MJGleeson
the urban regeneration specialist

PLANNING STATEMENT

Land at Blythe Street, Wombwell

Barnsley

homes by
gleeson
builders for generations

Gleeson Developments Limited

5 Europa Court

Sheffield Business Park

Sheffield

S9 1XE

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1.0 INTRODUCTION

1.01 This report has been prepared by Gleeson Homes and Regeneration Ltd to accompany a full planning application regarding land at Blythe Street, Wombwell.

1.02 The application will be accompanied by:

a) Site and location plans;
b) Relevant plans showing layout, house types and design;
c) Landscape Masterplan;
d) Design and Access Statement;
e) Flood Risk Assessment;
f) Site Investigation Report incorporating Coal mining information;
g) Extended Phase 1 Habitat Survey Ecology Report;
h) Planning Obligation Statement;
i) Transport Statement
j) Tree Survey
k) Drainage Strategy

1.02 The site lies on the western side of Wombwell, in the Wombwell Ward of the Urban Barnsley District.

1.03 This report addresses the planning issues raised by the proposed development and is structured as follows:

a) **Section 2** provides a brief description of the site and its surroundings;
b) **Section 3** sets out the relevant planning history of the site;
c) **Section 4** provides details of the proposed development;
d) **Section 5** summarises the relevant planning policy context against which the proposed development should be considered;
e) **Section 6** assess the proposals against planning policy, and in doing so summarises the findings of the various relevant supporting studies / information itemised at paragraph 1.02 above;
f) **Section 7** sets out overall conclusions and recommendations

2.0 SITE LOCATION AND DESCRIPTION

Location

2.01 The application site is a vacant 1.1 ha brown field area of land located on the west of Blythe Street, in Wombwell, Barnsley. Its previous use was as a care home which was demolished in 2013. It is bounded by existing residential development to the north, east and west and a new social housing project to the south.

Description

2.02 The site lies to the west of Blythe Street and south of Colewell Close. It is currently cleared and vacant brown field land having become quite overgrown since the former buildings were demolished.

2.03 To the north, west and east the site is bounded by residential properties. The housing to the north is single storey sheltered accommodation. To the south the site is bounded by a group of trees and a new block of social housing flats. The eastern boundary is occupied by an area of open space and relatively new private housing development. To the west the site is bounded by the rear gardens of private semi detached dwellings.

2.04 The settlement of Wombwell provides a number of shops and services in the immediate vicinity of the site including multiple convenience stores, eateries, post office, dentist, community centre and budget supermarkets. Further facilities including a large Morrisons supermarket, ASDA and Boots stores are available some 1.5 miles to the south of the site at the Corton Wood Retail Park. Barnsley centre lies some 5 miles to the north west providing the usual range of amenities and services. The Transport Assessment submitted with this application confirms that the site is in a location where new residents will be able to access a wide range of facilities and services. It also sets out the bus routes and services available and confirms that the buses provide a good service that is available from stops on Barnsley Road within an acceptable distance of the site.

3.0 RELEVANT PLANNING HISTORY

3.01 The site has previously had a use as a care home up to its closure and demolition in 2013. There has been no previous development, including residential development, proposed at the site.

4.0 DETAILS OF THE PROPOSED DEVELOPMENT

4.01 This section sets out the established development model that Gleeson have developed for sites such as the application site. It also sets out a description of the scheme and how it fits with the development model.

The Gleeson Development Model

4.02 Gleeson focusses solely on building low cost homes for people on low incomes in areas of industrial decline and social and economic deprivation. The company builds a range of affordable homes for sale to people who would otherwise be unable to afford a new home, thereby helping them onto the property ladder. Gleeson funds all of its own projects, allowing regeneration to take place without reliance on Government investment.

4.03 The company's success is borne out of a thorough understanding of its customer needs and balancing aspiration with affordability. Gleeson's management team has specialist knowledge of all aspects of regeneration and a combined experience of over 150 years of building and selling low cost homes.

