake on this offer or subsequent requests for further information about the proposals.

Local residents

4.18 Informative leaflets were sent to residents within close proximity to the proposed development site on 25 February 2022 notifying them of the forthcoming development proposals, providing them with opportunity to review the proposals in greater detail and put forward representations via an online exhibition.

4.19 A total of 19 leaflets were distributed. A copy of this leaflet is included at **Appendix 3** for reference, along with a list of the addresses it was distributed to.

4.20 A dedicated consultation website was also made available for a period of two weeks from Monday 28 February until Monday 14 March, hosted at the following domain: <https://newhomesleelane.co.uk/>

- 4.21 Visitors to the website were able to send their feedback via the available electronic response form. In addition, the website also provided:
- An overview of Bellway Homes, the proposals, and context of the surrounding area;
 - Illustrative CGIs of the new dwellings;
 - Indicative site masterplan layout;
 - Detail as to the number and mix of dwellings on the site; and
 - Information relating to the effects of the proposals.
- 4.22 No responses were received from local residents during the consultation period spanning from 28 February to 14 March 2022.
- 4.23 For completeness and notwithstanding the deadline for stakeholder comments, the consultation inbox has been monitored up until submission of this application. No comments have been received to date.

5.0 Planning Policy Context

- 5.1 The Planning and Compulsory Purchase Act 2004 establishes the legislative background for town planning in England and Wales. Section 38(6) of The Act requires that proposals are determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.2 The adopted Statutory Development Plan for Barnsley comprises:
- Barnsley Local Plan (adopted January 2019); and
 - Barnsley, Doncaster and Rotherham Joint Waste Plan (adopted in 2012).

Barnsley Local Plan

- 5.3 The Barnsley Local Plan was adopted by Full Council on 3 January 2019 following public consultation and examination by an independent Planning Inspector.
- 5.4 The Barnsley Local Plan is afforded full weight in the determination of this application.

Local Plan Policies

Site Allocation - Site MU5 Land off Lee Lane, Royston

- 5.5 The site falls within the wider mixed-use allocation site reference MU5 (Land off Lee Lane, Royston). The allocation policy advises that the designated area of 32.5 hectares has an indicative capacity to accommodate 828 dwellings and notes that 166 has already been approved under the allocation under planning application reference 2016/1490.
- 5.6 MU5 is bounded to the north, west and south by green belt land, with the existing boundary of Royston to the east. The allocation is bisected by Lee Lane (B6428), which provides the main western access to Royston.
- 5.7 The Council's Local Plan advises that the production of a Masterplan Framework covering the entire MU5 allocation is required to inform any future planning applications. This was also to ensure that development across the site is brought forward in a comprehensive manner.
- 5.8 In addition to the aforementioned, the allocation policy states that development within MU5 will be expected to:
- Provide a primary school on site;
 - Ensure that access is via the construction of a roundabout on Lee Lane which along with the road layouts will allow the development of the entire site;
 - Provide a small-scale convenience retail facility as part of the development that is in compliance with Local Plan policy TC5 Small Local Shops;
 - Investigate options for improving public transport access to the development and interventions to encourage public transport use by residents; and
 - Ensure that hedgerows, the trees at the west side of the site and the strip adjacent to the disused railway line at the north of the site are retained, buffered and managed.
- 5.9 Furthermore, archaeological remains may be present on this site therefore proposals must be accompanied by an appropriate archaeological assessment (including field evaluation if necessary) that must include the following:
- An assessment of the significance of the remains; and
 - Consideration of how the remains would be affected by the proposed development.
- 5.10 The Council subsequently prepared the Royston Masterplan Framework and Design Code, which was adopted on 29 July 2021. Bellway's latest proposals have been developed with close reference to this document.

Strategic Policies

- 5.11 **Policy SD1 (Presumption in Favour of Sustainable Development)** explains that the Council will take a positive approach to decision making reflecting the presumption in favour of sustainable development contained in the National Planning Policy Framework. Planning applications that accord with the development plan will be approved without delay unless material consideration indicate otherwise, and the Council will work proactively with applicants to find solutions in order to bring development forward.

- 5.12 **Policy GD1 (General Development)** sets out the criteria which will be applied to all development proposals and be a starting point for decision making. The criteria ensure consideration is made to a development's impact on neighbouring uses and the environment (inter alia).
- 5.13 **Policy LG2 (The Location of Growth)** advises that priority will be given to Urban Barnsley and the Principal Towns including Royston.

Housing Policies

- 5.14 **Policy H1 (The Number of New Homes to be Built)** explains that at least 21,546 net additional homes during the period 2014 to 2033 with a minimum five-year supply of deliverable sites will be maintained.
- 5.15 **Policy H2 (The Distribution of New Homes)** set out the approximate distribution of new homes and confirms that Royston will accommodate 6% of the overall supply which equates to 1,302 new dwellings over the plan period 2014 -2033.
- 5.16 **Policy H6 (Housing Mix and Efficient Use of Land)** advises that housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced communities. Homes must be suitable for different types of households and be capable of being adapted to meet the changing needs of the population. Policy H7 also advises that a density of about 40 dwellings per hectare will be expected. Lower densities will be supported where it can be demonstrated that they are necessary for need, viability or sustainable design reasons.
- 5.17 **Policy H7 (Affordable Housing)** describes how housing development of 15 dwellings or more will be expected to provide affordable housing. In Royston, the proportion of affordable housing expected in developments is 10%. Policy H7 further explains that these percentages will be sought unless it can be demonstrated through viability assessment that the required figure would render the scheme unviable. The developer must show that arrangements have been put in place to keep the new homes affordable.

Transport Policies

- 5.18 **Policy T3 (New Development and Sustainable Travel)** advises 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 for cycles, motorbikes, scooters, mopeds and disabled people set out in the relevant Supplementary Planning Document.

Other Policy Considerations

- 5.19 **Policy I1 (Infrastructure and Planning Obligations)** details that Development must be supported by appropriate physical, social, economic and communications infrastructure. Development must contribute as necessary to meet all on and off-site infrastructure requirements to enable development to take place satisfactorily.
- 5.20 **Policy D1 (High Quality Design and Place Making)** sets out the design principles that should be delivered through layout and design development of schemes across the borough by contributing towards place making and facilitating a healthy, safe and sustainable environment.
- 5.21 **Policy GS1 Green Space** details that the council will work with partners to improve green space across Barnsley. In order to improve the quantity, quality and value of green space provision, the Council will require qualifying new residential developments to provide or contribute towards green space.
- 5.22 **Policy BIO1 (Biodiversity and Geodiversity)** states that development within the borough is expected to conserve and where possible enhance biodiversity and geological features. This can be achieved by maximising biodiversity and geodiversity opportunities in and around new developments and encouraging provision of biodiversity enhancements
- 5.23 **Policy HE6 (Archaeology)** advises that sites where archaeological remains may be present must be accompanied by an appropriate archaeological assessment (including a field evaluation if necessary).

Material considerations

National Planning Policy Framework (July 2021)

- 5.24 The National Planning Policy Framework (NPPF) was revised in July 2021. It sets out the Government's planning policies for England and how it expects these to be implemented at a local level, by local planning authorities.
- 5.25 The primary function of the NPPF is to achieve sustainable development, through the planning system.

- 5.26 The NPPF is a key material consideration for any future planning application. The following sections of the NPPF are of relevance for the development proposals for this site.

Achieving sustainable development

- 5.27 Paragraph 8 of the NPPF states that the primary purpose of the planning system is to contribute towards the aim of achieving sustainable development. The objectives to achieving this sustainable development through planning are as follows:
- **An economic objective** - to help build a strong, responsive, and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation, and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - **A social objective** - to support strong, vibrant, and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - **An environmental objective** - to contribute to protecting and enhancing our natural, built, and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Presumption in favour of sustainable development

- 5.28 At the centre of the NPPF is the presumption in favour of the sustainable development (Paragraph 11). In this regard, decision-making must function to:
- Approve development proposal that accord with an up-to-date development plan without delay; or
 - Where there are no relevant development plan policies in place, or the policies which are most important to determining the application are outdated, permission should be granted unless:
 - the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the proposed development; or
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework when taken as a whole.

Making effective use of land

- 5.29 Paragraph 120(c) of the NPPF remarks that planning policies, and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.
- 5.30 In addition, Paragraph 120(d) states that thought should be given to the promotion and support of development of under-utilised land and buildings particularly if this would help to meet identified needs for housing where land supply is constrained.
- 5.31 Furthermore, Paragraph 124 outlines that planning decisions should support development that makes efficient and effective use of land by considering:
- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
 - b) local market conditions and viability;
 - c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
 - d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
 - e) the importance of securing well-designed, attractive, and healthy places.

Promoting sustainable transport

- 5.32 Paragraph 111 of the NPPF states that Councils should only refuse or prevent development on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 5.33 Development proposals should:
- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
 - b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
 - c) create places that are safe, secure, and attractive – which minimise the scope for conflicts between pedestrians, cyclists, and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
 - d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
 - e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible, and convenient locations.
- 5.34 The NPPF further states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

Achieving well-designed places

- 5.35 Paragraph 126 is clear that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve.
- 5.36 Paragraph 129 advises that design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents.
- 5.37 Paragraph 130 states that decisions should ensure that development proposals:
- a) 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;
 - b) are visually attractive as a result of good architecture, layout, and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming, and distinctive places to live, work and visit;
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - f) create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Delivering a sufficient supply of homes

- 5.38 Paragraph 60 of the NPPF advises that in order to support the objective of significantly boosting the supply of housing, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 5.39 Paragraph 68 states that local authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, considering their availability, suitability, and economic viability.
- 5.40 Paragraph 73 advises that the supply of a large number of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities.
- 5.41 As detailed in Paragraph 73(a-e) new settlements or large extensions should:
- a) consider the opportunities presented by existing or planned investment in infrastructure, the area's economic potential and the scope for net environmental gains;

- b) ensure that their size and location will support a sustainable community, with sufficient access to services and employment opportunities within the development itself (without expecting an unrealistic level of self-containment), or in larger towns to which there is good access;
- c) set clear expectations for the quality of the places to be created and how this can be maintained (such as by following Garden City principles); and ensure that appropriate tools such as masterplans and design guides or codes are used to secure a variety of well-designed and beautiful homes to meet the needs of different groups in the community;
- d) make a realistic assessment of likely rates of delivery, given the lead-in times for large scale sites, and identify opportunities for supporting rapid implementation; and
- e) consider whether it is appropriate to establish green belt around or adjoining new developments of significant size.

Planning Practice Guidance (2014 onwards)

- 5.42 In March 2014, the Government published Planning Practice Guidance (PPG). This guidance is intended to sit alongside and provide clarity to NPPF policy. Paragraph: 001 Reference ID: 3-001-20190722 refers to the guidance relating to Housing and Economic Land Assessments. It confirms that an assessment should:
- Identify sites and broad locations with potential for development;
 - Assess their development potential; and
 - Assess their suitability for development and the likelihood of development coming forward (the availability and achievability).
- 5.43 The PPG advises that the NPPF explains that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth against their housing requirements. Therefore, local planning authorities should have an identified five-year housing supply at all points during the plan period. Housing requirement figures within updated and adopted Local Plans should be used as the starting point for calculating the five-year supply.
- 5.44 The PPG makes clear that a 'deliverable site' in the context of housing policy includes those that are allocated for housing in the development plan and sites with planning permission (Outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within five years.
- 5.45 The PPG states however, that a planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the five-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly and transparently set out. If there are no significant constraints (e.g., infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a five-year timeframe.

Royston Masterplan Framework and Design Code

- 5.46 The Royston Masterplan Framework (RMF) and Design Code was adopted on 29 July 2021.
- 5.47 The RMF is applicable to all land within the MU5 allocation, which has been safeguarded for a residential led, mixed use development within the Barnsley Local Plan, with an indicative capacity to accommodate up to 994 new homes and supporting infrastructure, as well as designation for a new local shop, primary school and community hub.
- 5.48 The RMF is designed to meet the site-specific requirements for policy MU5 in Barnsley's adopted Local Plan.
- 5.49 The RMFs purpose is to coordinate the sustainable development of the allocation's constituent land parcels, including the application site, and ensure integration with the surrounding landscape and communities.
- 5.50 Several areas of public open space, as well as Neighbourhood Equipped Area for Play (NEAP), Local Equipped Area for Play (LEAP) and active travel links are proposed across allocation MU5 by the RMF.
- 5.51 A 'Masterplan Framework Compliance Statement' (Statement of Compliance) forms part of the validation requirements for a planning application submitted within the boundaries of the allocation.
- 5.52 In accordance with para 1.3 of the RMF, the Applicant also presented the development proposals to the Council's Design Review Panel on 5th April 2022.
- 5.53 A Statement of Compliance has therefore been prepared and submitted alongside this application and should be read in conjunction with the Planning Statement (this document) and accompanying Design and Access Statement. The purpose of the compliance statement is to set out:

- How the proposed application accord with the Masterplan Framework, by framework layer;
- How the proposed application accords with the Design Code, by Design Code principle; and
- Identify areas where the scheme proposals do not conform with the RMF and Design Code, providing a clear justification as to why.

5.54 The following framework 'layers' are considered within the Statement of Compliance, submitted in support of this application:

- Presentation of proposals to Design Panel;
- Phasing and delivery;
- Accordance with Phase 1 draft layout;
- Density;
- Movement framework and active travel links;
- Vehicle access;
- Character areas;
- Placemaking;
- Landscape/ecology;
- Public realm/green infrastructure; and
- Blue infrastructure.

Supplementary Planning Documents (SPDs)

5.55 In addition to national planning policy, key material considerations of relevance to this planning application include several supplementary planning documents (SPDs). These SPDs of consideration that have prepared by BMBC are set out below:

- Parking (November 2019)
- Design of Housing Development (May 2019)
- Open Space Provision on New Housing Developments (May 2019)
- Financial Contributions to Schools (May 2019)
- Planning Obligations (November 2019)
- South Yorkshire Residential Design Guide (2011)

Parking

5.56 The BMBC Parking SPD was adopted in November 2019 and sets out the parking standards that the council will apply to all new development proposals, where relevant.

