



PLANNING STATEMENT

(INCLUDING AFFORDABLE HOUSING STATEMENT AND DRAFT HEADS OF TERMS)

MONCKTON DEVELOPMENTS LTD

**FORMER MONCKTON COKE & CHEMICAL WORKS
LUND HILL LANE, ROYSTON, S71 4BD**

Date: 13/08/2020

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EXECUTIVE SUMMARY

The Site is a 16.4ha parcel of land that was formerly used as the Monckton Coke and Chemical works, which closed in December 2014. There are three mine shafts, five bore holes and significant amount of contamination because of the Site's previous use. The remediation of the Site can only be delivered with a viable redevelopment scheme.

The redevelopment scheme will deliver of up to 500 homes, some commercial development and associated infrastructure that will provide important environmental, economic and social benefits to this local community.

The pre-application response from the local planning authority also recognised that redevelopment of this large contaminated Site would be of significant benefit should it be developed for housing, on the provision that all issues associated with the development of the Site were satisfactorily addressed. This Planning Statement fully addresses all relevant issues associated with the development of the Site, concluding that there are no principle or technical reasons why the development cannot take place.

This Planning Statement assesses the proposal in accordance with Section 38(6) of the Planning and Compulsory Purchase Act, which requires all applications to be determined in accordance with the adopted development plan for the area and any other material considerations. The adopted development plan includes the Barnsley Local Plan, which was recently adopted and sets the policy framework for the proposed development. This Planning Statement demonstrates that the proposed development complies entirely with the relevant policies within the Local Plan, notably those policies associated with the principle of development e.g. Policy H5 Residential Development on Large Non-allocated Sites, and also all other relevant policies associated with the technical issues.

Consideration is also given to other material considerations including the supplementary planning documents, particularly those which require contributions towards necessary infrastructure such as schools, sustainable travel, and open spaces. In this regard, it should be noted that the applicants are proposing to make significant financial contributions towards schools and sustainable travel and the proposed development incorporates the necessary open spaces on-site.

A key element of the National Planning Policy Framework confirms that local planning authorities should apply the presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with an up-to-date development plan without delay. The position in relation to this case is that the development plan is up-to-date and that the proposed development complies with it and should be approved.

This Planning Statement also sets out the significant environmental, social and economic benefits associated with the redevelopment of the Site including but not limited to:

- Remediation of a contaminated brownfield Site which would otherwise be unviable without the proposed development coming forward;

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- The provision of up to 500 market homes in a part of the borough where there has been a lack of new homes in recent years;
 - Formal open space provision which responds to identified local need and promotes health and well-being;
 - Ecological enhancement and biodiversity net gain at a minimum of 10%;
 - Construction related employment and permanent jobs;
 - Economic output during the construction phase estimated at £11million per annum;
 - Household spend of around £13.8million per annum; and,
 - Increased Council Tax income of around £0.9million per annum.

1. INTRODUCTION

Monckton Developments Ltd

- 1.1 This planning application is made on behalf of Monckton Developments Limited which is a joint venture between two families, who operate and own long established and well-respected Yorkshire companies, between which there are obvious synergies that place them in an ideal position to be able to jointly re-develop historically contaminated land and brownfield sites.
- 1.2 Monckton Developments Limited brings together the expertise and knowledge of the Hopkinson family, who own and operate David Hopkinson Limited, specialists in industrial plant hire and sales, and the Hague family, who own and operate MHH Contracting Limited, specialists in demolition, bulk earthworks, excavation, property development, remediation, aggregate supplies and waste recycling and reprocessing. Both families have considerable experience in developing brownfield and industrial sites into residential, retail and industrial units mainly in the Yorkshire area.
- 1.3 In conjunction with becoming Site owners of the former Monckton Coke and Chemical works the families also acquired the former Maltby Colliery in Rotherham, part of which is now set to become a long-term base for international auctioneer, Ritchie Bros. It is expected that the auction scheme will create approximately 30 full time jobs, which will increase to 70 on auction days, and will result in a £3.5m investment program, which will deliver important economic benefits to that local community.
- 1.4 Similarly, it is recognised by the families that this Site represents an opportunity to remediate and redevelop a contaminated site for beneficial use with the intention that the delivery of up to 500 homes and associated infrastructure in a sustainable location will provide important economic and social benefits to this local community, which is at the heart of the redevelopment work that the families are looking to achieve.

The Site

- 1.5 The Site is a 16.4ha parcel of land that was formerly used as the Monckton Coke and Chemical works, which closed in December 2014. Since its closure, the former structures associated with the operation of the coke and chemical plant have been largely demolished. It is located to the eastern edge of Royston, but within the Urban Fabric of the settlement.

Pre application Engagement

- 1.6 Consultation with the local community was initially undertaken in 2016 on behalf of the previous Site owners for the redevelopment of the Site for up to 270 dwellings and five office buildings up to 2,271 sqm. Two public consultation events were undertaken, one at Royston Library and one at Havercroft & Ryhill Community Learning Centre. The events were advertised via a leaflet drop to properties located close to the Site, and an advert in the local paper.

- 1.7 The Site was subsequently sold by the previous owner to Monckton Developments Limited who assembled a largely new team of consultants. Throughout 2019 the team undertook new surveys and assessments, so that a scheme could be progressed with up-to-date information.
- 1.8 In October 2019, a request was made to the Council for pre-application advice on the development of the Site. The principal differences between the previous scheme was the increase in residential development to up to 500 dwellings and the removal of the office buildings.
- 1.9 Further details are contained within the Pre-Application Consultation Statement, but the response from the local planning authority accepted that it is a large contaminated site on the edge of the settlement of Royston and there would be significant benefits to Barnsley should the Site be developed for housing, but issues needed to be satisfactorily addressed.

The Application

- 1.10 The Site requires extensive remedial works before it can be developed, and the extent of the remedial works require full planning permission. Full permission is also sought for access.
- 1.11 Outline planning permission is sought for the proposed development of the Site, with all matters reserved except for access.
- 1.12 The description of development is:

Hybrid planning application seeking full planning permission for remediation and means of access, along with outline planning permission (with all matters reserved except access) for redevelopment of the site to include up to 500 residential units (C3), up to 400 sqm for A1-A5 use, along with ancillary parking, amenity, and all other associated public, semi public and private realm, soft/hard landscaping, infrastructure and highways works, access and a new internal road network connecting with the existing road network.

This Planning Statement

- 1.1 This Planning Statement assesses the proposal in accordance with Section 38(6) of the Planning and Compulsory Purchase Act, which requires all applications to be determined in accordance with the adopted development plan for the area and any other material considerations.
- 1.13 This Planning Statement includes the following sections:
- Section 2 provides information about the applicants, the application Site and its surroundings;
 - Section 3 describes the development proposal;
 - Section 4 highlight the relevant adopted development plan against which the proposed development will be assessed, as well as the supplementary planning documents (SPDs),

other guidance documents and national policies which will be material considerations when determining the application;

- Section 5 appraises the proposed development against the policies, SPDs and guidance documents;
- Section 6 provides a statement on the approach to affordable housing provision;
- Section 7 provides the draft heads of terms for the proposed development;
- Section 8 provides details of the environmental, social and economic benefits arising from the proposed development; and,
- Section 9 concludes the Planning Statement.

Supporting Plans and Documents

1.2 The application plans include:

- Location Plan
- Illustrative Masterplan

1.3 A series of documents also support the application which include:

- Design and Access Statement, dated July 2020, prepared by Pegasus Group
- Building for Life Assessment, dated July 2020, prepared by Pegasus Group
- Landscape and Visual Impact Assessment (LVIA), dated July 2020, prepared by Pegasus Group
- Pre-application Consultation Statement, dated July 2020, prepared by Pegasus Group
- Noise and Vibration Assessment Report, dated July 2020, prepared by Wardell Armstrong
- Tree Survey, dated January 2020, prepared by Weddle Landscape Design
- Tree Constraints Plans, dated January 2020, prepared by Weddle Landscape Design
- Tree Protection Plans, dated January 2020, prepared by Weddle Landscape Design
- Arboricultural Impact Assessment and Arboricultural Method Statement, dated July 2020, prepared by Weddle Landscape Design
- Energy and Sustainability Statement and Carbon Reduction Strategy, dated July 2020, prepared by LK Group
- Construction Environmental Management Plan (CEMP), dated July 2020, prepared by LK Group
- Viability Assessment, dated August 2020, prepared by Stannybrook

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- Utilities Report, dated January 2018, prepared by Landmark Information Group
 - Coal Mining Risk Assessment, dated December 2019, prepared by The Arley Consulting Company Limited
 - Flood Risk Assessment, dated June 2020, prepared by Met Engineers Ltd
 - Drainage Strategy, dated July 2020, prepared by Met Engineers Ltd
- 1.14 The proposed development has also undergone an Environmental Impact Assessment and the application is supported by an Environmental Statement (ES), collated by Pegasus Group, dated July 2020.
- 1.15 The ES includes the following figures:
- Figure 1.1 Location Plan
 - Figure 1.2 Boundary Plan
 - Figure 3.1 Parameters Plan
- 1.16 The ES includes the following topics:
- Ecology (Chapter 6)
 - Transport and traffic movements (Chapter 7)
 - Ground conditions (Chapter 8)
 - Air quality (Chapter 9)
- 1.17 The Environment Statement appends the following reports:
- Phase 1 Habitat Survey, dated January 2020, prepared by Skyline Ecology
 - Bat Emergence and Activity Survey, dated July 2020, prepared by Skyline Ecology
 - Great Crested Newt Survey, dated July 2020, prepared by Skyline Ecology
 - Breeding Bird Survey, dated July 2020, prepared by Baker Consultants
 - Biodiversity Metrics 2.0, dated July 2020, prepared by Skyline Ecology
 - Transport Assessment, dated July 2020, prepared by Met Engineers Ltd
 - Travel Plan Framework, dated June 2020, prepared by Met Engineers Ltd
 - Baseline Air Quality Monitoring, dated June 2020, prepared by SLR Consulting
 - Environmental Risk Assessment, dated 2011, RSK Group
 - Groundwater Sampling, dated 2013, RSK Group

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- Data Review of Monkton Production Facility, dated 2014, RSK Group
 - Ground Investigation Report, dated 2015, Patrick Parsons Ltd
 - Ground Investigation Factual Report, dated 2016, Patrick Parsons Ltd
 - Remediation Strategy, dated 2016, Patrick Parsons Ltd
 - Remediation Strategy, dated 2017, Patrick Parsons Ltd
 - Environmental Site Survey, Moorehead Consulting Ltd
 - Environmental Due Diligence, dated 2005, WSP
 - Coal and Brine Report, including shaft plans and data sheets, Coal Authority
 - Site Investigation, dated 1997, Pro-Soils Surveys
 - CQA Compliance Report for Capping Works, dated 2004, LJ Church Laboratory Services Ltd
 - Data Review and Gap Analysis, dated October 2019, GEO2
 - Site Investigation Scope of Works, dated December 2019, GEO2 / Envestigate Ltd
 - Environmental Site Assessment, dated July 2020, GEO2
 - Quantitative Risk Assessment, dated July 2020, GEO2
 - Options Appraisal and Remediation Strategy, dated July 2020, GEO2

2. BACKGROUND AND CONTEXT

Location

- 2.1 The Site is located within the Principal Town of Royston, which is situated on the northern edge of the borough of Barnsley, adjacent to Wakefield district. Royston is located approximately 7km north of Barnsley Town Centre and approximately 12km south of Wakefield Town Centre.
- 2.2 Royston is a low-lying self-contained settlement within a valley between Wakefield and Urban Barnsley. The town's landscape character has a strong urban influence due to earlier industrial and housing development. It is now principally residential in character.
- 2.3 During the industrial revolution, Royston saw the construction of Barnsley Canal in the 1790's and the railway which opened in 1840, both of which pass to the west of the Site. The canal is now disused but provides a green link with biodiversity value and the potential for use by sustainable transport modes. The Trans Pennine Trail (TPT) runs through Royston along the canal bank.
- 2.4 The railway line is used for freight trains, delivering glass sand to Ardagh Glass at West Green. The line is only used up to three times per week, with a single inbound and outbound train on any day. As part of the Sheffield City Region (SCR) Integrated Rail Plan, the SCR are investigating opportunities to re-open the non-passenger line between Barnsley and Wakefield. The cost of opening the line is over £100m and there is an indicative completion date of early 2030s. The Barnsley Rail Vision identifies that ACORP, a community rail co-operative, are also looking for assistance on the potential for reinstatement of passenger services on the line.
- 2.5 There is a detailed network of footpaths and cycleways running through Royston linking the different residential areas, open spaces and community facilities. However, the links between them are not always clear and would benefit from improvement.
- 2.6 Royston is within the Accessibility Improvement Zone (AIZ) which covers the east of the borough and is the focus for transport investment to improve connectivity and support economic growth. This will include investment in walking, cycling and public transport services.
- 2.7 Within the Local Plan, the key area of opportunity for the future development of Royston is the substantial area of land proposed for housing and a primary school at the western edge of the town at Lee Lane. Indeed, most housing growth in recent decades has taken place in the western part of Royston. As such, the eastern part of Royston where the Site is located, is characterised by older housing stock, much of which is relatively high density and local authority owned.
- 2.8 The ongoing development of the Rabbit Ings Country Park as a high quality multi functioning open space to the east of Royston, adjacent to the Site, contributes to the improvement of Royston's open space provision.