5.57 Table 3 indicates the following parking standards to be applied to residential proposals.

Type	Urban Barnsley	Borough wide (excluding Urban Barnsley)	Threshold above which standard applies
Housing and Flats	1 space for dwellings with 1 or 2 bedrooms	1 space for dwellings with 1 or 2 bedrooms 2 spaces for dwellings with 3 or more bedrooms	All development
Elderly Housing	1 space per unit and Communal parking facilities	1 space per unit and Communal parking facilities	All development

Open Space Provision on New Housing Developments

5.65 The Open Space Provision on New Housing Developments SPD offers guidance to applicants for residential development and what will be expected in terms of open space provision as part of their proposals.

- 5.66 A minimum of 15% of the gross site area of new housing development must be open space of a type appropriate to the character of the site, its location and the layout and nature of the new housing and adjoining land uses. This requirement will apply to all new housing development of 20 or more dwellings.
- 5.67 Allowances are made to make possible the provision of on and off-site green space where there 15% threshold cannot be met only on site. Financial contributions can be made to enhance existing formal recreation facilities and equipped children's play facilities off site.
- 5.68 Notwithstanding the requirements of the SPD, the RMF sets out its own bespoke requirements for open space, providing a site-specific response to developments within the MU5 allocation, including this site. The development proposals for this site have used and exceeded the RMF as the basis for its on-site open space provision, proposing 0.65ha of public open space as opposed to the 0.45ha set within the land use quantum sought within the RMF (page 22).

Design of Housing Development

- 5.69 The Design of Housing Development SPD was adopted in May 2019 and, in accordance with Policy D1, confirms the need for the layout and design of new housing to complement existing housing in the locality. The document also provides guidance on spacing standards, streets, and landscaping.

Financial Contributions to Schools

- 5.70 The Financial Contributions to Schools SPD was adopted in May 2019.
- 5.71 This SPD outlines the Council's approach to ensuring adequate provision of pupil places for local schools. When considering planning applications for new homes, the aforementioned is a material consideration.
- 5.72 Developers can make a financial contribution to the Council to assist with providing the physical space needed to accommodate new pupil places at local schools that would be placed to serve the new housing development.
- 5.73 A financial contribution will be required in instances where a scheme provides 10 or more new dwellings, there is insufficient capacity in existing schools and there is a need for contributions in order to ensure schools are of an appropriate condition.
- 5.74 Financial contributions will be secured via a planning obligation through a Section 106 Agreement between the developer and the Council. Should this contribution not be spent within the time agree by the obligation, it will be returned by Council.

South Yorkshire Residential Design Guide

- 5.75 This document was adopted in 2011, with parts of the document superseded by adoption of more recent design guidance at both the local and national level.
- 5.76 The Design and Access Statement, prepared by STEN Architecture, clearly sets out how the scheme has been designed to address the criteria of this document.

6.0 Planning Assessment

6.1 This section provides an assessment of the proposed development in the context of the statutory Development Plan policies and other material considerations.

6.2 The following issues are of key consideration in the assessment of this proposed development:

1. **Principle of Development;**
2. **Consideration against allocation Policy MU5;**
3. **Compliance with the Royston Masterplan Framework;**
4. **Development Management Considerations:**
 - a. Layout, Design, Housing Mix and Density;
 - b. Landscaping;
 - c. Air Quality;
 - d. Archaeology;
 - e. Ecology;
 - f. Biodiversity;
 - g. Flood Risk and Drainage;
 - h. Highways;
 - i. Site Investigation;
 - j. Trees; and
 - k. Noise.

6.3 Each of these points is considered in turn below:

1. Principle of development

6.4 The Barnsley Local Plan was adopted on 3 January 2019 and can therefore be afforded full weight in the determination of this planning application.

6.5 **Policy H1** of the Barnsley Local Plan confirms that at least 21,546 net additional homes are required to be delivered during the plan period of 2014-2033, with an indicative annualised figure of 1,134 dwellings per annum. This is acknowledged to be an ambitious and aspirational figure, requiring a step up in delivery.

6.6 **Policy H2** sets out the approximate distribution of new homes within the Borough, identifying Royston as being expected to deliver a total of 1,302 new homes within the plan period, through both land allocations and existing planning permissions. This equates to 6% of the overall supply for the borough.

6.7 The application site falls within mixed-use allocation **MU5 Land off Lee Lane, Royston**, which has been identified as having capacity for the delivery of 828 dwellings. This is in addition to the 166 units which have already been granted under planning permission reference 2016/1490 (subsequently amended via the approval of a S73 application to vary the previously approved plans, under LPA reference 2018/0687).

6.8 Appeal Decision reference APP/R4408/W/19/3242646 confirms (Paragraph 125) that the principle of residential development on this site is not disputed. The pre-application response from BMBC received on 3rd December 2021 also confirms this position.

6.9 In dismissing this Appeal, the Inspector confirmed at paragraph 126 that the proposals would also make an important contribution to the overall housing supply in the Borough and given the Framework's emphasis on the delivery of housing he attached significant weight to this, notwithstanding that the Council can demonstrate a five year housing supply (paragraph 126). This is also the case for his application.

6.10 **Paragraph 11** of the NPPF (as amended 2021), along with Local Plan **Policy SD1**, applies a presumption in favour of sustainable development. For decision taking, this means that development proposals which accord with an up-to-date Development Plan, should be approved without delay to secure development which improves the economic, social and environmental conditions in the area.

- 6.11 The delivery of housing on this site will therefore ensure that the sufficient housing land can come forward where it is needed, in order to deliver a sufficient supply of homes within the borough, as required by paragraph 60 of the Framework.
- 6.12 The proposed development of 249 dwellings fully accords with the Development Plan allocation where indicative capacity for 828 units is proposed to be provided. The proposal therefore supports the Local Plan aims in meeting the identified housing requirement for Royston and the wider borough's housing target of at least 21,546 net additional homes up to 2033.
- 6.13 The *Barnsley Five Year Deliverable Housing Land Supply Report April 2021 - March 2026* ('BMBC 5HLSR'), advises that the Authority can demonstrate a 5.6-year supply, with a 5% buffer and significant windfall allowance. Table 1 of the latest BMBC 5HLSR indicates net housing completions within Barnsley for the year 2020/2021 to be just 588, representing a considerable annual undersupply of 546 units. This is in part due to the impact of the Covid-19 pandemic where construction halted for several weeks, however it's also clear that there has been a persistent shortfall in housing delivery since the start of the plan period in 2014/15, with an overall under supply of 2,119 units against the annual requirement of 1,134, set out within **Policy H1**.
- 6.14 The Council's 2021 housing trajectory also indicates that houses within the wider MU5 allocation, outside of those approved by application 2018/0687 (the Barratt Homes development) should start being delivered on site in the 2022/2023 financial year. As such failure to approve this application will mean that the Council fall further behind in terms of their housing delivery.
- 6.15 Allocation MU5 forms a considerable proportion of the Council's housing land supply over the Development Plan period and the ability to deliver 249 units on this site would play a crucial part in helping meet the borough's identified housing need, which has now been increased to 1,376 dwellings per year for the remainder of the plan period and would contribute towards maintaining a five-year supply of housing in the Borough.

2. Compliance with MU5 Allocation

- 6.16 **Policy MU5** says that development "*will be subject to the production of a Masterplan Framework covering the entire site which ensures that development is brought forward in a comprehensive manner*". BMBC adopted the *Royston Masterplan Framework (RMF) and Design Code* on 29th July 2021. The supporting text to Policy GD1 also explains (at paragraph 6.12) that MPFs shall be subject to public consultation and should be approved by the Council prior to the determination of any planning application.
- 6.17 The RMF sets out a series of placemaking principles and 'layers' which development proposals within land at MU5 allocation should consider when submitting future planning applications. The Applicant has carefully considered this document and has submitted a **Statement of Compliance** document alongside the planning application to demonstrate how the masterplan proposals have been coordinated with the scheme. The proposals are therefore compliant with the first part of **Policy MU5**
- 6.18 As well as the requirement for a RMF, **Policy MU5** sets out a series site-specific principles and expectations for developments within the allocation, these are set out and addressed in turn below:

- **Provision of a primary school on site;**

Applicant response – the adopted RMF indicates that any primary school required to be delivered within MU5 should be provided adjacent to the existing settlement, to the east of the application site, to cater for the projected demand for additional school places in Royston. There is no requirement to provide the facility on the Applicant's land. Should the school be required, the approval of this application as Phase 1 of the Royston masterplan would support financial contributions, through a Section 106 (S.106) Legal Agreement, towards local infrastructure and education, meaning this development will be key to delivering the new primary school required by **Policy MU5**. Draft Heads of Terms covering those obligations to be set out in the S.106 are set out in Section 6 of this Statement. The application complies with this requirement.

- **Access to be via the construction of a roundabout on Lee Lane which along with the road layouts will allow the development of the entire site;**

Applicant response – a four arm roundabout has recently been constructed on Lee Lane, to the east of allocation MU5 as part of the ongoing Barratt Homes development. In addition, the RMF has been designed to allow for the potential future provision of a secondary four-arm roundabout further west along Lee Lane, to connect to the Carlton Royston Relief Road which we understand will extend through the Green Belt south and west of the boundary of the application site. Notwithstanding this, the proposed location of the secondary roundabout sits outside the application boundary, to the west of site's proposed site access off Lee Lane, meaning that approval of this application would not inhibit the ability to deliver this additional roundabout. The application complies with this requirement.

- **Provide a small-scale convenience retail facility as part of the development that is in compliance with Local Plan Policy T5 Small Scale Shops;**

Applicant response – the RMF indicates the preferred location for the small-scale retail convenience store to be located further east, closer to the existing settlement boundary. Outline planning application 2020/0330, which is currently pending determination by BMBC on land immediately to the east of the application site, has safeguarded an area of land for the potential delivery of a small-scale convenience retail unit, in addition to circa 115 new homes. Again, the development of this site for 100% residential use would not inhibit the ability to deliver the new convenience shop, furthermore the approval of 249 new homes here would secure patronage and contribute to the longer-term sustainability of this new retail facility. The application complies with this requirement.

- **Investigate options for improving public transport access to the development and interventions to encourage public transport use by residents; and**

Applicant response – The wider MU5 allocation will provide for a number of new bus stops, predominantly along Lee Lane, a bus stop will also be provided within the application site itself, as shown on the submitted masterplan between plots 63 and 64. As such, all properties within this development will be within walking distance of a number of nearby bus stops, having good access to regular bus services as such. An active travel link will also intersect the site from east to west, connecting the development with the existing settlement of Royston to the east and the open countryside to the west by pedestrians on foot. Furthermore, the approval of this development will secure financial contributions which will be leveraged towards the potential delivery of the new Carlton Royston relief road. The Transport Assessment (TA) submitted alongside this application confirms the development will be accessible for pedestrians and cyclists, and also have access to a frequent bus service. The application complies with this requirement.

- **Ensure the hedgerows, the trees to the west side of the site and the strip adjacent to the disused railway line to the north of the site are retained, buffered and managed.**

Applicant response – The proposed housing layout includes the retention of the trees and hedgerows along the site's western boundary as required by the policy, the disused railway line does not fall within the Applicant's ownership and is not therefore applicable to these proposals. The majority of the trees along the western boundary are to be retained and form an integral part of the landscape masterplan for the site.

6.19 In conformity with the third section of Policy MU5, an Archaeological Assessment has been undertaken and submitted with this application, the outcomes of which are discussed in section 4 below.

3. Compliance with the Masterplan Framework

- 6.20 Compliance with the Royston Masterplan Framework, Design Code and Delivery Strategy is as a key material consideration in the assessment of these proposals.
- 6.21 A detailed **Masterplan Compliance Statement** has been submitted as a standalone validation document which explains how the application proposals comply with the layers and principles set out in the RMF and Design Code.

4. Development Management Considerations

a. Layout, Design, Housing Mix and Density

- 6.22 The Barnsley Local Plan at **Policy H6** requires housing proposals to include a broad mix of house sizes, types and tenures to help create mixed and balanced communities. The supporting text at paragraph 9.17 states that the mix should be informed by the most relevant evidence taking into account an up-to-date Strategic Housing Market Assessment (SHMA) and the needs of the market. The site lies in a lower value housing sub-market area; North Barnsley and Royston
- 6.23 **Policy H8** encourages sustainable housing growth to support the creation of an overall balanced housing market and seeks to address the density and mix of housing.
- 6.24 The Masterplan submitted with the application provides a range of accommodation of differing sizes and styles to meet the current market and local needs and contribute to the current lack of housing provision in Royston and across the Borough.
- 6.25 The proposals include for the delivery of a mix of good quality family accommodation including 7 no. 2 bed; 95 no. 3-bed; and 147 no. 4-bed homes. A range of house types are proposed across the Bellway range including semi and detached housing, which will meet local need in Royston and across the borough and will provide opportunities for families to re-locate within Royston.
- 6.26 The higher proportion of detached 3 and 4 bed houses proposed is justified by the evidence within the Barnsley Strategic Housing Market Assessment (June 2021) which advises that there is an ongoing need for all types and sizes of dwelling, with strongest need for 3-bedroom houses for this sub-area (North Barnsley and Royston). This shows that there is a lower-than-average stock profile for detached housing and that sales values are relatively low compared to elsewhere in the Borough.
- 6.27 The Inspector in dismissing Appeal reference APP/R4408/W/19/32426 advised at paragraph 98 confirmed that the Royston area has a reasonably high proportion of smaller, older, terraced dwellings and that evidence suggests that the market demand for detached houses is strong and appropriate in this location.
- 6.28 The higher proportion of detached 3 and 4 bed houses proposed is also reflective of providing 0% affordable housing on the site. This has been agreed through pre-application discussions with BMBC that a financial contribution in-lieu of any on-site affordable housing provision towards the delivery of the education requirement for the allocation as well as funding towards preliminary investigation for the Royston Relief Road and junction improvements on Lee Lane.
- 6.29 It should also be noted that customers for market homes generally desire additional rooms for ancillary purposes such as a home office, or gym. This is a much more common request following the pandemic and therefore it does not always fit that the 'need' for a 3 bedroom home results in the desire to purchase a 3 bedroom home. The scheme proposals therefore include a range of homes increasing in size by circa 100sqft / 9sqm each time, to ensure the scheme delivers homes affordable to every section of the local market.
- 6.30 The housing types proposed for the development generally exceed the minimum internal space standards set out in the South Yorkshire Residential Design Guide (SYRDG), providing a high standard of new housing offer in line with local demand.
- 6.31 The Design and Access Statement and associated plans submitted in support of this application sets out in full the housing types and mix of accommodation proposed.
- 6.32 Local **Policy H6** requires a net density of 40 dwellings per hectare (dph) in the Principal Towns but supports lower densities where it can be demonstrated that they are necessary in the interests of character and appearance, need, viability or sustainable design reasons. The Royston Masterplan Framework however supersedes the policy, setting out three distinct character areas for this portion of the MU5 allocation, comprising low, medium and high density zones, with targets for each zone ranging from 40, 45 and 50 dph respectively.
- 6.33 The development will achieve an average site wide density of 34 dph. Whilst it is acknowledged that this falls below the density targets set within the RMF, this has predominantly been influenced by site constraints, which include topography and the subsequent Suds strategy, as well as the market implications of delivering no affordable housing on site. Furthermore, densities

of the like sought through the RMF cannot be achieved without an element of flattened development which we do not believe there is a market for in this *Principal Town* location. The scheme has been designed at an average of 34 dph across the site, delivering different character areas, open space in line with the masterplan, and to meet the requirements of the remaining policies within the Development Plan.

- 6.34 Further detail on how the submitted masterplan complies with the RMF targets on housing density can be found within the accompanying Masterplan Compliance Statement.

b. Landscaping

- 6.35 The Statement of Common Ground for the preceding appeal on this site confirmed that it was mutually agreed that the proposals, which were of a similar density to the scheme now being applied for, had no unacceptable effects on the landscape, its character or on views and there was considered to be no basis to refuse planning permission on matters relating to landscape as such.
- 6.36 A detailed Landscape and Visual impact Assessments (LVIA) has been undertaken by Golby + Luck as part of the application submission. The document concludes that the landscape and visual effects arising from this proposal are not considered to be unexpected or uncommon and are limited due to the Site's framework of existing vegetation, housing, highways, and emerging development in the wider Allocation.
- 6.37 There are considered to be no effects arising from the development that will not have been considered as part of the allocation process and the scheme adopts effective mitigation measures capable of successfully assimilating the scheme within its local context and consistent with policy and the Royston Masterplan Framework objectives.
- 6.38 The proposal will secure provision of green infrastructure that will contribute overtime to the positive management and enhancement of the landscape resource at the site boundary. It represents the delivery of development that is sensitive to the defining characteristics of both the surrounding landscape and settlement. The proposals therefore comply with local plan policies **LC1** and **GI1**, as well as the relevant section of the NPPF and NPPG.

c. Air Quality

- 6.39 The application site is not located within a designated Air Quality Management Zone and it was mutually agreed within the preceding appeal for a similarly scaled residential development on this site that air quality was not a constraint to the grant of planning permission.
- 6.40 An Air Quality Assessment has been undertaken to determine the site's baseline conditions given that the development has potential to lead to adverse air quality effects at sensitive locations during the construction and operational phases.
- 6.41 It has been assessed that during the **construction phase** of the development there is the potential for air quality impacts as a result of fugitive dust emissions from the site. However, assuming good practice dust control measures are implemented, the residual significance of potential air quality impacts from dust generated by earthworks, construction and track out activities is predicted to be **not significant**.
- 6.42 Potential impacts during the operational phase of the proposals may occur due to road traffic exhaust emissions associated with vehicles travelling to and from the site. Dispersion modelling has therefore been undertaken in order to predict pollutant concentrations at sensitive locations as a result of emissions from the local highway network both with and without the development in place.
- 6.43 A review of the dispersion modelling results indicated that impacts on annual mean NO₂, PM₁₀ and PM_{2.5} concentrations as a result of traffic generated by the development were predicted to be negligible at all sensitive receptor locations. Following consideration of the relevant issues, **residual impacts as a result of the operation of the development were considered to be not significant**, in accordance with the IAQM guidance.
- 6.44 It can therefore be surmised that any pollution arising from both the construction and operational phases of development can be sufficiently minimised and mitigated so that there is no significant detrimental impacts in terms of air quality post development. The scheme complies with local policies **GD1** and **Poll 1** in this regard.

d. Archaeology

- 6.45 In accordance with **Policy HE6**, an Archaeological Assessment has been prepared by Phase Site Investigations, to support this application submission.

- 6.46 A magnetic gradient survey was undertaken to establish the presence and/or absence, extent, character, relationships and date of archaeological features on the site.
- 6.47 The survey results confirm that there are a number of weak trends present that are of uncertain origin. It is likely that the majority of these are related to agricultural or drainage activity, but it is possible that some of them could be caused by the infilled features. Generally, the trends are too weak or fragmented to reliably interpret.
- 6.48 The interpretation of the data is complicated slightly by the presence of former agricultural regimes and drainage regimes with different and intersecting alignments. This has meant that in some cases it is not certain if an anomaly is related to one of these regimes, or if it is caused by an underlying feature. Many of the trends that have been shown may actually be a product of the agricultural activity and not caused by underlying features.
- 6.49 Whilst the Archaeological Assessment highlights anomalies that have not been investigated by further intrusive or other measures, when considering the preceding appeal on this site, the Inspector concluded that further investigation could be agreed with South Yorkshire Archaeology Services via planning condition.
- 6.50 It is considered that the archaeological information submitted complies with **Policy HE6** of the Barnsley Local Plan and there is no basis for refusal related to any impact on above ground heritage assets, including Listed Buildings and Conservation Areas.

e. Ecology

- 6.51 An Ecological Impact Assessment has been prepared by BWB in support of this application.
- 6.52 An Extended Phase 1 Habitat Survey was conducted to gather sufficient baseline information on the habitats within the Site to allow an interpretation of the ecological value of the land.
- 6.53 The following species were given specific consideration by the survey:
- Birds;
 - Bats;
 - Amphibians;
 - Reptiles;
 - Badgers; and
 - Priority species (e.g. hedgehogs).
- 6.54 The Ecological Assessment confirmed that there was one statutorily designated site within 2 kilometres of the site, this being the Notton Wood Local Nature Reserve, which is situated c.350 metres to the north. Furthermore, the appraisal details that there exists one European designated site within 10 kilometres of the site; the Denby Grange Colliery Ponds SAC and SSSI, located c.8.5 kilometres to the northwest.
- 6.55 Edna Great Crested Newt surveys were undertaken in March 2020 and confirmed the absence of GCN in the ponds local to the site. These will be updated and submitted to the Council as part of this application.
- 6.56 The site lies within a SSSI risk zone; however, the development type of this application is not included within a risk category.
- 6.57 The site is considered to be of low ecological value and the proposals would not prejudice local policy **BIO1** as such.

f. Biodiversity

- 6.58 It was agreed by the Council in the Appeal of application reference APP/R4408/W/19/3242646 that the site is of low ecological value and that a Great Crested Newt populations is highly unlikely to be present within this area.
- 6.59 A biodiversity calculation of the proposed scheme has been undertaken and is included within the application submission. The scheme layout follows the RMF, including the same level of housing development on site. We have sought to maximise BDNG opportunities within the scheme on the proposed Landscape Masterplan through the inclusion of new planting in an attractive landscape setting, which will be managed by a residents management company.
- 6.60 The Applicant will engage with the Council on biodiversity net gain during the course of the application to discuss how this can be best achieved within the open spaces within MU5 and the wider Royston area.

g. Flood Risk and Drainage

- 6.61 The submitted Flood Risk Assessment (FRA) confirms that the site falls within Flood Zone 1 and the Sequential Test is satisfied. However, in order to accommodate the possibilities of flood from a catastrophic storm or blockage of the proposed drainage system, a series of precautionary flood mitigation measures have been recommended.
- 6.62 Sustainable Drainage Systems of infiltration techniques have been assumed to be unsuitable on this particular site.
- 6.63 Due to the topography of the site, it has been assessed as prudent to locate the on-site attenuation at the lowest point of the site, this being the northern corner. To locate it in an alternative location would be impractical, as drainage depths would become deeper, resulting in an un-economical drainage design. Also, from a health and safety perspective, drainage depth should be kept to a minimum for construction and future maintenance requirements.
- 6.64 The proven requirement to locate SUDS to the site's north-eastern corner has had a subsequent impact on the achievable site layout, as detailed further within the accompanying Statement of Compliance with the RMF.
- 6.65 Foul water domestic waste shall discharge into the 225mm diameter public foul sewer located to the north in Parkhead Close or Applehaigh View at the junction of Parkhead Close. A maximum pump rate of 6 l/s will be required.
- 6.66 In accordance with the FRA, the site can be adequately drained in terms of foul and surface water and the proposals have no impact on other parts of the MU5 allocation, which will be able to secure appropriate discharges.
- 6.67 On this basis, the proposed development satisfies local Policy CC3, alongside the requirements of the National Planning Policy Framework and National Planning Practice Guidance in relation to flood risk. There are no subsequent concerns which would warrant refusal of the planning application on matters of flooding or drainage as such.

h. Highways

- 6.68 Vehicular access to the site is proposed from a new priority junction on the Lee Lane frontage, located approximately 270m west of the roundabout serving the ongoing Barratts development. The provision of a priority junction is supported and referenced within the Royston Masterplan Framework and the junction can safely and satisfactorily accommodate the swept path of a refuse vehicle as well as a bus.
- 6.69 The proposed priority access onto Lee Lane reflects the same location as dismissed Appeal APP/R4408/W/19/3242646. The Inspector confirmed that for this application that the location, form, and layout arrangement accord with national highway standards and would safely and satisfactorily accommodate vehicles generated by the proposals and the wider allocation.
- 6.70 The Transport Assessment which accompanies this application concludes that safe and satisfactory access to the development site is provided for pedestrians and cyclists, both when the site is considered in isolation and when it is considered alongside the development of the remaining MU5 allocation.
- 6.71 In terms of accessibility, the site is sustainably located and provides good accessibility by foot, cycle, and public transport to a vast range of local services, facilities, and employment opportunities. The development is compliant with the NPPF which requires at paragraph 105 that people are offered "*a genuine choice of transport modes*" and that "*significant development should be focused on locations which are or can be made sustainable*".
- 6.72 In terms of junction capacity, modelling analysis undertaken demonstrates that the proposed Lee Lane site access junction is predicted to operate comfortably within desirable practical capacity and all movements experience negligible queuing. Conversely, modelling of the existing Wakefield Road/Lee Lane/ Shaw Lane junction has shown that it already operates over capacity and this situation will worsen with the addition of traffic flows from the proposed development, other consented sites, the overall MU5 allocation and background traffic growth.
- 6.73 The 'Royston Masterplan Framework – Delivery Strategy' document sets out in Section 5.4 (table 2) that it is the responsibility of the Developer of Phase 1 of the MU5 allocation i.e. the application site, to deliver the appropriate improvements at the Wakefield Road/Lee Lane/Shaw Lane junction. The following improvement mitigation scheme is therefore proposed:
- Signalisation of all approaches, with the exception of the left-turn slip from Wakefield Road (north) to Lee Lane which will operate as a 'give-way'.
 - The signalised junction includes a controlled staggered pedestrian crossing facility on Shaw Lane;
 - An uncontrolled pedestrian crossing is provided on Wakefield Road (south) including a central refuge island; and
 - Carriageway widening along all approaches.

- 6.74 The modelling of the existing High Street/Midland Road/Church Street/Station Road ('The Wells') junction has shown that it also already operates over practical capacity, and this situation will worsen with the addition of traffic flows from other consented sites, the overall MU5 allocation and background traffic growth. The junction operation will worsen slightly further due to the impact of the proposed development. However, as set out in the BMBC 'Royston Masterplan Framework – Delivery Strategy' document (table 2) it is the responsibility of the Developer of Phase 2 of the MU5 allocation i.e. land to the east of the proposed Bellway Site to deliver the appropriate improvements at 'The Wells' junction.
- 6.75 In terms of highway safety, a range of improvement measures at the proposed site access and along the Lee Lane corridor will directly benefit highway safety. Furthermore, the proposed signalisation of Wakefield Road/Lee Lane/Shaw Lane will fundamentally change the operation of the existing junction and provide improved pedestrian facilities.
- 6.76 The Transport Assessment concludes that there is no reason that the development should not be granted on highways or transport grounds and the development accord with local policies **T3** and **T4**.

i. Site Investigation

- 6.77 A Phase II Geo-Environmental Assessment has been undertaken by e3p, which looked at impacts on human health, controlled waters, ground gas, and portable water.
- 6.78 The Assessment did not identify any concentrations of contaminants of concern which exceeded the Tier 1 screening values for the protection of human health. As such the site poses no unacceptable degree of risk to future residential site users. Moreover, chemical analysis indicates that existing topsoil deposits will be suitable for utilisation within the proposed garden and landscaped areas.

j. Trees

- 6.79 None of the trees on site are protected by Tree Preservation Order.
- 6.80 There are 8 individual trees within the site that are categorised as Category U trees due to poor health and structural condition and are therefore not considered suitable to retained post development.
- 6.81 Within the centre of the application site 2 trees will be direct conflict with the new internal access road and construction of plot no. 157 and along the site's easter boundary 2 further trees will require removal to facilitate construction of the access road.
- 6.82 Whilst the trees to be lost are of low landscape value (Categories U and C only) replacement planting will be undertaken to mitigate against the loss of these trees in accordance with local policy **BIO1**.
- 6.83 Furthermore, within the Statement of Common Ground for the preceding appeal on this site, it was mutually agreed that due to the majority of trees and hedgerows on site being retained post development, the impact on existing trees and hedges should form no basis for a refusal.

k. Noise

- 6.84 A baseline noise survey has been undertaken and local road traffic noise from Lee Lane is the dominant noise source at the site. It has been identified that the acoustic challenges at the site are of negligible to medium risk. The design of the site incorporates dwellings being set back from Lee Lane and positioned to the rear of the access road to the dwellings. In addition, the 1st row of buildings facing Lee Lane have been orientated so that the buildings provide a barrier to rear gardens and dwellings located further into the site.
- 6.85 A scheme of sound insulation for proposed dwellings has been recommended to meet the relevant BS 8233 / WHO criteria in proposed internal in selected locations in the northern part of the site closest to Lee Lane. Whilst noise levels are predicted to be 55 dB LAeq,16hours or below in private external amenity areas, 1.8m high acoustic grade barriers (close boarded fence) are proposed for garden boundaries most exposed to traffic noise from Lee Lane.
- 6.86 The submitted noise assessment objectively demonstrates in the context of nationally recognised standards and planning guidance that the effects of identified sources of noise being emitted from the surrounding environment would not give rise to a significant adverse impact.
- 6.87 Noise associated with the proposed development would, therefore, comply with the requirements of the NPPF to avoid "significant adverse impact" and, with the proposed mitigation measures, an acceptable internal and external noise climate can be provided for future residents.