Site

- 2.9 The Site is a 16.4ha parcel of land that was formerly used as the Monckton Coke and Chemical works, which closed in December 2014. Since its closure, the former structures associated with the operation of the coke and chemical plant have been largely demolished. The Site has been remediated to the condition it was in prior to 2002 when an Environmental Permit was issued to operate the facility. The permit has since been surrendered following a successful application made to the Environment Agency by the Site's previous owner. There are three mine shafts, five bore holes and significant amount of contamination because of the Site's previous use.
- 2.10 Most of the Site has been reduced to slab, or sub-slab level, with few structures remaining associated with the historical workings of the Site. Any structures remaining on the Site are either in a state of dereliction or have been retained generally for maintenance and operation of utility supplies.
- 2.11 Beyond the eastern boundary are offices and car parking for Hargreaves Industrial Services Plc. The Hargreaves office is outside of the 'red edge' and will remain unaffected by this planning application.
- 2.12 The Site is accessed from two main entrances along the eastern boundary, from Lund Hill Lane, the northernmost entrance allowing access through a weighbridge to the former stockyard and engineering workshops, the southern entrance allowing access to the Hargreaves office and an effluent treatment plant in the far south of the Site.
- 2.13 The Site is by enlarge previously developed land and is located within the settlement boundary of the Principal Town of Royston. A small strip of land within the north-western portion of the Site is undeveloped and located within the Green Belt.
- 2.14 Existing vegetation is predominantly located at the Site boundaries, though there is also a large area of mature vegetation to the southern section. The Tree Survey, prepared by Weddle Landscape Design, identifies mostly Category C/U trees within the Site. There are three Category B trees in the survey area with only two of these being within the Site boundary; a mature Ash (T10) and a mature English Oak (T49). There are no Category A trees within the Site.
- 2.15 The Site contains a number of habitats which reflect its current state and historic use. This includes broad-leaved woodland around the perimeter, within the north-western strip and within the southern part of the Site. It also includes scrub and tall ruderals, semi-improved and marshy grassland, open water, bare ground, and buildings.
- 2.16 There is a water main that crossing the north-western strip of land which is understood to run from the adjacent sewerage works and discharge into Barnsley Canal.

Surrounding Area

- 2.17 The Site is bounded by Lund Hill Lane to the east and south, which provides a direct link into Royston. A railway line and the disused Barnsley Canal is located to the west. The TPT follows the line of the Barnsley Canal. To the north there is a coal storage yard, a small number of residential dwellings, with open countryside beyond.
- 2.18 A small industrial estate lies to the east, off Lund Hill Lane, which is principally occupied by a pallet manufacturer. Rabbit Ings Country Park wraps around the industrial estate and abuts Lund Hill Lane. The park was formed on the site of the former colliery yard and spoil heap of the Monckton Colliery and then the Royston Drift Mine which closed in 1989. It now provides a recreational facility and includes various walking, cycling and horse-riding routes along with a large car park and football pitches all of which is managed by The Land Trust.
- 2.19 Royston District Centre (including Midland Road) is located approximately 2km to the west of the Site.
- 2.20 A Services and Facilities Plan is provided within the Design and Access Statement and is based on a 400m (5-minute walk), 800m (10-minute walk) and 1.6km (20-minute walk) radius from the centre of the Site. Within a 5-minute walk there is a pub and the Rabbit Ings Country Park. Within a 10-minute walk is a dental practice, convenience store, another pub and open spaces and allotments. Royston District Centre is within a 20-minute walk and has an Asda and Co-op supermarket, post office, library and a range of other services and facilities commensurate within this type of district centre. There are also primary schools within a 20-minute walk.
- 2.21 The Services and Facilities Plan also identifies nearby bus routes notably the 57, 59 and 59a services that run through Royston to and from Barnsley Town Centre.

Planning History

- 2.22 The relevant planning applications, insofar as they relate to proposals for development on this Site, are listed in the table below. Other than the gas peaking facility, each application relates to operations of the former coke and chemical works.

Reference	Description	Status	Date of Decision
2016/1169	Installation of gas peaking facility to accommodate the production of 7 MW of electricity comprising of 4 generators housed within acoustically attenuated containers, associated plant and creation of fenced compound.	Withdrawn	22 January 2018

2013/1140	Re-instatement of former railway siding including associated unloading and loading infrastructure and security fencing.	Approved	18 December 2013
2013/0576	Re-instatement of former railway siding including associated unloading infrastructure and security fencing.	Withdrawn	n/a
2011/0139	Erection of a new weighing office building and amenity facility.	Approved	26 May 2011
2007/0284	Erection of 30 metre telecommunication monopole, 6 antennae, 2 dishes and equipment cabin.	Approved	24 May 2007

3. THE DEVELOPMENT PROPOSAL

Remediation and Reprofilng

- 3.1 Remediation of the Site is required to enable it to be brought back into beneficial use. The development would result in the decontamination and remediation of the Site prior to the construction of the new residential and commercial development and the associated access, landscaping and open space.
- 3.2 In order to remediate any contamination and create appropriate building platforms for the proposed new buildings, it is necessary for an element of ground reprofiling works to be undertaken. These works would include for some areas of cut and some fill and would include a requirement for some clean material to be imported to the Site as part of the provision of a cap of clean material across the Site. At all times the design of the project has sought to minimise the extent of reprofiling works required and has followed the pattern of the existing topography wherever practicable.
- 3.3 The reprofiling of the Site is detailed further within the Design and Access Statement and ES, along with indicative details of the proposed finished levels of the development site.

Residential and Commercial Development

- 3.4 Up to 500 new dwellings will be provided on the Site which will include associated private amenity space. In addition, up to 400sqm of commercial development (A1-A5 uses) will be provided towards the south-eastern corner of the Site.

Open Space and Landscaping

- 3.5 The proposed development incorporates 4.92ha of open space in the form of:
- Formal open space
 - A Multi-Use Games Area (MUGA) within the southern part of the Site
 - Designated play area within the centre of the Site
 - Informal open space (amenity green space)
 - Natural and semi-natural areas within the north-western strip alongside the canal, within the southern portion of the Site and around the Site periphery
- 3.6 It is intended that this network of open spaces delivers biodiversity net gain; maintains, extends and enhances existing green infrastructure; and helps plan for climate change.

Access

- 3.7 The Site will be accessed off Lund Hill Lane, utilising the two existing access points. The southernmost of the two access points would be a secondary access, used primarily to gain access

to the commercial development (A1-A5 uses) and MUGA at the southern extent of the Site and also to retain access to the Hargreaves office.

- 3.8 A footway is proposed on the west side of Lund Hill Lane and pedestrian crossings are identified on Lund Hill Lane which would link up with the existing footway on the east side of the road which provide a continuous footpath into Royston.
- 3.9 Within the Site itself, primary and secondary routes and lanes are proposed to provide circulation for pedestrians, cyclists and vehicles that will link the development parcels, enabling movements throughout the Site and to the surrounding area.

Phasing

- 3.10 Site remediation would commence upon gaining planning permission and the wider necessary approvals have been secured such as those from the Environment Agency. It is expected that following the completion of the Site remediation the dwellings would be built out at the Site in one continuous phase, subject to market conditions. Based on the anticipated build-out rate the full residential development would be completed in a 7-year timeframe. It is also expected that the commercial development (A1-A5 uses) will be completed in this timeframe.

4. RELEVANT PLANNING POLICY

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 4.2 This section sets out the relevant policies of the statutory development plan, and the material considerations of relevance to the determination of this application including SPDs, national policy and other associated guidance and evidence base documents.

Barnsley Local Plan

- 4.3 The adopted development plan for the area includes the Barnsley Local Plan (adopted January 2019).

Designations

- 4.4 The Site is shown on Map 5 of the Policies Map (adopted January 2019) (**Figure 1**). It is largely within the settlement boundary of the Principal Town of Royston (blue line) and identified as Urban Fabric, which is land within the settlement with no specific allocation (grey). A small strip of land within the north-western portion of the Site is Green Belt, which is to be kept free from development (green).

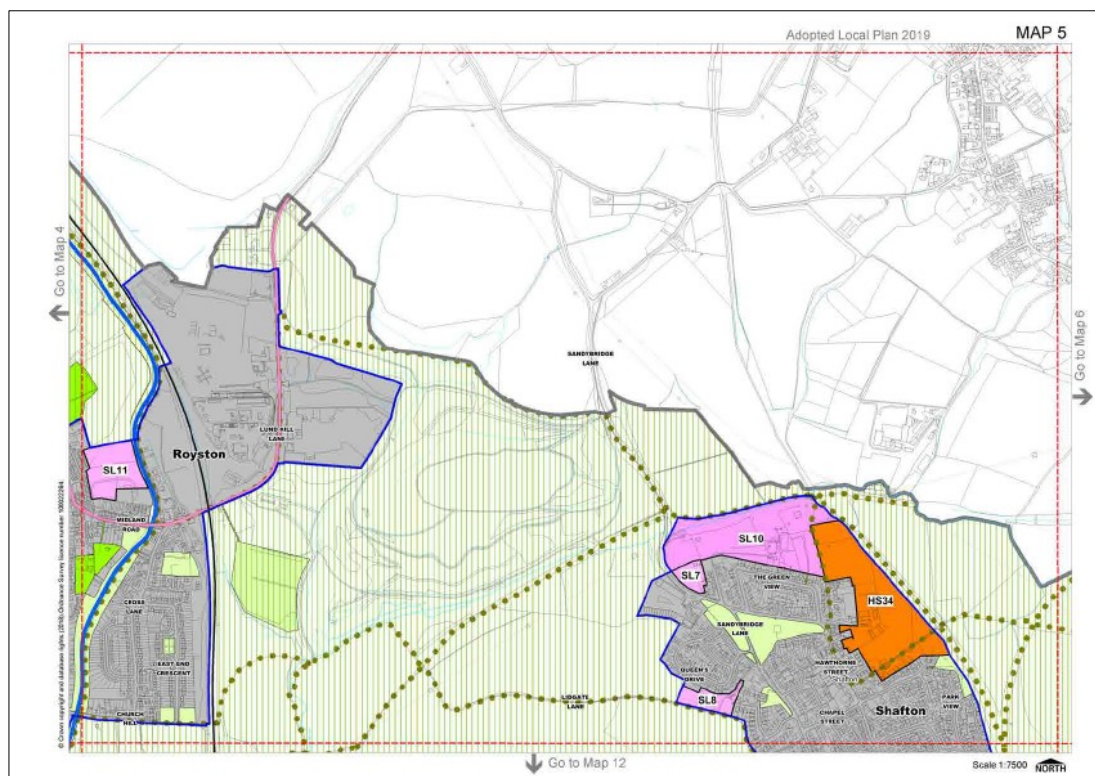


Figure 1: Map 5 of the Policies Map (adopted January 2019)

- 4.5 Lund Hill Lane is identified as being part of the Local Strategic Highways Network, classified by the Local Highways Authority as having more than local importance (pink line). The TPT which runs along the north-western part of the Site, but on the opposite side of the railway, is identified as a Green Way, that provides links between housing, countryside and services (green dots). Another Green Way runs along Lund Hill Lane, to the north-east of the Site, linking into Rabbit Ings Country Park.
- 4.6 The railway line that runs past the western boundary of the Site is shown as an existing railway line (black line).