7.0 Section 106 Heads of Terms

- 7.1 The Applicant will seek to negotiate any Section 106 Agreement (S.106) during the course of the application.
- 7.2 In doing so, the Applicant will take into account published local and national guidance on planning obligations as well as Regulation 122 of the Community Infrastructure Levy Regulations 2014.
- 7.3 The National Planning Policy Framework (NPPF) confirms that planning obligations should only be sought where they meet the following tests:
- Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development.
- 7.4 In this respect the Council must be satisfied in reaching a decision on this application that the planning obligations meet the above tests. It is acknowledged that the RMF Delivery Strategy contains anticipated Heads of Terms and these have been subject to extensive appraisal work and discussion between Bellway and officers of the Council.
- 7.5 It is considered that the following matters could form the basis of discussion between the applicant and BMBC in the determination of the submitted application under S106 or other Highway Act provisions:
- Education – contribution towards primary and secondary school provision subject to existing capacity within the local area;
 - Open Space - the development provides public open space on site. Open space contribution in accordance with Policy GS1 and the SPD Open Space Provision on New Housing Developments towards delivering sport provision are proposed. The scheme delivers amenity and children’s play space on site;
 - Management of on-site public open space - in accordance with BMBC’s SPD Open Space Provision on New Housing Developments;
 - Highways - contribution of £1,000,000 towards the delivery of improvements at the Lee Lane/Shaw Lane junction is proposed. We understand that the adjacent application (ref 2020/0330) has dealt with the Royston crossroads scheme with a contribution of £500,000 sought (with any surplus funding to be directed towards the funding for the A61/Lee Lane junction. Furthermore, a contribution of £395,313 towards the Royston Relief Road is proposed.
 - Sustainable Travel – in line with the SPD a contribution of £124,500 is proposed.
 - Travel Plan - and any subsequent monitoring of the travel plan; and
 - Biodiversity net gain– commitment to enter into discussions about achieving biodiversity enhancement within MU5 and/or the Royston local area; and
 - Affordable housing - as detailed in previous section, it has been agreed through pre-application discussions with BMBC that this site will provide 0% affordable housing and will provide a financial contribution in-lieu of any on-site affordable housing provision towards the delivery of the education requirement for the allocation as well as funding towards preliminary investigation for the Royston Relief Road and junction improvements on Lee Lane.

8.0 Conclusions

8.1 This Planning Statement has been prepared by CBRE Limited ("CBRE") on behalf of Bellway in support of the submission of a full planning application for:

Full planning application for 249 no. residential dwellings (Use Class C3) including; means of access, car parking, open space, hard and soft landscaping, servicing, and other associated infrastructure and engineering works including drainage works

8.2 The application site falls within mixed-use allocation MU5: Land off Lee Lane, Royston which has been identified as having an indicative capacity for 828 dwellings. This is in addition to the 166 units which have already been granted planning permission under application 2016/1490 (subsequently amended by application 2018/0687).

8.3 This Planning Statement has demonstrated that, in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act (as amended), the application proposals are in accordance with the development plan and other material planning considerations. The scheme also accords with the requirements of the MU5 allocation and the principles of the Royston Masterplan Framework, with the exception of housing mix and density.

8.4 The accompanying Masterplan Statement of Compliance outlines in detail the significant planning merits of this application, the delivery of which is of paramount importance in the ability for the wider allocation to come forward in a timely manner.

8.5 The key scheme benefits include:

- Delivery of a high-quality residential development, in accordance with the adopted development plan;
- Delivery of 249 (30%) the required 828 dwellings on strategic mixed-use allocation MU5, assisting the Council in addressing a persistent shortfall in housing delivery against the local Plan requirements and contributing towards the achievement of a five year supply;
- The provision of high quality and accessible public open space and LEAP;
- Subject to viability, contributions towards off site highways infrastructure, as well as enhanced education contributions, to ensure the delivery of a new primary school to serve Royston, as required by the adopted development plan and RMF;
- Provision of active travel links which will provide increased permeability to cyclists and pedestrians and provide direct, sustainable access to Royston to the east and the open countryside and network of existing PROW's to the west of the site; and
- Retention of existing trees and hedgerows along the sites' eastern boundary, incorporating them within the detailed landscape masterplan proposals.

8.6 The proposed development of 249 dwellings is in accordance with the allocation and will assist in meeting the wider housing need of delivering at least 21,546 net additional homes within the borough, during the period 2014 to 2033, of which 1,302 are required in Royston. The proposed development is also fully in-line with the aims of the NPPF and the Government's aim to significantly boost the supply of housing. There are also economic benefits (tax receipts etc.) arising from such an important mixed-use residential scheme.

8.7 The submitted technical reports, which have considered the baseline conditions at the site and assessed the potential impacts of the proposed development, recommend the implementation of mitigation measures, where required. Such impacts should be considered as part of the planning balance, but it is not considered that there are any overriding technical reasons for refusal of this planning application.

8.8 The scheme will give rise to a number of economic, social and environmental benefits which are supported by the NPPF and statutory development plan and therefore contribute to the proposed application being considered as a sustainable development. These include:

- Economic Benefits: Job creation during the construction phase and management/maintenance of the completed scheme. Wider economic benefits associated with new residents in the area, such as increased local expenditure and Council Tax revenue are also associated with the market residential element of the development.
- Social Benefits: Increasing housing choice and contributing towards meeting the Council's identified housing targets and creation of a new, mixed residential community in Royston
- Environmental Benefits: a high-quality design; creation of green spaces; and provision of sustainable modes of transport, to reduce the need to travel by private car.

- 8.9 The Design and Access Statement and other technical reports submitted in support of the application demonstrate that all other development management issues are addressed in accordance with relevant national guidance and local policy, as required by Section 38 (6) of the Planning and Compulsory Purchase Act (2004) and Section 70(2) of the Town and Country Planning Act 1990. As such full planning permission should be granted without delay.

9.0 Appendices

Appendix 1 – BMBC EIA Scoping Opinion 2018-ENQ-00667

EIA Screening Opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).

2018-ENQ-00667 Land At Lee Lane Royston

Proposed Residential Development

This document constitutes a screening opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 to determine the necessity for an Environmental Impact Assessment (EIA), in respect of the above.

Site Description

The site is located on the western edge of the principal town of Royston, approximately 4.5 miles north of Barnsley. The site is approximately 8.5 ha and is an L-shaped parcel greenfield land currently used for agricultural bounded by hedgerows with Lee Lane forming the north western boundary. The site slopes gently from south to north. Hedgerows and semi mature trees form the sites boundaries. A number of mature trees are present within the centre of the site. There is an existing access from Lee Lane and also a public bridleway adjacent to the site.

The site forms part of mixed use allocation MU5 in the recently adopted Local Plan. The site specific policy for MU5 states:

Site MU5 Land off Lee Lane, Royston Indicative number of dwellings 828

Planning permission has been granted on this site for 166 dwellings. The indicative number of dwellings above relates to the remainder of the site.

The development will be subject to the production of a Masterplan Framework covering the entire site which ensures that development is brought forward in a comprehensive manner.

The development will be expected to:

- Provide a primary school on site;
- Ensure that access is via the construction of a roundabout on Lee Lane which along with the road layouts will allow the development of the entire site;
- Provide a small scale convenience retail facility as part of the development that is in compliance with Local Plan policy TC5 Small Local Shops;
- Investigate options for improving public transport access to the development and interventions to encourage public transport use by residents; and
- Ensure that hedgerows, the trees at the west side of the site and the strip adjacent to the disused railway line at the north of the site are retained, buffered and managed.

Archaeological remains may be present on this site therefore proposals must be accompanied by an appropriate archaeological assessment (including field evaluation if necessary) that must include the following:

- Information identifying the likely location and extent of the remains, and the nature of the remains;
- An assessment of the significance of the remains; and
- Consideration of how the remains would be affected by the proposed development

Proposal

The proposal is for "Full planning application for 250 residential dwellings (Use Class C3) including car parking, open space; hard and soft landscaping; access; servicing; and other associated infrastructure and engineering works".

The following screening opinion is based on the information available in respect of the proposal and the Council reserves the right to undertake a re-screening should further material information become available.

Assessment

Having examined Schedule 1 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the proposal clearly does not fall within any of the descriptions of development.

The proposal does fall however under description of development 10b (column 1), 'Urban development projects', of Schedule 2 (Environmental Impact Assessment) Regulations 2017 and exceed one of the thresholds in column 2 of Schedule 2 (the site exceeds 5 hectares). The proposed development therefore is Schedule 2 development and potentially requires an EIA.

The question is therefore, is the proposed development likely to have significant effects on the environment by virtue of its characteristics, location and the nature of the potential impacts as set out in Schedule 3 of the Regulations.

The NPPG states respectively that 'in general, each application (or request for an opinion) should be considered for EIA on its own merits. The development should be judged on the basis of what is proposed by the developer' and 'however, in judging whether the effects of a development are likely to be significant, local planning authorities should always have regard to the possible cumulative effect with any existing or approved development. There are occasions where the existence of other development may be particularly relevant in determining whether significant effects are likely, or even where more than one application for development should be considered together to determine whether or not EIA is required'.

For urban development projects, The National Planning Policy Guidance document advises that in addition to the physical scale of such developments, particular consideration should be given to the potential increase in traffic, emissions and noise. EIA is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination.

Development proposed for sites which have not previously been intensively developed are more likely to require EIA if the site area of the scheme is more than 5 hectares, or it would provide a total of more than 10,000 square metres of new commercial floor space or the development would have significant urbanising effects in a previously non urbanised area (e.g. a new development of more than 1,000 dwellings).

Characteristics

With regard to the characteristics of the development 8.5 hectares and although it is likely to be on a greater scale and more urbanising effect than the current greenfield use of the site, it lies on the edge of an existing urbanised area and does not exceed the 1,000 dwelling threshold set out planning permission close by, and the potential full build out of allocation MU5 (828 dwellings), the threshold would still not be exceeded.

It is further considered that there is no higher risk than average of accidents during construction and operations and that the project is neither unusually complex nor has potentially hazardous environmental effects in view of its scale and character. The development is unlikely to generate any significant pollution. As the site is currently agricultural there would be little waste generated and domestic waste would be dealt with under normal procedures.

Location

No part of the proposed development, is located wholly or in part in a sensitive area as defined in Regulation 2(1). Natural vegetation of nature conservation value, should be maintained and the site specific Local Plan policy for the site specifically requires the

retention, buffering and management of trees and hedgerows within the whole of the MU5 site. It is considered that the proposal would not have a significant impact on the existing nature within or outside of the site.

The location of the site is not especially sensitive, and providing hedgerows and trees are protected and enhanced it will retain its quality and regenerative capacity. Overall it is considered that the natural environment is capable of absorbing the development, as it is not within a wetland, coastal zone, mountain area or nature reserve. It is not designated under the Habitats Directive and environmental quality standards laid down in EU legislation have not been exceeded in this area. The site lies on the edge of a populated area, and close to transport routes, impact on quality of life is not considered to be an issue for a significant number of people. Heritage assets are not considered to be affected to a significant degree.

Nature of Potential Impacts

In terms of the potential impacts of the proposed development, there would no doubt be some adverse visual, noise and disturbance, and traffic impacts during the construction period. However, these would be relatively short term and in the medium to long term, whilst a modern residential development would create numbers of vehicles considerably greater than the current use (greenfield) this would not be of sufficient impact to require an EIA on highway concerns alone.

It is further considered that there is no higher risk than average of accidents during construction and operations and that the project is neither unusually complex nor has potentially hazardous environmental effects in view of its relatively modest scale and character. The development would be unlikely to generate any form of pollution. However, there are potential effects of both noise and pollution on the future residents of the site, due to the proximity of the motorway, although this can be addressed in preparation of a planning application. There are no cumulative impacts to consider.

In consideration of the above, and taking into account Schedule 3 of the Regulations and the guidance contained within the NPPG, the impacts of the proposed development is judged not to be of more than local importance and it is the view of the Local Planning Authority that the proposed development is unlikely to have significant effects on the environment and an Environmental Impact Assessment is therefore not required.

Formal Screening Opinion Summary

2018-ENQ-00667 Full planning application for 250 residential dwellings (Use Class C3) including car parking, open space; hard and soft landscaping; access; servicing; and other associated infrastructure and engineering works

Land Off Lee Lane Royston

1. Having examined Schedule 1 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the proposal clearly **does not** fall within any of the descriptions of development.
2. Interpreting Schedule 2 widely, the proposal falls under description of 10(b) Urban development projects and is therefore Schedule 2 development.
3. No part of the proposed development is located wholly or in part in a sensitive area as defined in Regulation 2(1).
4. The area of the site (red line boundary) **exceeds** the applicable threshold of 5 ha in column 2 of Schedule 2, the proposed development therefore **potentially requires an EIA**.

5. However although it is likely to be on a greater scale and more urbanising effect than the current greenfield use of the site, it lies on the edge of an existing urbanised area and does not exceed the 1,000 dwelling threshold set out in the guidance, and it is not considered that it will have significant potential environmental impacts.

Conclusion

In coming to the decision below the Authority has taken into account whether the proposed development is likely to have significant effects on the environment by virtue of its characteristics, location and the nature of the potential impacts.

Government guidance in the National Planning Policy Guidance states that, in general, EIA will be needed for Schedule 2 developments in three main types of case:

- a) For major developments which are of more than local importance;
- b) For developments which are proposed for particularly environmentally sensitive or vulnerable locations; and
- c) For projects with unusually complex and potentially hazardous environmental effects.

In assessing the submitted information in the light of the above it is considered that the proposal will not have significant environmental impacts within the meaning set out in The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for the following reasons:

Reasons:

1 Thresholds in Schedule 2

With regard to the scale of the development, whilst the scale of the development at exceeds the thresholds in Schedule 2 column 2 Town and Country Planning (Environmental Impact Assessment) Regulations 2017 it does not exceed the indicative threshold criteria of 1,000 dwellings as set out in the NPPG.

2 Characteristics of the development

The proposals are not of unusual scale, nature or type and the site is not unusually contaminated or of challenging landform. There would not be an excessive use of or impact on natural resources or excessive production of waste or pollution. It is considered that there is no higher risk than average of accidents during construction and operations.

3 Location

In terms of location, the site is not in a sensitive area as defined in Regulation 2(1). There are no protected features on the site. Overall, it is considered that the local environment can absorb the proposal.

4 Scale Of Impacts

The impact of the proposed development is likely to be limited to noise, traffic and traffic emissions and some impact on the existing (though unprotected habitats). However, all impacts are expected to be in the local area only. The impacts are not considered to be unduly complex or of a significant scale following the construction period.

The proposal is unlikely to have significant effects on the environment and an EIA is **not** therefore required.

OFFICER SIGNATURE	Elaine Ward	10th JANUARY 2019
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Appendix 2 – Appeal Decision APP/R4408/W/19/3242636

Appeal Decision

Site visit made on 14 May 2020

by S Hunt BA (Hons) MA MRTPI

Inspector appointed by the Secretary of State

Decision date: 17th June 2020

Appeal Ref: APP/R4408/W/19/3242646

Land to the South of Lee Lane, Royston, Barnsley

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Bellway Homes Ltd (Yorkshire Division) against Barnsley Metropolitan Borough Council.
 - The application Ref 2019/239, is dated 14 February 2019.
 - The development proposed is residential development of 250 dwellings with associated access, parking, engineering, landscaping and ancillary works.
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Decision

1. The appeal is dismissed and planning permission for residential development of 250 dwellings with associated access, parking, engineering, landscaping and ancillary works is refused.

Applications for costs

2. Applications for costs have been made by Bellway Homes Ltd (Yorkshire Division) against Barnsley Metropolitan Borough Council (the Council) and by the Council against Bellway Homes Ltd (Yorkshire Division). These applications are the subject of a separate Decision.

Procedural Matters

3. The appeal had been scheduled as a planning inquiry to take place from 24 to 27 March 2020 however this was cancelled shortly beforehand as a result of the restrictions of the Covid-19 pandemic. The main parties agreed that the appeal could appropriately proceed by the written representations procedure. I was able to undertake an unaccompanied site visit with the mutual agreement of the main parties.
4. The appeal is against the failure of the Council to give notice on the decision within the prescribed period. Amended and additional plans were submitted by the appellant shortly prior to the case management conference and interested parties were given the opportunity to comment on them. The plans do not substantively alter the proposals and narrow the issues in dispute. On this basis I have no reason to believe any party would be prejudiced and I have accepted them for consideration as part of this appeal.
5. Although there were wider areas of dispute at the time the appeal was made, further common ground was found between the main parties such that the remaining areas of disagreement are now summarised in the Council's six putative reasons for refusal (PRFR) and lead to the main issues in this decision.

6. The PRFR relate to the lack of an approved Masterplan Framework (MPF) and implications for contributions to infrastructure requirements, the adequacy of proposed off-site highway mitigation, the access to the site and internal road layout, mix of uses, design and layout, density, living conditions of future occupants, and potential effects on Great Crested Newts.
7. I have received agreed statements of common ground from the main parties in relation to highways issues (HSoCG) and other general planning issues (GSoCG). A number of other documents have been submitted since the submission of proofs of evidence (PoE) including rebuttals, a supplementary HSoCG and closing submissions. They provide clarification of the main parties' cases in the absence of the public inquiry, and I have taken them into account in the determination of this appeal.
8. An agreed Section 106 Agreement (S106) has been submitted together with a statement of compliance with the Community Infrastructure Levy (CIL) Regulations prepared by the Council. I have had regard to the provisions of the range of obligations in the consideration of this appeal as set out in my reasoning on the main issues below.

Main Issues

9. I have adjusted the main issues slightly from as originally set out in my further pre-inquiry note to reflect the content of the final submitted evidence. They are as follows:
 - Whether the proposed development would prejudice the Council's ability to manage the comprehensive development of the wider area of allocated site MU5, particularly in terms of whether adequate provision would be made for infrastructure requirements arising from the development for off-site highway works and education provision;
 - The effect of the proposed development on highway safety, having particular regard to the site access and the internal road layout;
 - Whether the proposed development would achieve an appropriate mix of uses, design, layout and density;
 - The effects of the proposed development on the living conditions of future occupiers with particular reference to internal space standards and separation from the equipped play area; and
 - Its effects on biodiversity, with particular reference to Great Crested Newts.

Reasons

Planning Policy: Masterplan Framework

10. The development plan for this area is the Barnsley Local Plan (BLP) adopted in January 2019. The appeal site is located within a larger area of land which is allocated by Policy MU5 of the BLP for mixed use development. Together with an indicative total of 828 dwellings, the Policy requires provision of a primary school and convenience retail facility within the allocation. Construction is already underway on part of the allocation by another housebuilder (referred to by the main parties as the 'BDWH site').
11. The Policy states that development will be subject to the production of a Masterplan Framework (MPF) covering the entire site, to ensure that

- development is brought forward in a comprehensive manner. The second bullet point of general development Policy GD1 states that proposals for development will be approved if they are compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land.
12. The supporting text to Policy GD1 at paragraph 6.12 explains that MPFs shall be subject to public consultation and should be approved by the Council prior to the determination of any planning application. National planning practice guidance (PPG) encourages a collaborative approach on masterplans with the local planning authority, site promoters and the community¹.
 13. The Council have very recently commenced consultation on a draft MPF for the MU5 allocation. Adoption is expected in late 2020, and delays in its production have resulted in some frustration from the appellant and other landowners².
 14. The appellant submitted their own MPF³ for the entire allocation to the Council earlier this year, prior to the submission of the proofs of evidence. The appellant's MPF generally includes the main elements of an MPF set out in supporting text of Policy GD1. Nevertheless, it is not a formally approved document, rather it is a draft document for further discussion with the Council. It has not been the subject of formal consultation with the public or other stakeholders (including other landowners and a design panel), and no attempt has been made to quantify the cumulative infrastructure requirements. I give very little weight to both MPF documents in view of the above considerations.
 15. Notwithstanding these draft documents, the proposed development has come forward prior to the production of and adoption of an approved MPF for the MU5 allocation and as such there is clear conflict with the development plan.
 16. A range of other Policies are quoted in the PRFRs and relate to the main issues. They include highway safety (T3 and T4), infrastructure and planning obligations (I1), living conditions (GD1), design and layout (GD1, D1), densities (H6), amount of greenspace (GS1), and biodiversity (BIO1). Whilst these Policies are no less relevant to the determination, the conflict with the criterion of Policies MU5 and GD1 in relation the requirement for comprehensive development underpin most of the Council's concerns. To allow development on this site in advance of an approved MPF has numerous, potentially significant, implications for the remaining parcels of land within wider MU5 allocation.
 17. Given the current degree of uncertainty for the wider development plan allocation within which that appeal site sits, it would be inappropriate for me to make assumptions about what will ultimately be contained within a future approved MPF for MU5.
 18. BLP Policy I1 seeks for development to contribute as necessary to meet all infrastructure requirements to enable development to take place satisfactorily, and, where appropriate, pooled contributions will be used to facilitate delivery of the necessary infrastructure. I consider these infrastructure requirements in the sections below.

¹ PPG Design: processes and tools - paras 006 & 007, ref ID 26-005-20191001

² The Trustee Owners of the Six Titles in South Lee Lane – correspondence dated 23 January 2020 and attachments.

³ Core Documents 6.1.5, 6.3 and 6.3.1

Infrastructure requirements: Off-Site Highways and Education

Off-Site Highways:

19. BLP Policy T4 requires development which would add to problems of safety or the efficiency of the highway to take mitigating action or make a financial contribution to make sure the necessary improvements can go ahead.
20. The appellant proposes to carry out works to two key local junctions: the A61 Wakefield Road/Lee Lane/Shaw Lane staggered junction at Mapplewell/Staincross, and 'The Wells' (High Street/Midland Road/Church Street/Station Road) in the centre of Royston. Capacity issues at these junctions have been identified by both parties.
21. Traffic surveys were carried out in October 2018 and October 2019 at the above junctions in peak periods. I note that there is some discrepancy in the October 2019 survey data, however as set out in the supplementary HSoCG the differences are minor and would have a negligible impact on the non-critical peak hours. The agreed peak hour periods remain acceptable and representative. While there is still some disagreement between the main parties over the methodology of traffic counts and speed surveys, overall I have found no reason conclude that the surveys are not robust and represent typical AM/PM scenarios on these key junctions.
22. A range of consented development sites in the area have been agreed and included in analysis future traffic flows, together with the remainder of the MU5 allocation. Base assessment years of 2026 and 2033 are agreed for build out of the site and the whole of the MU5 allocation respectively. Trip rates per dwelling for AM and PM periods have also been agreed in the HSoCG and I have no reason to disagree with the data.

A61 Wakefield Road/Lee Lane/Shaw Lane:

23. This is a priority junction where the A61 Wakefield Road forms the major through route, and there are staggered junctions at Lee Lane and Shaw Lane.
24. The practical capacity⁴ of this junction is currently exceeded during the morning (AM) peak hour on the Shaw Lane and Lee Lane arms, and during the afternoon (PM) peak hour it exceeds its absolute capacity⁵ on Shaw Lane only. The 2026 and 2033 base scenarios indicate that the junction will eventually operate substantially beyond its absolute capacity on both Shaw Lane and Lee Lane, in both AM and PM peaks. This is predicted to occur regardless of the development of MU5 and the appeal proposals. The capacity would be further exceeded with the build out of MU5 and other commitments.
25. A range of junction improvements associated are proposed here, including signalisation, pedestrian crossings, carriageway widenings in order to bring all arms of the junction within practical capacity in peak hour periods. There is no dispute that the junction would benefit from a scheme of improvements to increase capacity and improve road safety.

⁴ P. Owen PoE para 7.4.6: A Ratio of Flow to Capacity (RFC) value between 0.85 and 1.00 indicates that there are likely to be occasions during the period modelled when queues will develop and delays will occur.

⁵ An RFC value greater than 1.00 indicates that the junction or arm operates beyond its theoretical (absolute) capacity with an associated increase in queuing and delay within that specified time period.

26. However, disagreement remains about the predicted capacity modelling of the junction and whether it is representative of expected future network operation. In addition, the Council has concerns about the effectiveness and safety of several aspects of the proposed works, including stopping sight distances (SSD), standards of right turn lanes when used by HGVs, 'LinSig' assessment for the Shaw Lane pedestrian crossing, use of filter lanes and potential safety issues resulting from some HGV manoeuvres.

The Wells (High Street/Midland Road/Church Street/Station Road):

27. This crossroads junction is in the centre of Royston, surrounded by commercial uses. Each of the four arms has a controlled pedestrian crossing facility and High Street is the only arm which has a split lane for traffic turning right.
28. The data shows that this junction is currently exceeding its practical capacity of 90%⁶ in the PM peak only, but it remains within absolute capacity at all recorded times. With the build out of the site and MU5 (by 2033) the absolute capacity of three out of four arms would be exceeded during both the morning and the evening peak⁷.
29. Improvements proposed by the appellant incorporate amendments to signal staging, additional road markings including establishment of a right turn lane into Church Street, some minor carriageway widening, improvements to pedestrian crossings and a signage strategy. The appellant's modelling for future design scenarios indicates that with the proposed improvements in place, most arms of the junction would operate within practical capacity in both peak periods, with the Church Street and High Street arms operating above practical capacity but within absolute capacity. Notwithstanding this, dispute remains between the main parties over a number of matters including in relation to capacity modelling, pedestrian safety and lack of visibility.

Link Road:

30. The Council's position is that it is not possible to further increase the capacity and efficiency of the Wells junction to sufficiently and safely allow for development of the MU5 allocation without constructing a new link road (Royston Relief Road 'RRR'). The reasoning for the suggestion that this could form part the infrastructure requirements in a future MPF is unclear. The Council's viability witness suggests that a sizeable sum could viably be provided towards off-site highway works. I give limited weight to the potential inclusion of contributions towards the RRR in the S106 for the following reasons.
31. Firstly, the RRR appears to currently be aspirational. It is at an early stage of design and it has not been the subject of a planning application nor formal consultation with relevant stakeholders. There is no requirement for such a link road in the BLP, not least within Policy MU5. Comparisons have been made to the notional route of a 'Northern Economic Corridor' shown in earlier versions of the Local Plan (2012/2014 consultation drafts), however this bears no relation to that shown on the indicative plan. By 2016 the corridor had been

⁶ P. Owen PoE para 7.3.15: A Degree of Saturation (DoS) value between 90% and 100% indicates that there are likely to be occasions during the period modelled when queues will develop and delays will occur. A DoS value greater than 100% indicates that the junction or arm operates beyond its theoretical (absolute) capacity with an associated increase in queuing and delay within that specified time period.

⁷ Mr Owen PoE Table 7.8

deleted from the emerging plan and no such alternative link road proposed around the Royston area.