Relevant Policies

- 4.7 The relevant policies from the Local Plan are listed below and addressed in the context of the development proposal in **Section 5**. Policies of most relevance are denoted *:
- Policy SD1 Presumption in Favour of Sustainable Development*
 - Policy GD1 General Development*
 - Policy LG2 The Location of Growth
 - Policy E4 Protecting Existing Employment Land*
 - Policy H1 The Number of New Homes to be Built
 - Policy H2 The Distribution of New Homes
 - Policy H5 Residential Development on Large Non-allocated Sites*
 - Policy H6 Housing Mix and Efficient Use of Land
 - Policy H7 Affordable Housing
 - Policy TC1 Town Centres
 - Policy TC3 Thresholds for Impact Assessments
 - Policy TC5 Small Local Shops*
 - Policy T3 New Development and Sustainable Travel
 - Policy T4 New Development and Transport Safety
 - Policy D1 High Quality Design and Place Making
 - Policy LC1 Landscape Character
 - Policy GS1 Green Spaces
 - Policy GS2 Green Ways and Public Rights of Way
 - Policy BIO1 Biodiversity and Geodiversity

- Policy GB1 Protecting Green Belt Land
- Policy CC1 Climate Change
- Policy CC2 Sustainable Design and Construction
- Policy CC3 Flood Risk
- Policy CC4 Sustainable Drainage Systems (SUDS)
- Policy RE1 Low Carbon and Renewable Energy
- Policy CL1 Contaminated and Unstable Land
- Policy POLL1 Pollution Control and Protection
- Policy UT2 Utilities Safeguarding
- Policy I1 Infrastructure and Planning Obligations

Sustainable Development and General Principle Policies

- 4.8 Policy SD1 sets the presumption in favour of sustainable development.
- 4.9 Policy GD1 sets out general development principles for development, that would be approved if, for instance, there are no significant adverse effects on the living condition and residential amenity of existing and future residents, suitable landscaping is provided, and any adverse impact on the environment is minimised and mitigated.
- 4.10 Policy E4 says that land or premises currently or last used for employment purposes will be retained in order to safeguard existing or potential jobs. The development of employment land and premises for non-employment uses will only take place if:
- Development would not result in a significant loss of existing jobs or employment potential;
 - There will still be an adequate supply of employment land or premises in the locality; and
 - The land or premises cannot satisfactorily support continued employment use.
- 4.11 Policy LG2 gives priority to development within Urban Barnsley, Principal Towns (including Royston) and Villages. More growth is expected in Urban Barnsley than the Principal Towns and the Principal Towns than the villages.
- 4.12 Policy GB1 says that the Green Belt will be protected from inappropriate development in accordance with national policy.

Housing Policies

- 4.13 Policy H1 sets the overall housing requirement for at least 21,546 net additional homes during the period 2014 to 2033 and says that the Council will maintain a five-year supply of deliverable sites.

Policy H2 identifies that 1,302 homes will be provided in Royston in the plan period, which is 6% of the overall supply. It should be noted that the housing target for Royston should not be considered a capped figure, given that overall housing requirement is identified to be “at least 21,546 net additional homes”.

4.14 Policy H5 is of particular relevance and supports large residential developments on non-allocated sites, like this Site, where they:

- Are located on previously or part previously developed land;
- Are located within Urban Barnsley, Principal Towns and Villages;
- Are accessible by public transport; and,
- Have good access to a range of shops and services.

4.15 Policy H6 expects housing proposals to include a broad mix of house size, type and tenure 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 and the needs of the market. A density of 40 dwellings per hectare net will be expected Principal Towns, including Royston, or lower densities where it can be demonstrated that they are necessary in the interests of character and appearance, need, viability or sustainable design reasons.

4.16 Policy H7 sets the affordable housing requirement for Royston, for housing developments of 15 or more dwellings, at 10%. It goes on to say that *“these percentages will be sought unless it can be demonstrated through a viability assessment that the required figure would render the scheme unviable.”*

Retail Policies

4.17 Policy TC1 identifies Royston as a District Centre. It says that District Centres have an important role serving localised catchments and meeting more local needs. This policy sets the sequential approach and retail impact test as set out in the NPPF.

4.18 Policy TC3 sets the threshold for the requirement of a retail impact assessment at 1,000sqm for retail development outside a Primary Shopping Area of a District Centre. It goes on to say that if the Council have concerns that a proposal below these floorspace thresholds may have a significantly adverse impact on centres, they may require an impact assessment as part of a planning application.

4.19 Policy TC5 is of particular relevance and says that outside existing centres small shops that meet the daily shopping needs of a local community will be permitted where:

- The shops are of a type and in a place that would meet daily shopping needs and this need is not already met by existing shops; and,

- The shops are located and designed to encourage trips by pedestrians and cyclists and would not encourage car trips.

Transport Policies

- 4.20 Policy T3 sets out the Council's expectations with regards to new development and sustainable travel. Development will be expected to be located and designed to reduce the need to travel and provide minimum levels of parking set out in the relevant Supplementary Planning Document (SPD). Transport statements / assessment and travel plans will be required in accordance with national policy. Where levels of accessibility are unacceptable developers are expected to make financial contributions in accordance with Policy I1. Where it is not possible or appropriate to provide minimum parking standards the developer will be required to provide or contribute toward off-site parking or improve / provide other forms of travel.
- 4.21 Policy T4 expects new development to have safe, secure and convenient access and movement. If a development is not suitably served by the existing highway or would create or add to problems of safety or the efficiency the Council expect developers to take mitigating action or to make a financial contribution to make sure the necessary improvements go ahead. Any contributions will be secured through a planning obligation or planning condition.

Design and Landscape Policies

- 4.22 Policy D1 sets the design principles expected of new development, taking advantage of and reinforcing the distinctive, local character and features including landscape character, topography, green infrastructure assets, important habitats, woodlands and other natural features.
- 4.23 Specifically, with regards to landscape character, Policy LC1 says that development will be expected to retain and enhance the character and distinctiveness of the individual Landscape Character Area in which it is located (as set out in the Landscape Character Assessment of Barnsley Borough 2002 and any subsequent amendments).
- 4.24 Policy GS1 requires qualifying new residential developments to provide or contribute toward green space in line with the standards set out in the Green Space Strategy and in accordance with Policy I1. Where there is a requirement to provide new green space, an assessment will be carried out to determine the most appropriate provision, taking into account site characteristics and constraints. In cases where it is deemed unsuitable to make provision for open space within or adjacent to a development site, suitable off-site open space facilities may be acceptable either as new facilities or improvements to those existing. Where appropriate new green space should secure access to adjacent areas of countryside.
- 4.25 Policy GS2 may require new development close to a Green Way or Public Right of Way to provide a link to the existing route, and / or improve an existing route and / or contribute to a new route. In some cases, this may be through a financial contribution in accordance with Policy I1.

Other Policies

- 4.26 Policy BIO1 expects development to conserve or enhance the biodiversity and geological features of the borough. Development which may harm a biodiversity or geological feature or habitat, including ancient woodland and aged or veteran trees found outside ancient woodland, will not be permitted unless effective mitigation and/or compensatory measures can be ensured.
- 4.27 Policy CC1 seeks to reduce the causes of and adapt to the future impacts of climate change.
- 4.28 Where technically feasible and viable, Policy CC2 expects development to minimise resource and energy consumption through the inclusion of sustainable design and construction features.
- 4.29 Policy CC3 says that the extent and impact of flooding will be reduced by, amongst other things:
- Not permitting new development where it would be at an unacceptable risk of flooding from any sources of flooding, or would give rise to flooding elsewhere;
 - Requiring site-specific Flood Risk Assessments (FRAs) for proposals over 1 hectare in Flood Zone 1;
 - Expecting proposals over 0.4 ha in Flood Zone 1 to demonstrate how the proposal will make a positive contribution to reducing or managing flood risk; and,
 - Expecting all development proposals on brownfield sites to reduce surface water run-off by at least 30%.
- 4.30 Policy CC4 expects all major development to use Sustainable Drainage Systems (SUDS) to manage surface water drainage, unless it can be demonstrated that all types of SUDS are inappropriate. It also requires outline planning application to be supported by a conceptual drainage plans and SUDS design statement.
- 4.31 Policy RE1 expects all new development to seek to incorporate initially appropriate design measures, and thereafter decentralised, renewable or low carbon energy sources in order to reduce carbon dioxide emissions and should at least achieve the appropriate carbon compliance targets as defined in the Building Regulations.
- 4.32 Policy CL1 requires proposals where occupiers of a development would be affected by contamination or stability issues, or where contamination may present a risk to the water environment, to be supported by investigations and measures to allow the development to go ahead safely.
- 4.33 POLL1 expects development to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people. Where appropriate, developers will be expected to minimise the effects of any possible pollution and provide mitigation measures.

- 4.34 Policy UT2 protects services and utilities from development that will affect them.
- 4.35 Policy I1 says that development must contribute as necessary to meet all on and off-site infrastructure requirements to enable development to take place satisfactorily. Where the necessary provision is not made directly by the developer, contributions will be secured through planning obligations.

Barnsley, Doncaster and Rotherham Joint Waste Plan

- 4.36 The adopted development plan for the area also includes the Barnsley, Doncaster and Rotherham Joint Waste Plan (adopted March 2012).
- 4.37 The relevant policies from the Joint Waste Plan are listed below:
- Policy WCS7 Managing Waste in all Developments
- 4.38 Policy WCS7 requires all development proposals (excluding minor planning applications) to submit a waste management plan as part of the planning application. Where waste management plans include on-site recycling, recovery and re-processing provision they must demonstrate how these activities will comply with the requirements set out under Policy WCS6. Policy WCS6 goes on to set a number of criteria for waste management proposals.

Supplementary Planning Documents and Planning Advice Notes

- 4.39 The following documents are a material consideration in determining the planning applications:
- Affordable Housing SPD (adopted May 2019)
 - Biodiversity and Geodiversity SPD (adopted May 2019)
 - Design of Housing Development SPD (adopted May 2019)
 - Development on Land Affected by Contamination SPD (adopted November 2019)
 - Financial Contributions to Schools SPD (adopted May 2019)
 - Open Space Provision on New Housing Developments SPD (adopted May 2019)
 - Parking SPD (adopted November 2019)
 - Planning Obligation SPD (adopted November 2019)
 - Residential Amenity and the Siting of Buildings SPD (adopted May 2019)
 - Section 38 Agreements Planning Advice Note (PAN) (adopted November 2019)
 - Section 278 Agreements SPD (adopted November 2019)
 - Sustainable Travel SPD (adopted November 2019)
 - Trees and Hedgerows SPD (adopted May 2019)

Affordable Housing SPD (adopted May 2019)

- 4.40 The Affordable Housing SPD offers guidance on planning contributions for affordable housing and supplements Policy H7.

Biodiversity and Geodiversity SPD (adopted May 2019)

- 4.41 The Biodiversity and Geodiversity SPD offers guidance to anyone seeking to develop land which may have, or is in proximity to a site that has value for biodiversity and/or geological conservation. It supplements, amongst others, Policy BIO1 and Policy GS1.

Design of Housing Development SPD (adopted May 2019)

- 4.42 The proposed development will be assessed against the guidance provided within the Design and Housing Development SPD, which supplements Policy GD1 and Policy D1.

Development on Land Affected by Contamination SPD (adopted November 2019)

- 4.43 The Development on Land Affected by Contamination SPD offers guidance and supplements Policy CL1 Contaminated and Unstable Land. It consists of the Technical Guidance prepared by the Yorkshire and Lincolnshire Pollution Advisory Group in April 2019.

Financial Contributions to Schools SPD (adopted May 2019)

- 4.44 The Financial Contributions to Schools SPD identifies when a financial contribution will be needed, how the financial contribution will be calculated, and how it will be secured. It supplements Policy I1.

Open Space Provision on New Housing Developments SPD (adopted May 2019)

- 4.45 The Open Space Provision on New Housing Developments SPD offers guidance to developers on what will be expected in terms of open space provision in order to achieve the standards set out in the Green Space Strategy and supplements Policy GS1 and I1.
- 4.46 It sets out that 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. It goes on to say that where it is impossible to make such provision on land either within or immediately adjacent to the site in a satisfactory and acceptable manner, or where the Council deem it appropriate, suitable off-site open space facilities, remote from the development land, may be acceptable either as new facilities or improvements to those existing.
- 4.47 The SPD says that a greenspace assessment will be carried out to determine what the most appropriate greenspace requirement is in line with identified local need.

Parking SPD (adopted November 2019)

- 4.48 The Parking SPD sets out the parking standards that the Council will apply to all new developments, and supplements Policy T3.

Planning Obligations SPD (adopted November 2019)

- 4.49 The Planning Obligations SPD supplements Policy I1. It lists the four SPDs that set out where the Council will seek planning contributions, including:
- Financial contributions to schools
 - Sustainable travel
 - Affordable housing
 - Open space provision on new housing developments

- 4.50 It goes on to say that where contributions are required for school places or sustainable travel, these will take precedence.

- 4.51 It also notes that contributions may be required to fund highway works, for example through Section 278 and Section 38 Agreements.

Residential Amenity and the Siting of Buildings SPD (adopted May 2019)

- 4.52 The proposed development will be assessed against the guidance provided within the Residential Amenity and the Siting of Buildings SPD, which supplements Policy D1.