32. Secondly, it has not been demonstrated that the RRR would be necessary to enable the development of MU5. On this basis it would not meet the tests set out in Regulation 122(2) of the CIL regulations. The evidence indicates that a link road may not ultimately relieve traffic movements from The Wells junction. Internal trips would remain within the town and only 'through traffic' movements are likely to utilise it. The appellant assumes that 50% of existing traffic movements between High Street and Church Street would divert onto this link road, and even with the link road the junction would operate considerably above absolute capacity⁸. Mitigation works would therefore still be required to improve capacity this junction. Furthermore, the indicative plan shows that the link road would start on Lee Lane, and therefore would serve no purpose in resolving capacity issues on the A61 Wakefield Road junction, or may indeed add to them.
33. Thirdly, no specific issues or proposals for the Royston area are indicated in the 2015 Infrastructure Delivery Plan aside from modelling of The Wells junction. It is suggested that 'some local highway infrastructure works' are required, which would be relatively modest in scale and capable of being funded by developer contributions⁹. I note that areas for further modelling identified in this document did not include Royston.
34. The subsequent 2016 Sustainability Appraisal for the MU5 (H11) allocation identified that no extensive new access infrastructure was required¹⁰, and it was on this basis that the Local Plan Inspector found the allocation of MU5 sound¹¹. The BLP was therefore adopted without any mention within Policy MU5 or any other policy of any major infrastructure works in this location.
35. I have received submissions from the trustee owners of other land surrounding the appeal site ('the Trustees') who raise various concerns in respect of the potential requirements and the lack of an approved MPF. There appears to be a risk that delivery of the remaining parcels of MU5 could be stalled without the highway infrastructure requirements being specified in an approved MDF, with a resultant harm to supply of housing.
36. The appellant contends that if the RRR is required in a future MPF this would be unlawful as it has the effect of introducing a policy requirement that is not present within the recently adopted BLP. They describe the MPF as a 'residual local development document (LDD)'. The quoted judgements have determined that function of a residual LDD is to amplify, clarify and define the matters that are set out in the Local Plan¹². As such, a masterplan cannot create or change policy. Be that as it may, there is no such residual LDD or otherwise before me. The Council have not confirmed whether the MPF will ultimately become a SPD, and there is no firm indication before me that contributions towards a new link road would be included in the document in any event.

⁸ P. Owen PoE Table 7.12

⁹ Barnsley MBC Infrastructure Delivery Plan 2015

¹⁰ Mark Johnson PoE Appendix 12 – Local Plan Sustainability Appraisal 2016– Housing Site Assessment H11

¹¹ CD 3.3 Local Plan Inspectors Report - para 119

¹² R (Skipton Properties) v Craven DC [2017] JPL 825 and R (On the Application of Miller Homes Limited) v Leeds City Council [2014] EWHC 82 (Admin)

37. That said, the lack of reference to a specific piece of off-site highway infrastructure in an allocation policy does not preclude the future construction and appropriate funding of such works if justified in terms of highway safety. Furthermore, in isolation, the proposed development is unlikely to physically prejudice delivery of a link road in the future.
38. Finally, the RRR is not necessary to provide direct access to the site, as it would be served from an existing highway (Lee Lane). The RRR is not needed to support the proposed development or the wider MU5 allocation, and as such the matter of how such a link road would ultimately be funded is not directly relevant to my decision.

Off-site Highway Infrastructure Conclusions:

39. Overall, having considered the modelling data and evidence from both parties relating to the two key junctions, is clear that improvement works would have a positive impact on their capacity. Nonetheless a significant number of issues still remain in dispute in relation to the proposed junction works, including survey data, modelling, design standard compliance, functionality of the offsite highway works and pedestrian safety.
40. It is usual that certain, minor, outstanding aspects of junction design could be dealt with later by agreement of a condition requiring full technical details. However suggested condition 3 is unlikely to achieve this, given the amount of amendments necessary to meet the technical requirements of the Council. The need for road safety audits (RSA) in the condition also raises doubt. Stage 1 RSAs have already been carried out for both off-site junctions, however I note that the Council as highway authority were not consulted on the audit brief nor invited to attend site visits as is usual practice.
41. The number of matters remaining in dispute regarding the methodology and design of the works are too numerous for me to be confident that the proposed works would not have any significant effects on highway safety and that they could be cost effectively mitigated to an acceptable degree. Should further amended plans and RSAs be submitted as part of the condition discharge application that are not amenable to the Council this could result in a stalemate scenario in relation to condition 3, which could further delay delivery of housing.
42. Notwithstanding the above, the wording of condition 3 could be amended to make it more precise and enforceable. This would be assisted by a trigger for submission of a detailed scheme for the works and amending the contradictory triggers for implementation of the works. However there is a lack of evidence before me suggesting how long the works might take, or any basis for the pre-occupation trigger that the junction works are necessary before any new traffic is generated from the development. The process could be lengthy, and to require the works to be implemented prior to first occupation represents another delay to housing delivery.
43. Consequently, I am concerned that the condition is not fit for purpose in achieving a satisfactory outcome. It would not adequately meet the tests set out in paragraph 55 of the National Planning Policy Framework (the Framework). In terms of relevance and reasonableness, the data suggests that traffic congestion issues already exist, and that in the near future the absolute capacity would be exceeded on certain arms of the junctions. The evidence

before me indicates that junction improvements are likely be necessary regardless of the proposed development, build out of MU5 and other committed developments in the area.

44. The appellant has offered to carry out the works at considerable expense. Whilst the Council agrees that the estimated cost of the works appears to be accurate, they do not provide any evidence as to what works would be needed regardless, if no financial input from the MU5 allocation is forthcoming. As such, the cost of the works would be disproportionate to the scale of the proposals. Importantly, there is no specific indication in Policy MU5 of the need for junction improvements.
45. An approved MPF could cover such infrastructure works to accommodate the predicted increase in traffic, with an equalisation 'fair share' agreement between all parts of the MU5 allocation. For the entire works to be carried out by a single developer, in lieu of funding that may legitimately be required by the development plan for another type of infrastructure (a new primary school) is not in the spirit of good masterplanning and comprehensive development.
46. Overall, based on the evidence before me, I cannot be certain that the proposals would have an acceptable effect on highway safety in compliance with BLP policy T4 and paragraphs 108(c) and 109 of the Framework and no adequate solution has been put before me in order to overcome this.

Education

47. There is an identified need for additional school places as a result of the development and a financial contribution is required for both primary and secondary education. The 'Financial Contributions to Schools' SPD sets out the standard calculation for both primary and secondary provision. The education contributions included within the S106 fulfil these standard policy requirements. Nonetheless, paragraph 6.4 of the SPD states that whilst this is the calculation that will apply in the majority of cases, there may be cases where a different approach is needed. It gives the example if a whole new school is needed and the developer does not wish to build this directly, then the contributions required may be different from the figure arrived at using the usual calculation.
48. BLP Policy MU5 specifically requires a new primary school to be provided within the allocation and Policy I1 expects pooled contributions to be used to facilitate delivery of the necessary infrastructure. The PPG 'Planning Obligations' and 'Viability' both refer to the Department for Education (DfE) guidance¹³ in this respect. There is an assumption within these documents that development of this type will provide both funding for construction and land for new schools required onsite, commensurate with the level of education need generated by the development. The guidance explains that education land required within larger development sites is provided at no cost to the local authority wherever possible, and pooled developer contributions are secured for the purchase of standalone sites for new schools. Consequently the Council seek an increased contribution for primary education over and above that set out in the SPD.
49. There is disagreement between the main parties regarding the appropriate calculation for a new build primary school, and whether nursery places should

¹³ Department for Education 'Securing developer contributions for education' (2019) : Paragraph 5

- be included in such calculations. The SPD does not specifically refer to nursery provision, but both the PPG 'Planning Obligations' and the DfE guidance state that requirements for developer contributions should include early year provision at new schools¹⁴. As such the Council would be justified to include this contribution within their calculations.
50. Whilst the appeal site comprises just over 30% of the area of the allocation, it would be unreasonable to expect the appellant to correspondingly fund just over 30% of the new school. This is because the evidence demonstrates that there would be an existing deficit of primary school places in the area, even without the build out of MU5. Consequently, a new primary school of 210 pupils would not solely serve the allocation but existing households in Royston. Moreover, developer contributions from within MU5 would not be the only source of funding towards the entire development of a new primary school.
51. The main parties' calculations of both total cost and share therefore differ significantly. Notwithstanding whose calculation is the most accurate, £848,000 is the contribution to primary education contained within the S106 before me. This is appreciably less than the expected share of estimated build cost ranging from £1.232m (the appellant) and £1.372m-£1.526m (the Council).
52. The appellant's offer of a further £452,000 is not included in the completed S106. Instead, it is proposed to be offset by the off-site highway improvement works (the 'fair share' approach). The cost of these works would exceed the maximum balance sought by the Council towards build costs of the school by a considerable amount. However, this 'fair share' approach does not meet the aims of Policy I1 nor the SPD in providing necessary infrastructure.
53. Policy MU5 establishes that a new primary school is necessary, therefore there is a strong policy basis for this planning obligation. If the additional amount over and above the regular contribution required by the SPD is not forthcoming, there is a risk that collective S106 contributions would not cover the cost of building the school. As a consequence, later phases of the allocation would be unfairly burdened and this could lead to the education requirements of the area not being met.
54. There is currently no agreed location for the school within the allocation. It is not for me to determine the ultimate location for the school; this further illustrates the value and important function that would be performed by a fit for purpose MPF.

Infrastructure Requirements – Conclusion:

55. The effect of the proposals would be to prioritise highway improvements over education. For the reasons outlined above, the appellant's argument that the shortfall in education contributions are more than offset by the costs of the junction improvements is not sufficiently persuasive. Whilst I have found that improvements to two local junctions would be of wider benefit in improving capacity, this is not a specific requirement of Policy MU5 and nor is a link road. A new primary school is a necessary requirement of the MU5 allocation. An approved MPF could help ensure that infrastructure requirements are fairly spread between the promoters of all parcels of land within the allocated site, as well as establishing phasing of infrastructure and the location of the school.

¹⁴ PPG Planning Obligations paragraph 008 Reference ID 23b-008-20190315 and Department for Education 'Securing developer contributions for education' paragraph 16

56. Several issues remain in dispute between the main parties relating to the offsite highway works, and as such it has not been established that the proposals would have an acceptable effect on highway safety. In view of fundamental design changes that may be required suggested condition 3 would not satisfactorily overcome this concern.
57. Overall, I conclude on this main issue that the absence of an approved MPF would be likely to prejudice delivery of the wider site allocation. The proposals would not comply with Policy MU5 of the BLP which requires, amongst other matters, for development to be subject to the production of a Masterplan Framework to ensure development is brought forward in a comprehensive manner and for the development to provide a primary school on site.
58. In turn, the lack of an approved MPF would not meet the criterion of Policy GD1 which requires development to not significantly prejudice the future use of the neighbouring land. The failure to contribute fully to the education infrastructure requirements and the potential unacceptable effects on highway safety arising from the proposed junction improvements which are required to enable development to take place satisfactorily would not accord with BLP Policies I1 and T4. The proposed development is at odds with paragraphs 12 and 15 of the Framework in that the planning system should be genuinely plan-led nor meet the guidance on Masterplans set out in the PPG.

Highway Safety

Site Access

59. BLP Policy MU5 requires a roundabout to provide access to the allocation from Lee Lane, which along with the road layouts would facilitate development of the entire site. A roundabout has already been constructed on Lee Lane as part of the ongoing BDWH development, providing direct access to both sides of the road. The Policy is clear in that it is 'roundabout' in the singular, and it does not specify more than one (albeit there is also nothing within the Policy to prevent more than one roundabout). The appellant's choice of a priority junction access rather than a roundabout should not prevent the development in terms of the requirements of this part of the Policy which have already been met elsewhere on the larger MU5 allocated site.
60. I turn to whether the proposed priority junction is acceptable in terms of highway safety. At the heart of the disputed matter are differing views about which highway standards should be utilised to assess it. The appellant uses Manual for Streets (MfS) and its companion guide MfS2 as highway design guidance, whilst the Council maintain that Design Manual for Roads and Bridges (DMRB) standards should be applied instead. The choice is important because the proposed site access meets the MfS standards but falls short of the DMRB standards.
61. Whilst MfS1 relates to design of residential streets, MfS2 fills the perceived gap between MfS1 and the design guidance in DMRB which primarily applies to motorways and trunk roads. I am mindful that DMRB requirements can be applied to other roads with the approval of the specific highway authority.
62. The Council's case for applying DMRB rests largely on a single point set out in the 'Sustainable Travel' SPD (paragraph 9.8), which states that DMRB will apply to all classified roads. It is unclear why such a rigid application of DMRB

is promoted in the Borough, when MfS2 specifically notes that MfS should be a starting point for any scheme affecting non-trunk roads. MfS2 further recommends that DMRB (or other standards or guidance) is only used where the guidance contained in MfS is not sufficient, or where particular evidence leads a designer to conclude that MfS is not applicable. Section 3.2 warns against a slavish adherence to technical standards.

63. MfS2 also recognises that local context varies; not only from street to street but along the length of a street. Place characteristics should not therefore be ignored in any new road design. Lee Lane is a long and straight stretch of 'B' road, not a trunk road nor is there evidence before me to suggest it is a strategic route. It is an unlit rural road approximately 7m in width, with a footway of varying width to one side. It is a local road which provides a connection between the settlements of Staincross/Mapplewell and Royston. The area character changes distinctly towards the new roundabout from rural to urban. The section of Lee Lane alongside the site has little in common with a trunk road where drivers can reasonably expect to be able to maintain a steady speed.
64. Lee Lane is currently subject to the national speed limit of 60mph alongside the appeal site, which changes to 30mph just before the new roundabout. The Council are in the process of completing a Traffic Regulation Order (TRO) to reduce the speed limit of this stretch of Lee Lane from 60 to 40mph. The outcome of the proposed TRO is not yet confirmed. Nonetheless, it is clear that the Council is taking action to reduce the speed limit in the near future. Whether it reduces to 40mph (as proposed by the Council) or to another limit (30mph is sought by the appellant), this is relevant because a higher speed road could affect the design of junction into the appeal site.
65. Section 2.5 of MfS2 emphasises that planning and highway authorities should accept that the character of rural routes will have to change fundamentally as they become part of the urban fabric. The MU5 allocation would provide an urban extension to the town of Royston. Whilst the existing character of Lee Lane is typically rural, a significant section of it will experience a fundamental change in its character over the plan period. It would form a centrally located street within a large housing allocation, forming an urban extension to the town of Royston. Its speed limit will change, there will be a larger number of pedestrians using its footways and crossing it, and there will be houses fronting onto it. Its character will irrevocably change as a consequence.
66. 'Gateway' features are proposed to the western edge of the allocation to warn drivers of the new speed limit. These include measures such as a central island, countdown signs, and 'dragons teeth' road markings. Such features are recognised mitigation measures which could appropriately and safely deal with the transition from the 60mph limit to the new, lower speed limit and could be controlled by condition.
67. Taking the above points into account, it would not be appropriate to design the access to the standards of the current speed limit of 60mph or to the trunk road standards set out in DMRB. The MfS standards should be the primary determining factor in this particular case.
68. Stopping Sight Distances (SSD) and existing speeds have been appropriately surveyed here. In this case MfS standards have been used to design the junction and visibility splays would be 2.4m x 59m, based on 37mph speeds.

The Council suggests that visibility splays of 9m x 215m should be applied instead in accordance with the DMRB. The submitted plan¹⁵ shows that maximum achievable visibility splays would be 2.4m x 134m to the west and 2.4m x 125m to the east. These are in excess of what is required for the design speed and equate to speeds of 46mph and 48mph respectively.

69. If the current national speed limit of 60mph were unchanged, the required splays could be achieved to the east based on existing surveyed speeds, whilst to the west it would fall around 23m short. This is however inconsequential, as the speed limit will be reduced here. Whether it is ultimately changed to 30mph or 40mph, the required visibility splays can be achieved in this location. This size of splay sought by the Council would be both over-engineered and excessive for the proposed development and the type of street which Lee Lane will become.
70. Notwithstanding this, the preference of the Council is for a roundabout. I have previously established that Policy MU5 does not specifically require more than one roundabout to serve the allocation. DMRB guidance regarding priority junction selection only advocates a non-priority junction on this type of road when the minor road reaches 7000 vehicles; the appellant suggests this would equate to some 1060 dwellings. The maximum traffic flows exiting the site are expected to be around 95 vehicles in the morning peak, with the majority turning left towards the motorway network, Barnsley and Wakefield. The results of the PICADY function for the access on Lee Lane show that the 2033 design would be well within desirable practical capacity¹⁶. A Stage 1 RSA¹⁷ has not raised any significant issues that cannot be addressed at detailed design stage. Furthermore, the personal injury accident data does not raise any specific concerns along Lee Lane in the vicinity of the site. On this basis, it would be unreasonable to require a roundabout junction in this location.
71. Potential future access to the remainder of the MU5 allocation opposite requires consideration to ensure that it would not be prejudiced by the proposed priority junction. The site area of the remaining part of the allocation to the north is smaller, and it follows that it is likely to accommodate less dwellings overall than the areas to the south. The evidence indicates that there is ample space along Lee Lane to accommodate additional junctions if necessary. There is no suggestion from the Council that a roundabout is needed to serve the land to the opposite side of Lee Lane, however I acknowledge that this would be one of the potential benefits of delaying the development until an approved MPF is in place.
72. The appellant has satisfactorily demonstrated that the form and layout of the proposed site access onto Lee Lane accords with national highway standards and would safely and satisfactorily accommodate vehicles generated by the proposals and the wider allocation. It would have an acceptable impact on the highway safety of Lee Lane, and the residual cumulative impacts on the road network would not be severe. It is designed to provide all transport users within and surrounding the development with safe, secure and convenient access and movement. BLP Policies T4 and D1 are therefore satisfied, and in turn paragraphs 108 and 109 of the Framework would be fulfilled.

¹⁵ Drawing no. 18085/GA/01

¹⁶ Mr Owen PoE section 7.2

¹⁷ Mr Owen Highways & Transportation PoE Appx J – Road Safety Audits

Internal Road Layout

73. The proposed road layout would allow development of the entire allocation in accordance with Policy MU5. The completed S106 includes provision for the spine road to be constructed to the site boundary, helping to ensure connections to adjoining land.
74. The spine road is designed to facilitate access by buses. Promotion of use of public transport by future residents is set out in the submitted Travel Plan, which could be secured by condition. A contribution in accordance with the Sustainable Travel SPD is included within the S106.
75. The SPD 'Design of Housing Development' at section 10 states that the design and layout of new residential streets should reflect the principles of MfS and that developments will be expected to meet the technical requirements relating to street and parking geometry contained in the South Yorkshire Residential Design Guide (SYRDG) at annex 4B. There is disagreement between the main parties relating to a range of technical aspects of the internal layout. I deal with each issue in turn below.
76. *Private Drives:* The Council's concerns relating to location of private drives proximate to the Lee Lane junction have been overcome in the most recent site layout plan, and I note the discrepancy in measurements which were not taken from the centre line of the private drive. The required distances are met here.
77. *Speed Restraints:* The Council's request for incorporation of speed restraint measures has been dealt with through the provision of four raised tables, some carriageway narrowing on the secondary loop road, and differing surface materials on the more minor shared space streets. The Council object to the use of raised tables, because the SPD 'Design of Housing Development' (paragraph 10.3) states that vertical deflection measures are not permitted, giving speed humps as an example.
78. The Highway Authority's preference for horizontal deflection should be balanced with the need for wide unobstructed carriageways to facilitate a bus route on the spine road. The appellant does not include carriageway narrowing features on the spine road, as they would be difficult to achieve without affecting its efficient use by large vehicles including buses. National guidance within MfS (paragraph 7.4.4) states that physical features – involving vertical or horizontal deflection – can be very effective in reducing speed. It is preferable to use other means of controlling speeds if practicable, but there will be situations where physical features represent the optimum solution. It is noteworthy that junction tables are not restricted by the SYRDG (B.4.2.7), but their excessive use is discouraged.
79. *Forward Visibility:* The Council are concerned that a minimum forward visibility of 15m may not be achievable to certain areas of the layout. I have found nothing within the evidence before me that demonstrates why this would result in an adverse effect on highway safety. Only three plots are identified which are located on minor roads within the development where traffic and speeds would be very low.
80. *Visitor Parking Arrangements:* Visitor parking bays are not included within the plans on the spine road nor loop road, only within shared space streets. The

Council state that the lack of bays on the loop road is contrary to the SYRDG which requires such bays for carriageways less than 6 metres wide.

81. Swept path drawings have been provided to demonstrate that a bus could satisfactorily manoeuvre along the spine road when cars are parked on street. There is no certainty that a bus service would enter the site, but the appellant has nevertheless considered the potential frequency of a bus based on an existing service. The existing 30-minute frequency falls within part B paragraphs 2.1.15-16 of the SYRDG which requires a carriageway width of 6m, and this permits on-street parking on such a bus route. This is in view of the likelihood of two buses travelling in opposite directions meeting each other on a route. Indeed, if the bus service becomes more frequent or on-street parking on the spine road becomes problematic in the future, the Council's powers to make a Traffic Regulation Order would remain.
82. The Council's reference to the SYRDG in respect of the secondary loop road appears to be contradictory with other guidance. The SPD (paragraph 10.1) states that the design and layout of new residential streets should reflect the principles of MfS, which are expanded upon in pages 75-82 of the SYRDG. At paragraph 10.4 it states that developments will be expected to meet the technical requirements relating to street and parking geometry contained on pages 133-154 of the SYRDG. The specific requirement for defined parking bays states: 'Where carriageway widths are less than 6 metres it will be necessary to discourage footway parking by providing defined parking bays beyond the carriageway or by some other means'¹⁸.
83. MfS does not include the same restriction for carriageways of less than 6m in width. The appellant has directed my attention to an English Partnerships publication¹⁹, which sets out that street widths of 5.0 to 6.2m could accommodate parallel parking to one side of the street. In view of the discrepancies between various guidance documents I am inclined to support the appellant's evidence that a 5.5m width carriageway for the secondary loop road, with on-street parking, is adequate in this instance in terms of highway safety.
84. I have made these conclusions in the light of the specific circumstances of this case. The loop road is a secondary street providing access to dwellings on this site only and is not intended to provide bus access. The on-street parked cars would provide natural speed restraint to both roads, together with raised tables and the carriageway narrowing on the loop road. To widen the carriageways or to incorporate parking bays could result in a reduction in the number of dwellings which could be delivered, which appears contrary to one of the other concerns of the Council that densities are not high enough. Such works may also have adverse implications for the character and appearance of the scheme.
85. *Junction Visibility Splays*: MfS compliant junction visibility splays for the internal roads have been provided²⁰ which also comply with the SYRDG (B.1.3.4).

¹⁸ SYRDG: part 4 paragraph B.2.1.9

¹⁹ Core Doc 7.6 : Car Parking – What Works Where (English Partnerships 2006) page 10

²⁰ Mr Owen PoE Appx L

86. *Swept Path Analysis*: An extensive range of swept path analysis drawings have been provided and these satisfactorily demonstrate that large cars could pass each other around the worst-case bend, that a refuse vehicle could adequately manoeuvre through the site, and that a bus could satisfactorily manoeuvre along the spine road when cars are parked on street.
87. *Boundary Treatments*: A suitable boundary treatment to prevent vehicles accessing or parking on areas of green space could be secured by condition.
88. *Visitor parking bays on shared space streets*: Visitor parking bays would be provided in various locations along the shared space streets. The Council has some concern that these will negatively impact on visibility, compromising use of adjacent driveways. I note that only 3 plots are potentially affected by this design. The bays are of sufficient size for parking and any overlap of the taper would not compromise parking provision for these plots which are located on a small, low trafficked area of a shared space street where each property has two or more off street parking spaces.
89. *Pedestrian Protection Zones, margins and widths of shared space streets*: A number of other issues have been raised by the Council in relation to the layout of the shared space streets. The appellant has addressed most of these points in revised layout plan M, so that they exceed the design requirements in the SYRDG and pedestrian protection zones are provided to one side of each of the longer shared space streets.
90. Overall the vast majority of the requirements of the Council have been adequately dealt with, and the stipulations of the various highway design guidance documents have largely been met. The internal access roads of the proposed development would comply with BLP Policies T4 and D1 in that it is designed to provide all transport users within and surrounding the development with safe, secure and convenient access and movement. It also accords with Policy MU5 in its provision of a road layout which would allow the development of the wider allocation, and the inclusion of public transport access. The development also complies with Policy T3 in respect of sustainable travel. Paragraphs 108-110 of the Framework would in turn be satisfied.

Mix, Design and Layout, Densities

91. This main issue relates to the need to achieve an appropriate mix of uses, design, layout, housing mix and densities within the site and the wider allocation.

Mix of uses

92. The mix of uses sought by Policy MU5 is primarily residential together with a primary school and a small scale convenience retail facility. The school would not be located within the appeal site as part of the proposals, but contributions would be necessary to enable its construction elsewhere within the allocation as discussed in the previous section. The retail store has been adequately provided for within the completed S106, which reserves land within the appeal site if it is required for such a facility at a later date.

Design and Layout

93. BLP Policy D1 expects development to be of a high quality design which respects distinctive local character and features. The Council do not specify any

particular harm to the character and appearance of the area. Instead they have concerns in relation to the use of standard house types and lack of a design code which could form part of a future MPF to guide design on the allocation as a whole.

94. A future design code for the allocation would not necessarily preclude the use of standard house types, and a variety are proposed here. On my site visit I saw a varied range of housing designs in the locality. There is no prevalent local distinctiveness to this edge of the town and the proposed dwellings would not appear incongruous here.
95. In terms of layout, the siting of dwellings, road infrastructure and open spaces would be appropriate here. The spine road and the largest area of open green space are located where they can suitably link to the remainder of the allocation. The proposed area of land reserved for a retail facility is located conveniently adjacent to both the spine road and Lee Lane where it would be accessible to a range of users. Overall the design and layout of the development is unlikely to result in prejudice to the design of future phases of the allocation nor comprehensive development of the whole site.

Housing Mix:

96. BLP Policy H6 requires housing proposals to include a broad mix of house sizes, types and tenures to help create mixed and balanced communities. The supporting text at paragraph 9.17 states that the mix should be informed by the most relevant evidence taking into account an up-to-date Strategic Housing Market Assessment (SHMA) and the needs of the market.
97. The site lies in a lower value housing sub-market area; North Barnsley and Royston. Policy H8 encourages sustainable housing growth to support the creation of an overall balanced housing market and seeks to address the density and mix of housing. 10% affordable housing is included within the proposed development in compliance with Policy H7.
98. The higher proportion of detached 3 and 4 bed houses on the site is justified by the evidence within the SHMA for the sub-area. This shows a lower than average stock profile for detached housing and sales values as being relatively low compared to elsewhere in the Borough²¹. The Royston area has a reasonably high proportion of smaller, older, terraced dwellings and the evidence from the appellant suggests that the market demand for detached houses is strong²². I have no reason to disagree with this evidence and as such the proposed housing mix would be appropriate in this location.

Density:

99. Policy H6 requires a net density of 40 dwellings per hectare (dph) in Principal Towns, but supports lower densities where it can be demonstrated that they are necessary in the interests of character and appearance, need, viability or sustainable design reasons.
100. A range of evidence has been provided to support the proposed lower net density of around 34 dph. The site has two boundaries adjoining open countryside, which is within the Green Belt. When fully developed, the site will

²¹ BMBC Strategic Housing Market Assessment 2014: Tables 3.1 and 6.7, Figures 6.1 and 6.2

²² M. Johnson PoE para's 2.28, 6.55, 6.57

form the urban edge to the settlement of the Royston. Other, as yet undeveloped, land parcels within the MU5 allocation are closer to the existing urban edge of the town. The site layout plan shows predominately detached houses with gardens backing onto the existing field boundaries which are lined with trees and hedgerows. A lower density is justified here in the interests of character and appearance, to enable a more appropriate gentle transition to the open countryside beyond.

101. Increasing the provision of smaller dwellings and subsequently raising densities on the site could result in a number of negative impacts. These include a reduction in the amount of detached houses contrary to the aforementioned aims to balance the housing market, levels of public open space and landscaping, smaller garden sizes, and increased levels of frontage car parking.
102. Other recently approved nearby housing sites have been brought to my attention, where densities did not appear to be a determining issue. Be that as it may, I have had regard to the specific locational merits of the appeal site. In this case an appropriate balance has been struck between the slightly lower density and other planning considerations. The inherent flexibility within Policy H6 would therefore apply here.
103. In terms of comprehensive development, a slightly lower density on this site does not necessarily preclude higher densities elsewhere on the allocation in order to achieve the overall indicative number of dwellings for the whole allocation. Ultimately, this would be a matter for future planning applications regarding associated effects based on the individual merits of that particular site. To achieve a policy compliant density of 40 dph the number of dwellings on this site would need to increase by just 15 to 265. Within the context of the wider allocation this would be a very small amount given the 828 dwellings which are indicatively planned.
104. MU5 is a sizeable allocation which would take over a decade to be fully built out. Densities, mix and house designs are likely to evolve as the allocation progresses. Future planning submissions would be guided by the MPF, but also influenced by a number of factors including the individual attributes and constraints of each individual land parcel, and market demand at the time. The provision of standard house types, a mix of largely 3-4 bed detached houses and a slightly lower density here is unlikely to either set some form of precedent for future phases or have the effect of reducing the number of dwellings overall.
105. In this respect the development would not result in any significant prejudice to the future comprehensive development of allocated site MU5 in terms of achieving an appropriate mix of uses, design, layout and density. It would be in general compliance with BLP policies GD1, H6, H7, H8 and D1. In turn it would conform with paragraph 127 of the Framework.