Section 38 Agreements Planning Advice Note (PAN) (adopted November 2019)

- 4.53 The Section 38 Agreements PAN provides guidance on the Council's approach to Section 38 Agreements. The purpose of this document is to guide developers through the process of establishing a Section 38 Agreement (S38 Agreement) with the Council and ensure that highway works are delivered to the satisfaction of all parties. The guide outlines what developers and the Council can expect from each other.

Section 278 Agreements SPD (adopted November 2019)

- 4.54 The Section 278 Agreements SPD provides guidance on the Section 278 agreement process. This is linked to Policy T4 in respect of making sure development is carried out safely and allows a third party to deliver improvements to the existing public highway.

Sustainable Travel SPD (adopted November 2019)

- 4.55 The Sustainable Travel SPD sets out that where levels of accessibility through public transport, cycling and walking are unacceptable, the Council will expect developers to take action or make financial contributions in accordance with Policy I1. Section 4 of the document sets out the starting point for establishing when contributions are required.

4.56 The contribution is calculated using the following formula:

Number of residential units x person trip rate x £figure to be determined x reduction factor

4.57 At Appendix C the SPD identifies a person trip rate of 10 per dwelling (house) based on TRICS version 7.6.1. The use of the more recent version 7.6.3 identifies a person trip rate of 8 per dwelling (house), and it may be more appropriate to utilise this figure in the calculation of the contribution.

4.58 In this instance there would be a 25% reduction factor as per the SPD as the Site is located within the AIZ.

Trees and Hedgerows SPD (adopted May 2019)

4.59 The Trees and Hedgerow SPD supplements, and provide further guidance about Policy BIO1.

National Planning Policy Framework

4.60 The National Planning Policy Framework (NPPF) is a material consideration in planning decisions. This section of the Planning Statement identifies the relevant parts of the NPPF in the context of the proposed development.

4.61 The NPPF was published in 2019. A key element of the NPPF confirms that local planning authorities should apply the presumption in favour of sustainable development. For decision taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

4.62 The position in relation to this case is that the development plan is up-to-date and that the proposed development complies with the development plan and should be approved without delay.

4.63 Importantly, paragraph 38 of the NPPF confirms:

'Local planning authorities should approach decisions on proposed development in a positive and creative way...'

4.64 Paragraph 38 also states:

'Decision-makers at every level should seek to approve applications for sustainable development where possible.'

4.65 The NPPF provides more policies on specific themes and issues. Those considered most relevant to the proposed development include those listed below:

- Delivering a sufficient supply of homes (paragraphs 59 to 79);
- Ensuring the vitality of town centres (paragraphs 85 to 89);
- Promoting healthy and safe communities (paragraphs 91 to 101);
- Promoting sustainable transport (paragraphs 102 to 111);
- Making effective use of land (paragraphs 117 to 123);
- Achieving well-designed places (paragraphs 124 to 132); and,
- Conserving and enhancing the natural environment (paragraphs 170 to 183).

4.66 Policy in relation to planning conditions and obligations is contained at paragraphs 54 to 57, which reaffirms the position that obligations should only be applied where they are necessary to make the development acceptable in planning terms, directly related to the development and be fairly and reasonably related in scale and kind. The same considerations are applied to conditions, as well as the need to ensure they are enforceable and reasonable in all other respects.

Planning Practice Guidance

4.67 Planning Practice Guidance (PPG) supplements and provides guidance on the application of policies within the NPPF. Relevant sections of the PPG include:

- Air quality
- Design: process and tools
- Effective use of land
- Environmental Impact Assessments
- Flood Risk and Coastal Change
- Healthy and safe communities
- Housing supply and delivery
- Land affected by contamination
- Natural environment
- Town centres and retail
- Transport evidence bases in plan making and decision taking
- Travel Plans, Transport Assessments and Statements
- Viability

Other Local Guidance and Documents

4.68 Other relevant guidance and documents which will be material considerations when determining the application are:

- Strategic Housing Market Assessment Update (November 2014)
- Strategic Housing Market Assessment Addendum (March 2017)
- South Yorkshire Residential Design Guide (January 2011)
- Barnsley Borough Landscape Character Assessment (May 2002 and updated 2016)
- Review of Employment Land Policy Areas Final Report (June 2013)
- Infrastructure Delivery Plan (December 2016)
- Green Space Strategy Update (2016)
- Barnsley Biodiversity Action Plan (2009)

Strategic Housing Market Assessment Update (November 2014)

4.69 The 2014 SHMA provides evidence to help shape the future planning and housing policies of Barnsley. It confirms that market demand exceeds supply across all sub-areas and:

- There are overall shortfalls of detached and semi-detached houses and bungalows, but sufficient supply of terraced houses and flats; and,
- There are shortfalls of all property sizes.

4.70 It goes on to say that development should focus on addressing the identified shortfalls and reflect household aspirations.

4.71 In terms of affordable housing, the 2014 SHMA identifies an annual net shortfall of 295 affordable dwellings has been calculated (gross requirement of 535), and suggests a tenure split of 78.8% affordable (social) rented and 21.2% intermediate tenure.

Strategic Housing Market Assessment Addendum (March 2017)

4.72 The 2017 SHMA considered the objectively assessed housing need (OAN) for Barnsley. It concludes that the OAN is between 967 and 1,389 dwellings per annum. This range takes account of the need to deliver more affordable and market housing for an increasing number of households, takes account of long-term trends in migration and supports economic growth. It also takes into account potential changes to headship rates amongst younger households. The SHMA goes on to say that the housing requirement could be higher or lower than this but does not provide a housing requirement figure.

South Yorkshire Residential Design Guide (January 2011)

- 4.73 The South Yorkshire Residential Design Guide provides best practice guidance for residential developers and design professionals, consultants and agents.

Barnsley Borough Landscape Character Assessment (May 2002 and updated 2016)

- 4.74 The updated Landscape Character Assessment identifies landscape types and their respective landscape condition, strength of character, sensitivity and landscape capacity.
- 4.75 The Site is within the D1 Settled Arable Slopes Character Area, D1 North East Barnsley Settled Arable Slopes. Overall, the assessment identifies that the sensitivity to and capacity for, development are both judged to be medium.

Review of Employment Land Policy Areas Final Report (June 2013)

- 4.76 The application Site has never been allocated as employment land, however at the time of this report the Site was still in use and fully occupied and therefore considered within this report, which states:

The existing facility is fully utilised and given its bespoke nature, proves attractive to the current occupier. Should the facility become vacant, given the size and nature of the current site we would expect significant reclamation and contamination issues would need addressing. In general, the location is unestablished for employment space and therefore financial viability will mean higher value uses or public sector assistance would be required.

Infrastructure Delivery Plan (December 2016)

- 4.77 The Infrastructure Delivery Plan (IDP) provides details of committed and planned schemes required to ensure that infrastructure in the borough is fit for purpose and will facilitate the planned growth across the borough up to 2033.
- 4.78 The table within section 18 of the IDP identifies the need for the following borough-wide infrastructure:
- Primary and secondary school places for proposed new housing development;
 - High quality green infrastructure network that encourages active travel, improves connectivity and improves health / general well-being;
 - Leisure facilities owned by Barnsley Council; and,
 - Improvements to existing playing pitches and / or provision of new sports pitches.
- 4.79 It also identifies other infrastructure needed in local areas, albeit no Royston-specific infrastructure is identified.

Green Space Strategy Update (2016)

- 4.80 The Green Space Strategy sets the Council's overall strategy for green space and the standards of green space they want to achieve. It is supported by a separate Green Space Register which gives up to date information on the provision of green space. The Green Space Strategy and the Green Space Register informs local assessments of green space and is utilised by the Council to decide what kind of new green space developers should create, or which existing green space they should improve. Appendix 1 of this document sets out the standards for different types of green space in terms of quantity, quality and accessibility.

Barnsley Biodiversity Action Plan (2009)

- 4.81 The Biodiversity Action Plan was produced by the Barnsley Biodiversity Trust and was adopted by Barnsley Council in 2010. It is currently under review and further biodiversity 'opportunity mapping' is being undertaken at a regional and sub-regional level. The document provides guidance on how biodiversity should be considered when assessing application for planning permission.

5. PLANNING APPRAISAL

5.1 Considering the relevant planning policies and the context, the main matters for consideration are:

- Principle of development
- General development (Policy GD1)
- Contamination and remediation (ES Chapter 8)
- Highways (ES Chapter 7)
- Sustainable travel
- Design and landscaping
- Open space provision
- Ecology (ES Chapter 6)
- Air quality (ES Chapter 9)
- Noise
- Flood risk and drainage
- Utilities

Principle of Development

5.2 This section of the appraisal considers three principles, those being:

- The loss of employment land in the context of Policy E4 Protecting Existing Employment Land;
- The suitability of the Site for residential development in the context of Policy H5 Residential Development on Large Non-allocated Sites and Policy LG2 The Location of Growth; and,
- The suitability of the Site for commercial development (A1-A5 uses) in the context of Policy TC5 Small Local Shops.

Loss of Employment Land

5.3 Policy E4 seeks to retain land that was last used for employment purposes so that potential jobs are safeguarded. However, the policy does allow other uses, like residential, in some circumstances i.e. when:

- The development would not result in a significant loss of employment potential;
- There will still be an adequate supply of employment land or premises in the locality; and
- The site cannot satisfactorily support continued employment use.

- 5.4 This part of the statement considers these three circumstances in the context of the proposed development.
- 5.5 The former coke and chemical works closed in 2014. This was primarily due to the global fall in commodity prices and weak UK customer demand. The jobs on this Site were lost a long time ago when the previous owners closed the coke and chemical works and as such there is no potential to safeguard the former jobs by the current Site owners.
- 5.6 In relation to the Site's employment potential, the Council's own employment land evidence identifies the Site as being unattractive and unviable to the employment market and suggests that should the Site become available (when the report was written in 2013) the general market would not see it as an employment location¹.
- 5.7 The previous owners commissioned Knight Frank in 2017 to consider the potential development potential of the Site for employment uses. This identified a number of issues with the Site for ongoing employment uses including:
- It is remote from the motorway network;
 - It does not benefit from access from a major A-road, nor is there one in close proximity;
 - There are limitations in the directions of travel due to low bridges; and,
 - The village of Shafton, through which the majority of HGV traffic will need to travel, will be adversely affected.
- 5.8 There is therefore sufficient evidence to demonstrate that the Site is no longer be considered as a suitable employment location.
- 5.9 In addition to this, the sites now allocated for employment uses in the Local Plan perform far better than this Site. It therefore places this Site at a significant disadvantage for any future employment redevelopment.
- 5.10 Given this backdrop, this Site is not allocated for employment use in the Local Plan, so its loss as employment land would not affect the amount of land that is allocated for such use in the Local Plan.
- 5.11 Barnsley's employment land requirement is around 291ha. This includes an allowance of 30% for flexibility to provide the market with choice. The amount of new employment land allocated within the Local Plan is 297ha. Thus, the Local Plan allocates sufficient land needed for employment use.

¹ Review of Employment Policy Areas Final Report, July 2013

- 5.12 As such, it is concluded that should the Site be developed for residential use, there will still be an adequate supply of employment land and premises within the Borough and that the proposed development complies with the second circumstance of Policy E4.
- 5.13 It is further accepted in the Council's employment land evidence base that alternative employment uses would not generate the values necessary to remediate the Site effectively. This is again linked with the position that this location is not seen as an employment location in the Council's evidence base and also that other allocated employment sites perform far better than this Site for employment purposes. It is acknowledged that owing to financial viability, higher value use or public sector assistance would be required to reclaim the Site.
- 5.14 As such, the Site does not have any employment potential and cannot satisfactorily support continued employment use. In conclusion, the proposed development complies with the first and third circumstances of Policy E4.
- 5.15 It should also be noted, as set out in **Section 8**, the proposed development will support 190 temporary roles per annum during the anticipated 7-year build timeframe and 24 full-time equivalent (FTE) permanent jobs within the commercial development (A1-A5 uses). This should be compared to the very limited contribution that the Site is currently making to employment.

Residential Development

- 5.16 Policy H5 supports large residential developments on non-allocated sites, like this Site, where they:
- Are located on previously or part previously developed land;
 - Are located within Urban Barnsley, Principal Towns and Villages;
 - Are accessible by public transport; and,
 - Have good access to a range of shops and services.
- 5.17 This part of the statement considers these four criteria.
- 5.18 In terms of the first criterion, the Site is previously developed land, other than the narrow north-western strip of land which is elongated along the canal. The development parcels shown on the Illustrative Masterplan are contained entirely within the previously developed part of the Site, avoiding the north-western strip of land, and thus the proposed development complies with the first criterion of Policy H5 in that the housing is wholly located on previously developed land.
- 5.19 In terms of the second criteria, the Site is largely within the settlement boundary of the Principal Town of Royston and identified as Urban Fabric on the Proposals Map. As shown on the Illustrative Masterplan, the development parcels will be contained entirely with the settlement boundary. The small north-western strip of land is Green Belt, and outside the settlement boundary, and is to be kept free from development.

- 5.20 In terms of the third criterion, the Local Plan says that for a site to be accessible by public transport the centre of the site needs to be located within the Core Public Transport Network (CPTN) or within the CPTN buffer and mitigation provided to compensate for the degree of restriction to public transport use². The Site lies very close to the CPTN buffer, which falls just short of the railway line which runs along the western boundary of the Site³. However, the applicant will make a substantial financial contribution towards sustainable travel which will enhance the accessibility of the Site by public transport, as well as walking and cycling, in accordance with the Sustainable Travel SPD. The proposal will also provide footways and pedestrian crossings on Lund Hill Lane to improve access to nearby bus stops via the existing pedestrian facilities available. With this mitigation, it is considered that the Site will be accessible by public transport and comply with the third criteria of Policy H5.
- 5.21 In terms of the fourth criterion, residential developments will be required to have good access to a range of shops and services to reduce car use and help to create sustainable communities⁴. The Services and Facilities Plan identifies the provision within 800m (10-minute walk) of the Site which includes a dental practice, convenience store, pubs and several public greenspaces including Rabbit Ings. Since there is no national planning policy on acceptable walking distances, and indeed some people may be willing to walk further than 800m to access services and facilities, the plan also identifies facilities within 1.6km (20-minute walk), which includes schools, community facilities and places of worship. Further, the Transport Assessment identifies that most of Royston District Centre is located within a 2km walking distance from the Site.
- 5.22 In addition, the proposed development incorporates a commercial development (A1-A5 uses) that will serve the day-to-day needs of those living within the proposed development, which will be easily accessible on foot or bike from all parts of the Site. Considering both the existing services and facilities nearby as well as the proposed uses within the Site, it is concluded that the proposed development will have good access to a range of shops and services and complies with the fourth criterion of Policy H5.
- 5.23 Policy LG2 gives priority to development within areas such as Royston given that it is identified as a Principal Town. The overall housing target within Policy H1 seeks “to achieve the completion of at least 21,546 net additional homes during the period 2014 to 2033” (our emphasis). As this is a minimum figure for delivery there are no issues in exceeding this figure. Furthermore, sites which are considered windfall, such as this, can boost supply of homes and ensure that the figure is exceeded, especially when proposals are located within an area which is a priority for development.

² The CPTN is defined as core bus corridors with six or more buses per hour and the railway network. A catchment area buffer is based on a 400m walk to access bus services and an 800m walk to access a railway station.

³ Barnsley Local Plan, Transport Background Paper, Figure A5.1

⁴ It is set out in the Local Plan that the Council will assess whether a site has 'good access' by reviewing information supplied by applicants in support of their application, who will be expected to identify the number of facilities within an 800m radius of the centre of the site.

- 5.24 It is noted that Barnsley have recently prepared (April 2020) a five year 'deliverable' housing land supply report. This confirms at paragraph 4.9 that *"windfalls have historically comprised a significant element of completions in the borough"*.
- 5.25 In addition to this, the assessment sets out a supply of sites which were expected to deliver houses over the next five years and thereafter over the remainder of the plan period. One of these sites is allocation MU5 in Royston, which is allocated for 828 dwellings and is expected to deliver 268 homes over the next five years.
- 5.26 On site MU5, there has been a recent appeal (ref:APP/R4408/W/19/3242646) dismissed for various site specific reasons, including the lack of a masterplan. Given this recent dismissal and the uncertainty around the preparation and timescales for the necessary masterplan, any other sites which can continue to contribute to the overall supply of homes in Royston and Barnsley should be supported.
- 5.27 Policy H6 expects housing proposals to include a broad mix of house size, type and tenure and be informed by the latest SHMA, at a density of 40 dph. In line with this requirement the proposed development can incorporate a range of dwelling sizes (2- to 4-bed) at 40 dph albeit further detail of the mix and housing types would be provided at the reserved matters stage.
- 5.28 As permitted by Policy H7, a Viability Assessment, prepared by Stannybrook, has been submitted in support of the planning application. This identifies that in order to deliver the significant benefits of remediating the Site, the costs are so significant that above and beyond the contributions towards education and sustainable travel, the Site cannot support affordable housing.

Commercial Development (A1-A5 Uses)

- 5.29 The proposed development incorporates up to 400sqm of commercial development (A1-A5 uses), which should be considered in the context of Policy TC5. This is a permissive policy which encourages small shops that meet the daily shopping needs of a local community. Indeed, in the Council's pre-application response, they have suggested that small shop(s) be provided on the Site.
- 5.30 The policy says that small shops will be permitted where:
- The shops are of a type and in a place that would meet daily shopping needs and this need is not already met by existing shops; and,
 - The shops are located and designed to encourage trips by pedestrians and cyclists and would not encourage car trips.
- 5.31 These two points are considered in this section of the appraisal.
- 5.32 Given the position of the application Site and the existing shops in Royston it is considered appropriate to incorporate facilities within the development to serve the daily shopping needs of the new residents. The facilities will be small-scale in nature, up to just 400 sqm gross in total in

order to provide sufficient flexibility in terms of its scale to be delivered as part of any reserved matters planning application.

- 5.33 Its turnover will be generated largely by the new residents and given its small-scale nature it is highly unlikely to encourage car trips from further afield. The facilities will be within 800m of all parts of the new residential development and will be accessible on foot and bicycle to those living within the development. Furthermore, the linkages and routes through the Site towards the facilities have been considered to encourage pedestrian and cyclist movements. It is therefore concluded that the proposed facilities comply with Policy TC5.
- 5.34 Since the Site is out-of-centre in retail policy terms a sequential assessment is required to demonstrate that there are no other sites closer to Royston District Centre that are suitable and available for the type of facilities that are proposed within the application Site. As such, a sequential assessment has been prepared and is provided at **Appendix 1**. In short, the proposed facilities are required within the application Site to serve the day-to-day needs of those living within the development. There are no other locations outside the application Site that are suitable and available for this purpose. The sequential assessment demonstrates that the proposed commercial development (A1-A5 uses) addresses the sequential approach to development.

General Development

- 5.35 Policy GD1 General Development is the starting point for making decisions on all proposals and says that proposals will be approved if certain criteria are met. The table below lists each of these criteria and provides a response.

Criteria	Response
There will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.	Existing residents are located some way away, beyond the coal yard to the north and on the opposite side to Lund Hill Lane to the south of the Site. The CEMP, prepared by LK Group, provides details on how noise will be kept to a minimum during the construction phase so effects on residential amenity do not arise. During the operational phase, given the location of existing residents it is not considered that there will be any noise effects. In terms of future residents within the proposed development, the Noise Assessment Report, prepared by Wardell Armstrong, explains that

	they will not be exposed to unacceptably high noise levels, and the proposed development will meet the appropriate external and internal noise standards, with the use of mitigation where appropriate.
They are compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land.	The Site is bounded by Lund Hill Lane to the east and south, from which the Site will be accessed utilising existing access points. These junctions will continue to operate safely once the development is completed. To the north there are a number of residential dwellings. These are compatible uses to the residential dwellings proposed. A small industrial estate lies to the east off Lund Hill Lane. It is not expected that the proposed development will conflict with the operation of this estate. Rabbit Ings Country Park wraps around the industrial estate and abuts Lund Hill Lane. This is considered a complimentary use to the proposed development which will benefit the new residents by providing access to open space. There are no future uses planned nearby which would be prejudiced by the proposed development.
They will not adversely affect the potential development of a wider area of land which could otherwise be available for development and safeguards access to adjacent land.	The proposed development does not impact on the development of land elsewhere. The Site is a self-contained parcel of land and has self-contained access off Lund Hill Lane.
They include landscaping to provide a high quality setting for buildings, incorporating existing landscape features and ensuring that plant species and the way they are planted, hard surfaces, boundary	From a landscape and visual perspective, the LVIA submitted in support of this application identifies notable beneficial effects on landscape character and features as a result of the proposed development, which would be confined

treatments and other features appropriately reflect, protect and improve the character of the local landscape.	to surrounding local areas. Visual effects would be very limited due to the containment of the Site provided by existing vegetation and proposed mitigation planting. The proposals would relate well to the surrounding landscape context. The proposal is also seeking to deliver a net gain in biodiversity.
Any adverse impact on the environment, natural resources, waste and pollution is minimized and mitigated.	The application is supported by an ES which considers ground conditions, air quality, ecology and highways and finds that with effective and suitable mitigation all effects will be 'not significant / insignificant'.
Adequate access and internal road layouts are provided to allow the complete development of the entire site for residential purposes, and to provide appropriate vehicular and pedestrian links throughout the site and into adjacent areas.	Refer to Design and Access Statement submitted in support of the application.
Any drains, culverts and other surface water bodies that may cross the site are considered.	There is a raw water main crossing the north-western strip of land which is understood to run from the adjacent sewerage works and discharge into Barnsley Canal. Given that this area of the Site is to remain completely free from development it will not be affected by the development.
Appropriate landscaped boundaries are provided where sites are adjacent to open countryside.	Where practical all boundary trees will be retained, whether or not the boundary adjoins the open countryside. This is identified within the LVIA, but will be detailed in due course as part of any reserved matters planning application
Any pylons are considered in the layout.	There are no pylons crossing the Site or affected by the proposed development.
Existing trees that are to remain on site are considered in the layout in order to avoid overshadowing.	The development parcels are sufficiently distanced from retained trees for overshadowing not to be an issue.

Contamination and Remediation

5.36 The Site has a long and varied history with a legacy of contamination from the former coking works which is known to have impacted on land quality. Results of chemical testing of the soil indicate the presence of elevated levels of potentially hazardous substances, which is not unexpected given its former use. These are summarised in the table below along with potential receptors as explained further in the ES (Chapter 8) and identified below.

Area	Linkage	Contaminant	Source	Pathway(s)	Receptor
Main Site	SPL1	PAH, Metal and Asbestos Contamination within Made Ground	Shallow soils	Dermal Absorption, Ingestion, Consumption of produce, Inhalation of dusts	Future site users Construction workers
	SPL2	Silica Bricks	Stockpiled on site	Ingestion, Consumption of produce, Inhalation of dusts	Future site users Construction workers
	SPL3	Hydrocarbon and Tar / Oil Contamination	Shallow soils	Uptake by plants	Flora and fauna
	SPL4	Hydrocarbon and Tar / Oil Contamination	Shallow Soils	Dermal Absorption, Ingestion, Consumption of produce, Inhalation of dusts, Inhalation of Vapours	Future site users Construction workers
	SPL5	Hydrocarbon and Tar / Oil Contamination	Groundwater	Inhalation of Vapours	Future site users Construction Workers Employees working on land adjacent to site
	SPL6	Hydrocarbon and Tar / Oil Contamination	Soil	Migration via unsaturated and saturated zones	Local Streams

	SPL7	Hydrocarbon and Tar / Oil Contamination	Groundwater	Migration via saturated zone	Local Streams and underlying aquifer
	SPL8	PAH, Hydrocarbon and Tar / Oil Contamination	Soil	Direct Contact	Foundations & services, including water pipes
	SPL9	Combustible Soils	Soil	Direct Contact Instability in event of combustion	Future site users
	SPL10	Ground Gas	Shallow Soil	Accumulation of vapours and gases	Future site users Off site land users

5.37 Policy CL1 Contaminated and Unstable Land requires proposals where occupiers of a development would be affected by contamination or stability issues, or where contamination may present a risk to the water environment, to be supported by investigations and measures to allow the development to go ahead safely.

5.38 The ES (Chapter 8) identifies the potential impacts during the demolition, construction and completed phases of the development. It is supported by an Options Appraisal and Remediation Strategy, prepared by GOE2. Ultimately, these documents find that the planned redevelopment, including the proposed remediation of the soil and groundwater presents an enhancement of the current situation.

5.39 This includes:

- The remediation of soil and groundwater contamination (where deemed to be necessary) which will have a direct, long term major beneficial significance impact to human health at the Site.
- The remediation of soil and groundwater contamination (where determined to be necessary), which will have a direct, long-term major beneficial impact significance impact to surface waters (River Aire).
- The implementation of gas protection systems which will have a direct, long term major beneficial impact to human health at the Site.
- Coal shafts will be avoided during the detailed master-planning at the reserved matters stage to ensure no significant risk is presented. As such any risk here will be mitigated by design and no effect would arise.