Living Conditions

106. The fourth PRFR relates to the living conditions of future residents, in terms of internal size standards and separation distances from the equipped play area. Internal space standards are not specifically set out in the BLP. Instead my attention has been drawn to section 5 of the 'Design of Housing Development' SPD, which then refers to the standards in the 2011 SYRDG. At

section 4A.2 it contains a range of internal space standards for various house types and for a range of rooms.

107. I am mindful that the space standards within the SYRDG differ from the more recent Nationally Described Space Standard (NDSS). The PPG 'Housing: optional technical standards' states that where an LPA wishes to require an internal space standard, they should only do so by reference in their Local Plan to the NDSS. This is not the case within the BLP. Whilst meeting the standards in section 4A.2 of the SYRDG is desirable and would represent best practice, they are not mandatory unless there is direct reference such standards in an adopted policy. Accordingly, I can only give limited weight to the space standards set in the SYRDG.
108. The appellant highlighted that the SYRDG figures have not always been rigidly applied in the Barnsley nor the South Yorkshire area, giving a range of examples²³. Furthermore, the Council have put an appeal decision to me regarding dismissal of a proposal relating to inadequate floor space amongst other matters²⁴. It appears that flexibility has been applied based on the individual circumstances of each of those cases. The quoted appeal decision relates to conversion of a historic building where it is likely that there would be restrictions within the existing fabric of the building, and as such is not comparable to a development of new build houses.
109. In this case, the majority of the 250 proposed dwellings meet the standards in the SYRDG. Of those that do not, most are only marginally below the recommended room size and adequate justification has been provided by the appellant. Internal walls could be opened out either during the build to the buyers' specification or later, once occupied. In many house types, the deficiency in size is so small as to be inconsequential, or the deficiency is compensated for by other rooms which are well over the required sizes. Overall each house type would offer an adequate standard of living conditions to future residents, hence I do not find any harm in this respect.
110. The SPD 'Open Space Provision on New Housing Developments' at section 14 states that open space should be designed to avoid the risk of noise, disturbance and nuisance and that equipped play areas should be sited at least 20m from the curtilage of the nearest residential property.
111. The boundaries of some of the properties around the proposed locally equipped area of play (LEAP) are less than 20m from the boundary of the play area²⁵. I note that the 20m buffer has previously been measured from habitable rooms, rather than curtilage, which reflects the Fields in Trust Guidance²⁶. The appellant's evidence demonstrates that such distances can be largely be achieved from the nearest habitable rooms of these plots.
112. The affected properties have open plan front or side gardens and driveways (with the exception of a very small area to the rear of plot 110). Given the low number of properties affected and their relative locations, the shortfall in distance achieved would not have a significant effect on the living conditions of future occupiers. Full details of the play area and boundary treatments can be agreed by condition.

²³ B. Simcox PoE para's 7.44-7.50

²⁴ E. Ward PoE Appx 1: APP/R4408/W/18/3200276

²⁵ Plots 55, 56, 57, 110, 195, 204, 205 and 206

²⁶ B. Simcox PoE Figure 14

113. I conclude on this main issue that the proposed development would not result in unacceptable living conditions to future occupiers in terms of both internal space standards and separation from the play area. In this respect the proposed development would be compliant with BLP Policy GD1 which supports development which has no significant adverse effect on the living conditions of existing and future residents, and Policy D1 in relation to high quality design and placemaking. In turn, the proposals would be in conformity with paragraph 127 f) of the Framework which seeks to create places which promote health and wellbeing, with a high standard of amenity for existing and future users.

Biodiversity

114. BLP Policy BIO1 expects development to conserve and enhance biodiversity including protecting habitats and species of principal importance as identified via Section 41 of the Natural Environment and Rural Communities Act 2006. Development which may harm a biodiversity habitat will not be permitted unless effective mitigation and/or compensatory measures can be ensured.

115. The main parties agree that the site is of low ecological value. An objection has been raised in relation to Great Crested Newts (GCN), a European protected species²⁷, and PRFR 6 relates to insufficient information to assess effects of the proposed development on GCN.

116. The appeal was lodged in the autumn of 2019, and the subsequent objection raised during winter, when it was not possible to undertake a survey. The appellant later undertook an environmental DNA (eDNA) survey of ponds within 500m of the proposed development site on 16 April 2020 which is within the recommended survey window of mid-April to late June.

117. The survey found that only 2 of the 6 identified ponds had conditions that may be suitable for GCN, the others being too dry or absent. GCN are typically present within ponds between mid-March and mid-June for breeding. If ponds are dry during this key period, a population of GCN is highly unlikely to persist due to a lack of opportunities for breeding and new recruitment into the population.

118. I conclude that GCN populations are highly unlikely to be present within this area. This is based on the previously submitted evidence regarding pond conditions, the consensus that Lee Lane forms a barrier to travel of newts, and the recent eDNA survey. Development within the site to the south of Lee Lane could therefore proceed without constraints from GCN. Consequently, the proposed development would accord with BLP Policy BIO1 and paragraphs 170 and 175 of the Framework.

Other Matters

119. It is common ground between the main parties that the Council can currently demonstrate a five year housing land supply. I have been presented with evidence relating to trajectory of future housing completions on MU5 and other allocated sites. The appellant does not present any overall delivery figure of their own and accepts that windfalls may make up some shortfall in the Borough, but predict 'trouble ahead', with the Council being at risk of being unable to demonstrate a deliverable supply in coming years should the current delays continue.

²⁷ Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017

120. The Council accept that there will be some slippage associated with the delay in MPF production, and suggest that this would amount to 62 fewer dwellings being completed on the allocation in the 5 year period to 2024/25. They continue to maintain that MU5 could still be fully delivered over the plan period. The Council recognises that the current 5 year requirement is challenging, with a 5.5% reduction in the overall supply position, however over the entire plan period this would be much reduced. Housing delivery is exceeding the 2020 housing delivery test, affordability ratios remain low for the Borough compared to elsewhere in the region, and the Local Plan Inspector's findings that pressure on the local housing market is limited would still be applicable. Delivery of housing is broadly on a positive trajectory even accounting for the early delay to delivery of MU5 and other large allocations.
121. Notwithstanding the above, since the submission of the appeal the Covid-19 pandemic has raised a number of issues, not least on the economy and potential housing delivery. The appellant's closing submissions highlight this, including a recent appeal decision²⁸. However, the implications for the housebuilding industry are currently not fully understood. The effects will be time-limited, however the length of potential delays for delivery of sites both nationally and within the Borough are unknown. Assumptions about future housing delivery in this case would be postulation. The Council's housing land supply is not so constrained that I could conclude with any certainty that it would tip below the required 5 years supply in the coming monitoring period.
122. BLP Policy GS1 requires the provision of (or contribution towards) green space, and the SPD 'Open Space in New Housing Developments' offers guidance to developers on what will be expected in terms of open space provision to achieve the relevant standards. This includes a minimum of 15% of the gross site area of new housing development to be open space. The proposed provision on the site amounts to slightly less than this, however the the guidance is not a fixed standard which would be rigidly applied in every case. The slight deficiency in provision would not result in any significant harm to the overall scheme, and I note that a number of narrow 'green corridors' around the perimeter of the site would provide additional recreational opportunities, particularly around the public right of way. Contributions towards off-site open space are set out within the S106 in accordance with the SPD.
123. Whether the scheme is viable is not in dispute. Policy compliant contributions are secured within the S106. There is some dispute between the main parties in relation to certain variables, but these do not make a difference to the overall viability of the proposals. The evidence relating to whether the proposals could support additional contributions which might be required by a future MPF is dealt with in the first main issue above.
124. Comparisons with the BDWH site have been made by both the Council and the appellant. I can only place limited weight on past decisions which were made prior to the adoption of the BLP, which was at a time when the Council could not demonstrate a 5 year housing land supply. In any event, I am dealing with the appeal site on its own merits.
125. Local representations have been received to the planning application and the appeal. The principle of development is not in dispute, as it has been

²⁸ APP/X03060/W/19/3238048

established by the MU5 allocation in the BLP and was previously allocated as safeguarded land excluded from the adjacent Green Belt. I have previously dealt with infrastructure provision in relation to education and highway improvements. Potential strain on doctors' surgeries is not a matter on which I have been provided any substantive evidence. This is an allocated site, and in the absence of evidence to the contrary it is reasonable to assume that this has been taken into account by service providers.

Planning Balance and Conclusion

126. The delivery of a policy compliant 10% affordable housing is a significant benefit of the overall scheme. The proposals would also make an important contribution to the overall housing supply in the Borough, and given the Framework's emphasis on the delivery of housing it is appropriate for me to attach significant weight to this, notwithstanding that the Council can demonstrate a five year housing supply.
127. The economic benefits from employment opportunities during construction and increased spending in the supply chain and local area attract moderate weight. Contributions to education, open space provision and sustainable transport are standard requirements set out in the relevant SPD's. Whilst the wider existing community may benefit from such facilities, they are primarily for the future occupants of the development and the weight is limited by this.
128. Many of the issues raised in the PRFR, in isolation, would not result in any significant harm. Subject to suitable conditions or planning obligations, the proposed development would generally accord with policies relating to sustainable transport and highway safety (access and internal layout), living conditions, design and layout, housing mix and densities, amount of greenspace, and biodiversity.
129. I have found that improvements to nearby road junctions will be necessary in the future, and I give significant weight to the benefits for the wider area which would arise from investment into the off-site infrastructure.
130. However, it has not been fully established that the proposed off-site works would be acceptable in terms of highway safety. Moreover, there is an identified risk that contributions to the new primary school, required by Policy MU5, may fall short without the benefit of an approved MPF in place.
131. The proposed development has come forward in advance of an approved MPF and I have found that this has significant potential to prejudice delivery and comprehensive development of the wider site allocation. I afford substantial weight to the conflict with the relevant criterion in Policies MU5 and GD1. The benefits above do not outweigh the harm caused by the conflict with the development plan as a whole and the prejudicial harm I have found in relation to the lack of an approved MPF.
132. For the reasons given above I conclude that the appeal should be dismissed.

S Hunt

INSPECTOR

Appendix 3 – Consultation Leaflet and Notified Neighbours

Land South of Lee Lane, Royston

Consultation on proposed planning application

Who we are

We are Bellway Homes, a national housebuilder with offices nationwide. We have been building homes in the UK for over 75 years. In our last financial year, we delivered over 10,000 new homes in the U.K.

Background

Barnsley Metropolitan Borough Council (BMBC) adopted their Local Plan in January 2019, allocating land to the west of Royston for a mixed-use development including over 900 new residential dwellings, a new primary school and small-scale convenience retail store. This allocation is known as MU5: Land off Lee Lane, Royston.

BMBC's Local Plan advised that the production of a Masterplan Framework covering the entire MU5 allocation was required, to inform any future planning applications here and ensure that development across the site is brought forward in a comprehensive manner. The Council have subsequently prepared the Royston Masterplan Framework & Design Code, which was adopted in October 2020.

Following allocation of the site and subsequent adoption of the Masterplan Framework, Bellway Homes (one of numerous landowners across the allocation) are now progressing a Full planning application for the development of circa 250 homes on land to the south of Lee Lane. The scheme will deliver much needed, high-quality homes of a mix of housing types.

Scheme proposals

The indicative masterplan overleaf provides an overview of the emerging proposals, which will include:

1. Development of circa 250 dwellings, providing a mix of 2 and 2.5 storey 2, 3 and 4-bedroom homes, to meet local housing needs;
2. Delivery of high-quality, on-site public open space and a LEAP (Local Equipped Area for Play), accessible to new and existing residents of Royston;
3. Provision of Active Travel routes for pedestrians and cyclists, linking up with existing public rights of way and facilitating connectivity to the existing settlement of Royston;
4. Financial contributions to fund local highways infrastructure and a new primary school for Royston (to be delivered off-site); and
5. A well-designed scheme, utilising high quality materials and landscaping.

In developing the proposals, Bellway have undertaken detailed pre-application discussions with BMBC to ensure that the proposed development will comply with the Masterplan Framework for Royston.

The planning application will also be supported by a range of technical assessments on matters such as highways, trees and ecology, air quality, flood risk, drainage and archaeology.

What happens next?

Ahead of submission of a Full Planning application to BMBC, we would like to provide you with the opportunity to have your say. To find out more about the exciting plans for Royston and comment on the proposals, please visit: www.NewHomesLeeLane.co.uk

Alternatively, comments can be submitted to our Planning Consultants, CBRE Ltd, by emailing: LeelaneHomes@cbre.com

Please ensure that comments are received by us no later than **Monday 14th March 2022**.

Figure 1: Indicative Masterplan



Notified Neighbours

1 Oriel Drive, Royston, Barnsley, S71 4GG

1 Parish Road, Royston, Barnsley, S71 4GG

2 Oriel Drive, Royston, Barnsley, S71 4GG

2 Parish Road, Royston, Barnsley, S71 4GG

29 Lee Lane, Royston, Barnsley, S71 4RT

3 Oriel Drive, Royston, Barnsley, S71 4GG

3 Parish Road, Royston, Barnsley, S71 4GG

30 Lee Lane, Royston, Barnsley, S71 4RT

4 Oriel Drive, Royston, Barnsley, S71 4GG

4 Parish Road, Royston, Barnsley, S71 4GG

5 Oriel Drive, Royston, Barnsley, S71 4GG

5 Parish Road, Royston, Barnsley, S71 4GG

6 Oriel Drive, Royston, Barnsley, S71 4GG

7 Oriel Drive, Royston, Barnsley, S71 4GG

8 Oriel Drive, Royston, Barnsley, S71 4GG

9 Oriel Drive, Royston, Barnsley, S71 4GG

Lee Lane Farm, 50 Lee Lane, Royston, Barnsley, S71 4RT

Muscle Hill Farm Lee Lane, Royston, Barnsley, S71 4GG

The Stables Lee Lane, Royston, Barnsley, S71 4GG