-
- 5.40 A remediation strategy will be adopted that will comprise of appropriate protocols for the identification and management of unforeseen contamination.
- 5.41 The proposal will raise the land, by approximately 2m on average across the Site. This will create a break in the identified pathway from the source contaminants within the surface soils to the receptor (end users).
- 5.42 The remediation of the contaminated soils and (where practicable) groundwater that will be carried out as part of the development, will ensure that the end users are not at risk from contamination within the ground and groundwater by occupying the Site, this would be a major beneficial impact.
- 5.43 The remediation of the contaminated soils and (where practicable) groundwater will reduce detrimental impact on local surface water receptors and the underlying aquifer.
- 5.44 The development buildings will be installed with ground gas and vapour protection measures where it has been determined to be required. These are to be maintained during the completed development.
- 5.45 It is proposed as part of the remediation strategy that any future user will have restriction of extending dwellings / building over ground as part of the deeds to ensure appropriate ground gas protection is installed / maintained.
- 5.46 All material, whether it is imported or 'site won', will be validated to ensure its suitability prior to reuse. This will ensure that no contaminants are present at levels which will result in further contamination to the groundwater and surface water receptors and that no contaminants are present at levels which will result in further contamination to the human health.
- 5.47 A validation plan for the remediation works at the Site will be produced and followed to ensure the Site is validated and verified at the end of the development works.
- 5.48 The implementation of the remediation and adherence to the mitigation measures set out in the ES (Chapter 6) and validation plan will allow the development to go ahead safely and bring major beneficial impacts to both the Site and the local environment.

Highways

- 5.49 Policy T4 New Development and Transport Safety expects new development to have safe, secure and convenient access and movement. Access is proposed via the existing Site entrance off Lund Hill Lane, opposite the pedestrian entrance to Rabbit Ings County Park, and at the southern end of the Site via an existing industrial entrance. The northernmost entrance would serve as the main access to the Site. The ES (Chapter 7) and supporting Transport Assessment finds that the development accesses onto Lund Hill Lane, with the necessary design and crossings, will provide safe means of access to and from the development.

- 5.50 Policy T4 goes on to say that if a development would create or add to problems of safety or efficiency the Council expect developers to take mitigating action or to make a financial contribution to make sure the necessary improvements go ahead. The ES (Chapter 7) and supporting Transport Assessment identifies those locations where highways capacity enhancements are required within the locality. These enhancements would be required even if the proposed development does not go ahead owing to background traffic growth.

Sustainable Travel

- 5.51 Policy T3 New Development and Sustainable Travel says that development will be expected to be located and designed to reduce the need to travel. The need to travel is affected by the ease of access to services and facilities by sustainable modes of travel (walking, cycling and public transport). To reduce the need for new residents to travel by car, the proposed development will incorporate formal and informal open spaces and up to 400 sqm of commercial development (A1-A5 uses) to serve the day-to-day needs of the new residents, which will be within walking/cycling distance of all parts of the Site.
- 5.52 Policy T3 goes on to say that, where levels of accessibility are unacceptable developers are expected to make financial contributions in accordance with Policy I1. In addition to the aforementioned facilities that will be provided on Site, the applicant will also make a substantial financial contribution towards sustainable travel, in accordance with the formula set out in the Sustainable Travel SPD, which will be utilised to assist in enhancing the accessibility of the Site by public transport, walking and cycling.
- 5.53 The ES (Chapter 7) and supporting Transport Assessment and Travel Plan, prepared by Met Engineers Ltd, set out the sustainable travel needs of the proposed development. Further discussions with the local planning authority will assist in identifying the most suitable ways in which the financial contribution could be utilised to improve and enhance the accessibility of the Site by public transport, walking and cycling. In addition, enhancements to the walking route between the Site and Royston are proposed along Lund Hill Lane.

Open Space Provision

- 5.54 Policy GS1 Green Spaces requires the proposed development to contribute toward open space provision. The Open Space Provision on New Housing Developments SPD set out that a minimum of 15% of the gross site area of new housing development must be open space.
- 5.55 The proposed development incorporates substantial open space in the form of:
- Formal open space
 - A MUGA within the southern part of the Site
 - Designated play area within the centre of the Site
 - Informal open space (amenity green space)

- 5.56 In total the formal and informal open space accounts for 2.8ha, which is 17% of the gross site area. The quantum of open space is therefore more than the SPD minimum requirement. Furthermore, the natural and semi-natural areas that are retained alongside the canal, in the southern part of the Site, and around the edges of the Site provided an additional 2.12ha of green space though these are not included within the above open space calculation.
- 5.57 Policy GS1 and the SPD require an assessment of local need to determine the most appropriate type of formal open space that should be provided on the Site⁵. Pegasus Group have carried out an open space assessment, which is provided at **Appendix 2**. It identifies that overall Royston has good provision of playing pitches and equipped/designated play areas based on the overall population of Royston, but a quantitative deficiency in MUGAs and skateparks. In direct response to this identified local need the proposed development incorporates a MUGA on the southern part of the Site.
- 5.58 In conclusion, the open space proposed within the proposed development fully accords with the requirements of Policy GS1 and the Open Space Provision on New Housing Developments SPD. Furthermore, the network of open spaces within the Site incorporate ponds which will act as SUDS and will assist in the delivery of biodiversity net gain.

Design and Landscaping

- 5.59 In response to the requirement of Policy LC1 Landscape Character an LVIA has been submitted. The LVIA considers the Site in the context of the wider Landscape Character Area within which it is located, as well as green infrastructure assets and key views and vistas. The LVIA identifies notable beneficial effects on landscape character and features as a result of the proposed development, confined to surrounding local areas. Visual effects would be very limited due to the containment of the Site provided by existing vegetation and proposed mitigation planting. The proposals would relate well to the surrounding landscape context.
- 5.60 The Design and Access Statement considers the layout and design of the proposed development. These documents should be referred to in the context of Policy D1 High Quality Design and Place Making and LC1 Landscape Character. In short, it is considered that the LVIA and Design and Access Statement demonstrate compliance with these policies, as well as the South Yorkshire Residential Design Guide.
- 5.61 There are no Category A trees within the Site and as guided by the Trees and Hedgerow SPD most Category B trees will be retained and incorporated into the proposed development. Where required, Category C/U trees will be removed although there will be no unnecessary removal of trees. An Arboricultural Impact Assessment and Method Statement, prepared by Weddle Landscape Design, has been submitted in support of the application. It finds that the majority of trees to be removed

⁵ E.g. Playing Pitches, Equipped / Designated Play Areas (LAP, LEAP, NEAP) and Other Outdoor Provision (MUGA and skateparks) (Fields in Trust definitions)

are unsuitable for retention or low quality. These removals are unavoidable to allow the Site to be remediated. The impacts of the tree removals can be mitigated by the planting of a significant number of trees within the residential and public open space areas and the provision of a long term woodland management plan for retained trees and new planting.

Ecology

- 5.62 Policy BIO1 Biodiversity and Geodiversity expects development to follow the national hierarchy (avoid, mitigate, compensate) which is used to evaluate the impacts of a development on biodiversity interest. In response to this requirement, the proposed development adopts a hierarchy whereby ecological impacts have firstly been avoided through the retention of habitats where possible. The development is largely restricted to areas which have an industrial history with most of the development taking place on the bare ground associated with the former coke and chemical works. Where habitat losses outside of these areas cannot be avoided, mitigation is proposed including the creation of new habitats. This mitigation will reduce any potential ecological effects of the proposed development to an acceptable level. Details of the mitigation are provided in the ES (Chapter 6).
- 5.63 Whilst Policy BIO1 does not require developments to provide a specific percentage of biodiversity gain, it does say that biodiversity opportunities should be maximised, and enhancements are encouraged. In this regard the Site will benefit significantly through the retention of habitats on the Site and the creation of new habitats and achieved a minimum 10% increase in biodiversity net gain across the Site. In conclusion the proposed development maximises and enhances biodiversity in line with the requirements of Policy BIO1.

Air Quality

- 5.64 Policy POLL1 Pollution Control and Protection expects development to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people. Where appropriate, developers will be expected to minimise the effects of any possible pollution and provide mitigation measures.
- 5.65 The ES (Chapter 9) considers the effects on air quality during the construction and operational phases of the development. It finds that post-remediation and with effective mitigation in place dust, emissions, and odour will not have a significant effect on air quality. It is also identified that during the operation phase, road traffic emissions will not have a significant effect on air quality.
- 5.66 The above demonstrates that the proposed development can comply with the requirements of Policy POLL1.

Noise

- 5.67 POLL1 also expects development to demonstrate that it is not likely to result, directly or indirectly, in an increase in noise which would unacceptably affect or cause a nuisance to people.

- 5.68 In terms of existing residents, the CEMP, prepared by LK Group, provides details on how noise will be kept to a minimum during the construction phase. During the operational phase, given that the nearest existing residents to the Site are located away from the development parcels, it is not considered that there will be any noise effects.
- 5.69 In terms of new residents within the proposed development, the Noise Assessment Report, prepared by Wardell Armstrong, says that they will not be exposed to unacceptably high noise levels, and the proposed development will meet the appropriate external and internal noise standards, with the use of mitigation where appropriate.
- 5.70 The above demonstrates that the proposed development can comply with the requirements of Policy GD1 and Policy POLL1.

Flood Risk and Drainage

- 5.71 Policy CC3 requires a Flood Risk Assessment for proposals in Flood Zone 1 for Sites over 1ha. As such, a Flood Risk Assessment and Drainage Strategy, prepared by Met Engineers has been prepared in support of the application. The policy also sets a number of other criteria for how development should reduce the extent and impact from flooding. The Flood Risk Assessment and Drainage Strategy demonstrates that:
- The new development would not be at an unacceptable risk of flooding from any sources of flooding, or give rise to flooding elsewhere;
 - The proposed development will make a positive contribution to reducing or managing flood risk; and,
 - The proposed development can reduce surface water run-off by the required amount.
- 5.72 The above demonstrates that the proposed development can comply with the requirements of Policy CC3.

Utilities

- 5.73 Policy UT2 Utilities Safeguarding protects services and utilities from development that will affect them. There are no significant utility restrictions that would prevent the construction of the proposed development. Whilst we are aware that there is a raw water main that crosses the north-western strip of land which is understood to run from the adjacent sewerage works and discharge into Barnsley Canal, given that this area of the Site is to remain completely free from development it will not be effected by the development.
- 5.74 A Utilities Report is provided with the application and the accompanying utilities searches have identified that there are gas, electricity, telephone and drainage available either within or immediately adjacent to the Site on Lund Hill Lane which can support the development. There is no other evidence to suggest that the proposed development will not be in accordance with Policy UT2.

Conclusion

5.75 As already highlighted, Section 38(6) of the Planning and Compulsory Purchase Act 2004 confirms:

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

5.76 The adopted development plan is up-to-date and as demonstrated within this section, the proposed development complies entirely with the relevant adopted development plan policies.

5.77 The NPPF is a material consideration in planning decisions. A key element of the NPPF confirms that local planning authorities should apply the presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with an up-to-date development plan without delay. The position in relation to this case is that the development plan is up-to-date and that the proposed development complies with it and should be approved.

6. AFFORDABLE HOUSING STATEMENT

6.1 Local Plan Policy H7 sets the affordable housing requirement for Royston. For housing developments of 15 or more dwellings it seeks 10% to be affordable. It goes on to say that *"these percentages will be sought unless it can be demonstrated through a viability assessment that the required figure would render the scheme unviable."*

6.2 A Viability Assessment has been prepared by Stannybrook and is submitted in support of this planning application. As per the NPPF and RICS guidance, the Viability Assessment adopts the prescribed approach to the standardised inputs and will be allowing for benchmark land value as a cost of the development. This enables an assessment of the developer's profit margin, based on the following formula.

$$GROSS\ DEVELOPMENT\ VALUE\ less\ COSTS\ less\ BENCHMARK\ LAND\ VALUE = PROFIT$$

6.3 There are a number of SPDs that set out where the Council will seek planning contributions. These are:

- Financial contributions for school places
- Sustainable travel
- Affordable housing
- Open space provision on new housing developments

1.4 The SPD on contributions confirms at para 4.2 that *"where contributions are required for school places or sustainable travel, these will take precedence"*.

6.4 As permitted by Policy H7, the Viability Assessment identifies that in order to deliver the significant benefits of remediating the Site, the costs are so significant that above and beyond the contributions towards education and sustainable travel, the Site cannot support affordable housing.

6.5 In this instance, no on-site affordable housing is proposed and Monckton Developments Limited is unable to make a financial contribution towards off-site provision.

7. DRAFT HEADS OF TERMS

- 7.1 The pre-application feedback requested that the planning application was supported by a draft heads of terms, which are set out below.
- 7.2 The agreement will be between parties:
- Barnsley Metropolitan Borough Council; and
 - Monckton Developments Limited.

Development

- 7.3 Hybrid planning application seeking full planning permission for remediation and means of access, along with outline planning permission (with all matters reserved except access) for redevelopment of the Site to include up to 500 residential units (C3), up to 400 sqm for A1-A5 use, along with ancillary parking, amenity, and all other associated public, semi public and private realm, soft/hard landscaping, infrastructure and highways works, access and a new internal road network connecting with the existing road network.

Obligations

- 7.4 In order to comply with the requirements of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended), each obligation will need to be justified as 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.

Affordable Housing

- 7.5 As noted in **Section 7**, no affordable housing is proposed, based on a Viability Assessment prepared by Stannybrook.

Education

- 7.6 Education provision to assist with the funding of additional school places needed to accommodate the proposed development in accordance with the Financial Contributions to Schools SPD is covered below.
- 7.7 When assessing the need for a contribution the Council will consider:
- How many pupils a development will generate; and
 - The available spaces at schools in the school planning area within which the development is located; and
 - The condition of schools in the school planning area within which the development is located, in particular whether any work is required to ensure the school is fit for purpose and can be considered to be "appropriate" infrastructure in line with Policy I1.

7.8 The number of pupils a development will bring is calculated as follows:

- Primary school pupils - 21 pupils per 100 homes
- Secondary school pupils - 15 pupils per 100 homes

7.9 Where school places are required, the current SPD identifies a contribution of £16,000 for each primary and each secondary school place.

7.10 Based on the current details and the feedback from the education authority at the pre-application meeting stage, the education contribution would be £2.88m, but this would be revisited at the reserved matters stage to consider the available places at schools and once the final number of dwellings has been established.

Sustainable Transport

7.11 Sustainable travel contribution will enhance the accessibility of the Site by public transport, walking and cycling in accordance with the Sustainable Travel SPD.

7.12 The contribution is calculated using the following formula:

Number of residential units x person trip rate x £ figure to be determined x reduction factor

7.13 Appendix C of the SPD identifies a person trip rate of 10 per dwelling (house) based on TRICS version 7.6.1. The use of the more recent version 7.6.3 identifies a person trip rate of 8 per dwelling (house), and it may be more appropriate to utilise this figure in the calculation of the contribution.

7.14 In this instance there would be a 25% reduction factor as per the SPD as the Site is located within the AIZ.

7.15 Based on the current details the sustainable travel contribution would be £375,000, but this would be revisited at the reserved matters stage once the final number of dwellings has been established.

Travel Plans

7.16 A Travel Plan Framework has been submitted. Any necessary targets will be captured by the s106 agreement. No part of the residential development shall be occupied prior to the implementation of the Travel Plan (document to be agreed with Barnsley Council).

8. BENEFITS OF THE PROPOSED DEVELOPMENT

8.1 The benefits of the proposed development effect the three dimensions to sustainable development. As highlighted by Policy SD1 and paragraph 8 of the NPPF, these dimensions give rise to the need for the planning system to achieve a number of objectives:

- an economic objective – to help build a strong economy by ensuring that sufficient land of the right type is available at the right time in the right place;
- a social objective – to support communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations;
- an environmental objective – to protect and enhance our environment including making effective use of land.

Environmental

8.2 In its current state this contaminated Site is of limited environmental value. That said, there will be a moderate environmental impact because of the proposed development. There will be the loss of trees, albeit all trees that are to be removed are low category. There will also be the removal of some habitat where this cannot be avoided, although most of the development will take place on bare/previously developed ground. It is considered that these impacts are moderate at worst.

8.3 This moderate impact should be weighed against the substantial environmental benefits, including:

- Remediation of a contaminated brownfield Site which would otherwise be unviable without the proposed development coming forward;
- Formal open space provision which responds to the identified local need for a MUGA, as well as a designated play area;
- Ecological enhancement and biodiversity net gain at a minimum of 10%;

8.4 Overall, the environmental benefits are significant and far outweigh any moderate environmental impacts.

Social

8.5 The main social benefit is the provision of up to 500 market homes in a part of the borough where there has been a lack of new homes in recent years. The type of homes that will be provided will help address the identified shortfalls in market housing and reflect household aspirations, as identified in the Strategic Housing Market Assessment Update (November 2014).

8.6 The majority of the social benefits are predicted to occur locally and regionally. Key benefits in this category relate to employment; skills and training; apprenticeships; but also health and well-being and economic benefits. In relation to direct and indirect construction-related employment, the

scheme could support around **190 temporary roles per annum** on-site and in the wider economy during the anticipated 7-year build timeframe.

- 8.7 The proposed development will support an estimated **24 gross full-time equivalent (FTE) jobs** on-site once the commercial development (A1-A5 uses) is built.
- 8.8 There are also wider social benefits associated with the provision of a new MUGA, provision of open space to promote health and wellbeing. There is also the inclusion of commercial development (A1-A5 uses) within the Site which further supports social inclusiveness with additional commercial facilities on the Site.

Economic

- 8.9 Following the closure of the coke and chemical works in December 2014, the economic output of the Site has been largely nil. For the past five and a half years the Site has lain largely vacant and has made very little economic contribution to the borough. However, whilst the Site is no longer considered suitable for employment use⁶, its development for an alternative use would result in the loss of a vacant, former employment site. This is a moderate economic impact of the proposed development.
- 8.10 This moderate impact should be weighed against the significant benefits of the proposed development, including:
- Contribution of construction phase to economic output: The proposed development could generate an additional **£11million** per annum of gross value added (GVA) to the regional economy 7-year build timeframe.
 - Household spend: Once fully built and occupied, the new households (up to 500) are estimated to generate expenditure of around **£13.8million** per annum. It is reasonable to assume that a good proportion of this spend will be retained in the region and indeed in Royston.
 - Increased Council Tax income: The construction of the new homes could generate around **£0.9million** per annum in additional Council Tax revenue.
 - First occupation expenditure: Research suggests that the average homeowner spends approximately £5,000 to make their house 'feel like home' within 18 months of moving in⁷. This includes money spent on things like furnishing and decorating – which generates economic benefits for the local economy in terms of direct and induced job creation. Applying the average one-off spend of £5,000 to the 500 proposed new dwellings they could generate approximately **£2.5million** in first occupation expenditure.

⁶ As set out earlier in this Planning Statement

⁷ https://www.hbf.co.uk/documents/7876/The_Economic_Footprint_of_UK_House_Building_July_2018LR.pdf

- Contribution to economic output: The on-site jobs supported by the A1-A5 floorspace are estimated to generate around **£0.9million** of GVA per annum. Over a ten-year period, the GVA contribution is estimated at £8million (present value).

8.11 As part of the economic contributions provided by the development, the scheme will also provide the following:

- Education – £2.88m
- Sustainable Travel – £375,000

8.12 Overall, the economic benefits are significant and far outweigh any moderate economic impact arising from the loss of a vacant, former employment site.

Conclusion

8.13 There are clearly significant environmental, social and economic benefits associated with the redevelopment of the Site. The environmental benefits, certainly the benefits associated with the remediation of the Site, can only be delivered with a viable redevelopment as proposed.

9. CONCLUSIONS

- 9.1 This planning application is made on behalf of Monckton Developments Limited which is a joint venture between two families, who operate and own long established and well-respected Yorkshire companies, between which there are obvious synergies that place them in an ideal position to be able to jointly re-develop historically contaminated land and brownfield sites.
- 9.2 The Site is a 16.4ha parcel of land which was formerly used as the Monckton Coke and Chemical works, which closed in December 2014. Since its closure, the former structures associated with the operation of the coke and chemical plant have been largely demolished. It is located to the eastern edge of Royston, but within the Urban Fabric of the settlement.
- 9.3 The description of development is:
- Hybrid planning application seeking full planning permission for remediation and means of access, along with outline planning permission (with all matters reserved except access) for redevelopment of the site to include up to 500 residential units (C3), up to 400 sqm for A1-A5 use, along with ancillary parking, amenity, and all other associated public, semi public and private realm, soft/hard landscaping, infrastructure and highways works, access and a new internal road network connecting with the existing road network.*
- 9.4 The principle of development is entirely supported by the Site's location with the Urban Fabric of the settlement. It has been further demonstrated that any jobs on the Site were lost a significant time ago when the previous owners closed the Site and that the Site is not attractive for ongoing employment uses given its location. This is further undermined by employment allocations in the adopted Local Plan which are significantly more attractive than this Site for occupiers.
- 9.5 This statement, the ES and other supporting documents have comprehensively demonstrated that the proposals are acceptable and in accordance with adopted planning policy, supporting policies and the SPDs.
- 9.6 The remediation of a contaminated Site should be afforded significant weight in the determination of this planning application as this is a significant benefit of the proposal. The identified economic and social benefits of the scheme also weight positively in its favour are benefits of the redevelopment of the Site as proposed.
- 9.7 Given the presumption in favour of development permission should be granted for the proposed development without delay.
- 9.8 The approval of this planning application will secure the remediation and redevelopment of a brownfield site and deliver much needed housing within the next 5 years of the plan period, to address shortfalls, and support the Local Plan, which is heavily reliant on allocations in the next few years which are yet to be masterplanned.

APPENDIX 1 – SEQUENTIAL ASSESSMENT

Introduction

The proposed development includes up to 400sqm of commercial development (A1-A5 uses). The primary purpose of these facilities is to provide for the day-to-day needs of those living with the proposed development. The facilities are out-of-centre in retail terms and as such the sequential test as set out in national and local policy applies.

Paragraph 86 of the NPPF requires proposals for main town centre uses to demonstrate accordance with the sequential test where they are located in an out-of-centre location and are not in accordance with an up-to-date plan (i.e. not allocated for such uses). In applying the sequential test, paragraph 86 confirms that main town centre uses should be located in town centres then in edge of centre locations, and only if suitable sites are not available (or not expected to become available within a reasonable period) should out of centre locations be considered.

PPG provides guidance relating to the application of the sequential test highlighting the need for any assessments to be proportionate and appropriate to the proposed development and reiterating the need to demonstrate flexibility in the format and scale of the proposed development.

Policy TC1 of the Barnsley Local Plan refers to the sequential approach as set out in the NPPF.

This section considers the proposed development against the requirements of the sequential test. The following issues are considered in turn:

- Relevant Decisions and Case Law;
- Methodology;
- Site Assessment; and,
- Conclusions.

Relevant Decisions and Case Law

Relevant decisions and case law in the application of the sequential test are:

- Supreme Court's decision in March 2012 in *Tesco Stores Ltd v Dundee City Council*⁸ (the 'Dundee decision');
- Appeal decision for an extension to an existing Sainsbury's store in Crawley⁹ (the 'Crawley decision');
- High Court Decision involving *Zurich Assurance Ltd (Threadneedle Property Investments) v North Lincolnshire Council and Simons Developments Ltd* in relation to the redevelopment of

⁸ [2012] UKSC 13

⁹ APP/Q3820/A/11/2158410/NWF

a Garden Centre site for a retail park, including an M&S store in Scunthorpe¹⁰ (the 'Scunthorpe decision');

- Secretary of State called-in decision at Rushden Lakes, Northamptonshire for a retail and leisure park development¹¹ (the 'Rushden Lakes decision');
- Secretary of State called-in appeal decision at Broomhills Industrial Estate, Braintree for a Sainsbury's supermarket¹² (the 'Braintree decision');
- High Court decision involving Aldergate Properties Ltd v Mansfield District Council and Regal Sherwood Oaks Ltd in relation to the development of a foodstore in Mansfield¹³ (the 'Mansfield decision');
- Secretary of State called-in decision in respect of an application for a designer outlet centre at Scotch Corner, North Yorkshire¹⁴ (the 'Scotch Corner decision');
- Secretary of State called-in appeal decision at Tollgate Village, Stanway for a mixed-use development comprising leisure and retail uses¹⁵ (the 'Tollgate decision'); and
- Secretary of State called-in decision at The Mall, Cribbs Causeway, South Gloucestershire for a mixed-use development comprising retail, food and drink, leisure, hotel and residential uses¹⁶ (the 'Cribbs Causeway decision');
- Appeal decision for an extension to an existing retail park at Leamington Shopping Park, Leamington Spa¹⁷ (the 'Leamington Spa decision'); and,
- Secretary of State called-in decision at land at Earl Road, Handforth Dean, Cheshire for a mixed-use retail-led out-of-centre retail park development¹⁸ (the 'Handforth Dean decision');
- and,
- Appeal decision for A1, A3 and A5 units at Ashcombe Road/Barnes Way, Kingswood, Hull¹⁹ (the 'Kingswood decision').

Taking these decisions into account, the matter of "suitability" and "flexibility" is primarily a matter of planning judgement for the local planning authority that should be considered in the context of the relevant circumstances relating to the application Site and the development proposal.

In respect of the specific point on the need to consider disaggregation, the identified decisions clearly highlight that in determining whether this is required it is important that careful consideration is given to the specific circumstance of the Site and development proposal. However, what is clear is that there is no

¹⁰ [2012] EWHC 3708 (Admin)

¹¹ APP/G2815/V/12/2190175

¹² APP/Z1510/A/14/2219101

¹³ [2016] EWHC 1670 (Admin)

¹⁴ APP/V2723/V/15/3132873 and APP/V2723/V/16/3143678

¹⁵ APP/A1530/W/16/3147039

¹⁶ APP/P0119/V/17/3170627

¹⁷ APP/T3725/W/18/3204311

¹⁸ APP/R0660/V/17/3179610, APP/R0660/V/17/3179605 and APP/R0660/V/17/3179609

¹⁹ APP/V2004/W/17/3171115

policy requirement to consider the disaggregation of schemes within the NPPF or PPG and this should only be considered where there are specific circumstances which require it.

In terms of “availability”, whether a site can be considered to be available, or available within a reasonable period, is a matter of planning judgement based upon the specifics of the proposed development and the complexities of the scheme.

Methodology

This section sets out the methodology and approach used in the application of the sequential test for the proposed facilities having regard to the requirements of the NPPF and Policy TC1, and the relevant case law and decisions. The following matters are considered in turn:

- Locational Requirements;
- Area of Search;
- Identification of Sites; and,
- Availability.

Locational Requirements

In this instance the locational requirement of the proposed facilities is largely driven by the demand for commercial development (A1-A5 uses) arising for the development of up to 500 dwellings at the Site. Indeed, it is notable that Policy TC5 of the Local Plan encourages small-scale shops within new residential developments such as this.

It is considered that the proposed facilities are required within the application Site if they are to serve the day-to-day needs of those living within the new residential development. It is also considered that the route between the application Site and facilities should be of a high quality so as not to dissuade walking and cycling between the Site and the facilities.

Area of Search

The proposed commercial development (A1-A5 uses) is required within the application Site if it is to best serve the daily shopping needs of the new residents, however, for robustness we have considered Royston District Centre in the search for alternative sites. The sequential assessment also considers sites within 300m of Royston District Centre boundary., and those sites that are more than 300m from the boundary if they are accessible to the centre.

As extract from the Policies Map is provided at **Figure 1**, showing Royston District Centre. Royston is a linear district centre largely elongated along Midland Road, with the Co-op on the other side of the B6132 on High Street. The boundary (light blue) is drawn tightly around the units on Midland Road, High Street and the B6132. Most units within the centre are shown as being within the primary shopping area (dark blue) and having either a primary or secondary shopping frontage (orange and yellow).

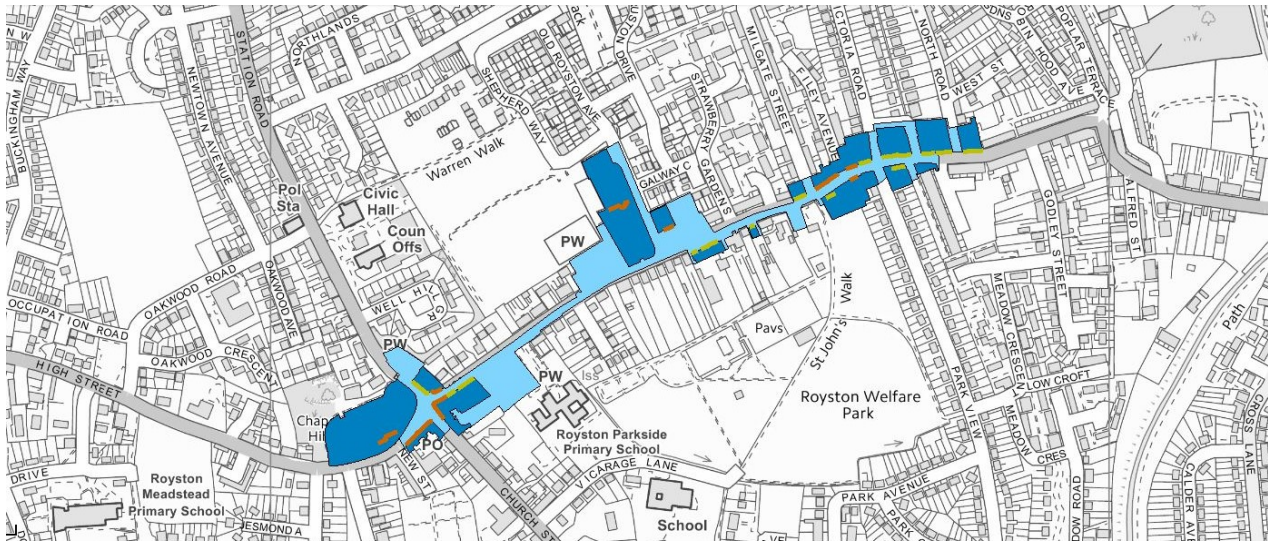


Figure 1: Royston District Centre (extract from Policies Map, adopted January 2019)

There are other defined centres within the wider area however these are a significant distance from the application Site and would clearly serve a very different market than the small-scale commercial development proposed, so have not been included in the area of search.

Identification of Sites

Sites requiring further consideration have been identified through map-based searches, a review of the Barnsley Local Plan and Policies Map and the Barnsley Brownfield Land Register.

Availability

Consideration of whether a site is available will be on a site-by-site basis taking account of whether it is in active use, whether it is being actively marketed and whether planning permission exists on the site for alternative uses.

Consideration of whether a site is available within a reasonable period, will again be on a site-by-site basis having regard to the fact that the application Site will be available for development once levelled and remediated, detailed consent is obtained and any conditions are discharged. The proposed commercial development (A1-A5 uses) is expected to be in a position to be trading by 2027, once the residential development is envisaged to be complete. Only sites that are will be available in this timeframe are considered as potentially available.

Site Assessment

Considering the site search and methodology, the following sites have been identified that are worthy of further consideration:

- Vacant units, Royston
- Land at High Street, Royston

No other sites or existing units have been identified.

Vacant Units, Royston

There are several vacant units in Royston District Centre. These are unsuitable for the proposed facilities given that they do not meet the locational requirements set out above. It is considered that the proposed facilities are required within the application Site if they are to serve the day-to-day needs of those living within the new residential development, rendering the units within Royston intrinsically unsuitable.

Furthermore, the walking / cycling route between the application Site and Royston District Centre is less favourable when compared to the proposed high quality linkages between the residential development and the proposed facilities at the application Site.

Land at High Street, Royston

This site occupies an edge of centre location at High Street, to the west of Royston District Centre, and is approximately 2.2km from the centre of the application Site. The position of the site is considered unsuitable to serve the day-to-day needs of the proposed residential development, given that it is on the western side of Royston District Centre, whereas the application Site is to the east. Furthermore, the site is clearly beyond the Council's 'good access' parameter of 800m which is set out the Local Plan.

The Barnsley Brownfield Land Register identifies that the site (H2260) has full permission for a foodstore and outline permission for residential development (2014/0318), with a capacity for 10 dwellings. In December 2015, Aldi were granted permission for a foodstore at the site (2014/1528). A Certificate of Lawful Use dated March 2019 confirms implementation of the consented scheme (2019/0117). In January 2020, Aldi were granted permission for an amended scheme (2019/1234). The approved plans show a foodstore with a gross internal area of 1785sqm and a gross external area of 1862sqm.

On the basis that works have clearly commenced by Aldi the site is not, in our view, considered to be available and is clearly far too large to be considered suitable as an alternative to the proposed commercial development (A1-A5 uses) which is just 400sqm gross.

Conclusions

There are no suitable sites available within, or on the edge of, Royston District when considering the locational requirements of the proposed commercial development (A1-A5) uses. The sequential assessment has been provided to demonstrate that the proposed facilities complies Policy TC1 of the Local Plan. Furthermore, small-scale shops within new residential developments are encouraged by Policy TC5 of the Local Plan.

APPENDIX 2 – OPEN SPACE ASSESSMENT

Introduction

The proposed development includes informal and formal open spaces. The formal open space typology for the Site has been identified through this Open Space Assessment which identifies local needs. This Open Space Assessment considers the following formal open spaces:

- Playing pitches;
- Equipped / designated areas for play i.e. Local Areas for Play (LAPs), Locally Equipped Areas for Play (LEAPs) and Neighbourhood Equipped Areas for Play (NEAPs) aimed at older children; and,
- Other outdoor provision including i.e. Multi Use Games Areas (MUGAs) and skateboard parks.

This Open Space Assessment compares the formal open space requirement, as set out in the Field in Trust Guidance for Outdoor Sport and Play: Beyond Six Acre Standards, against the existing provision in the locality to identify whether there is a surplus / deficit of formal open spaces in Royston. This in turn, when considering the characteristics of the Site, determines the appropriate typology of formal open space within the proposed development.

Identifying whether there is a Surplus / Deficit of Formal Open Space in Royston

The formal open space requirement for Royston is identified utilising the Field in Trust Guidance for Outdoor Sport and Play: Beyond Six Acre Standards and extrapolating for the Royston ward (**Table 1**).

Table 1: Formal Open Space Requirement

Open Space Typology	Requirement per 1,000 population ¹ (ha)	Total Requirement ² (ha)
Playing Pitches	1.20	12.87
Equipped / Designated Play Areas (LAP, LEAP, NEAP)	0.25	2.68
Other Outdoor Provision (MUGA / skateboard park)	0.30	3.22

¹ Field in Trust Guidance for Outdoor Sport and Play: Beyond Six Acre Standards

² Based on population of Royston ward at 10,728 (Census 2011) and assuming any new housing development since provide policy-compliant open space

The existing formal open space provision in Royston ward has been identified by utilising the Council's Green Space Register as well as our own knowledge of the area from desk-top research. The Council's Green Space Register does not distinguish between open space typology. As such, this assessment identifies whether the formal open spaces are playing pitches, equipped/designated play areas (LAP, LEAP, NEAP) or other outdoor provision (MUGA / skateboard park) (**Table 2**).

Table 2: Formal Open Space Provision

Name	Size (ha)	Comments
Playing Pitches		
Monckton Playing Field, Rabbit Ings	4.85	Three football pitches, event field, car park, two changing rooms and a referee room.
Royston Welfare Park	2.66	Football pitch, sports pavilion, public car park at Midland Road entrance, overflow car park off Park View.
Oakwood Field, Royston	3.58	Three football pitches, car park.
Oldroyds Field, Royston	1.79	Football pitch.
The Green, Royston	1.39	Football pitch.
Sub-total	14.27	
Equipped / Designated Play Areas (LAP, LEAP, NEAP)		
Royston Welfare Park	0.15	LEAP - Children's play area up to age 11.
Winter Avenue, Royston	0.12	LEAP - Children's play area up to age 11.
Winter Avenue, Royston	0.19	LAP - Kick about area.
The Green, Royston	0.44	NEAP - Children's play area up to age 14.
Lynwood Drive, Carlton	0.39	LEAP - Children's play area up to age 11.
East End Crescent, Royston	0.17	LEAP - Children's play area up to age 11.
Chevet View, Royston	0.85	LAP - Kick about area.
Sub-total	3.16	
Other Outdoor Provision (MUGA / skateboard park)		
Royston Welfare Park	0.22	MUGA and skatepark.
East End Crescent, Royston	0.20	MUGA.
Sub-total	0.42	

This assessment compares the requirement against the provision and identifies a marginal quantitative surplus of playing pitches and equipped / designated play areas (LAP, LEAP, NEAP) and a deficit of other outdoor provision (MUGA / skateboard park) in Royston (**Table 3**).

Table 3: Deficiency / Surplus

Open Space Typology	Total Requirement (ha)	Total Provision (ha)	Surplus / Deficit (ha)
Playing Pitches	12.87	14.27	1.40
Equipped / Designated Play Areas (LAP, LEAP, NEAP)	2.68	3.16	0.48
Other Outdoor Provision (MUGA / skateboard park)	3.22	0.42	-2.80

Conclusions

Based on the findings of the assessment, as well as an understanding of the Site characteristics, the appropriate formal open space provision within the application Site, that responds to local needs, would be in the form of Other Outdoor Provision (MUGA / skateboard park).