4.04 Gleeson's homes are priced so that they can be afforded by 90% of local couples in full time employment. To establish sales prices, the Government's ASHE (Annual Survey of Hours and Earnings) figures are used to determine the lowest wages within the Local Authority. A modest multiple is then applied to the bottom twenty percentile to calculate the level of mortgage which can be afforded by 90% of people living in the local area.

Description of the Proposed Scheme

4.05 The proposed development comprises 43 residential units with 8 two bedroomed properties, 31 three bedroomed properties and 4 four bedroomed properties. The two bedroomed units are all semi-detached. The three bedroomed properties are detached or semi-detached. The four bedroomed properties are all detached.

4.06 The proposed site access is from Blythe Street. The suitability of the access has been established through pre-application discussions with the highways department as explained in the Transport Statement which accompanies this application. Within the site most houses are accessed directly from the principal cul de sac and shared surface sections that lead from it. A few properties are accessed from private

driveways. There are also several that are accessed directly from the adjacent Colewell Close. Footways are provided on both sides of the access road into the site.

4.07 Within the site the layout has been carefully planned, using buildings that have been designed to provide 'corner turning' features at appropriate points. Strategic use of planting will also assist in making the site easy to navigate around. Properties are carefully positioned in relation to the proposed road layout so that main routes have a good level of passive surveillance from the proposed properties.

4.08 All units have in-curtilage parking, with space for garages for most properties.

4.09 The mix of house types is consistent across the site, with four bedroomed and two bedroomed properties mixed throughout, with no areas where one size of unit dominates.

4.10 In light of the above information and design ethos, the proposed development has been designed to make an efficient use of the site, at the same time as providing a development that will sit well in relation to adjacent development.

4.11 All the dwellings have an appropriate level of private amenity space. There are a good range of different house types and sizes, including two bedroomed properties and entry level three bedroomed properties as well as four bedroomed properties.

4.12 In addition to providing a range of different size of properties, the Gleeson standard house type range has the advantage of offering a number of different properties that have been specifically designed to be tailored to individual site circumstances. Such measures provide both added interest and good design as well as improving natural surveillance and therefore the overall security and feeling of security of the development.

4.13 The Design and Access Statement demonstrates the issues that have been taken into account in the design of the site. These include ensuring that views along the internal roads end with a view of a house(s); measured consideration of the location of houses next to the existing public open space adjacent the site; ensuring that all properties are an acceptable distance from existing properties to ensure that residential amenity is not adversely affected. Attention has been given to ensure that the most appropriate mix of dwellings for this location has been provided on the site. Materials will be appropriate for the settlement.

4.14 Pre-consultation advice was sought with various matters discussed. Of particular note were the issues of planning gain requirement which have been agreed prior to the submission of this application. Other matters of design were also discussed which have subsequently been incorporated into the layout.

5.0 PLANNING POLICY

5.01 This Section sets out the planning policy context in which the application should be considered.

5.02 The National Planning Policy Framework (NPPF) published on 27 March 2012 has as its central theme a presumption in favour of sustainable development (Paragraph 14). It does not change the statutory status of the Development Plan as the starting point for decision making set out at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 (Paragraph 12). It confirms that planning law requires that applications for planning permission must be determined in accordance with the (Statutory) Development Plan unless material considerations indicate otherwise (Paragraph 2), and notes that proposed development which accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise (para 12). It is concluded, therefore, that it is highly desirable that Local Planning Authorities should have an up-to-date plan in place (Paragraph 12), and it is noted explicitly that in assessing planning applications, LPAs should apply the presumption in favour of sustainable development (Paragraph 197).

5.03 Paragraph 2 indicates that the NPPF must be taken into account in the preparation of Local and Neighbourhood Plans and that planning policies and decisions must reflect and where appropriate promote relevant EU obligations and statutory requirements.

5.04 Accordingly, Paragraph 213 makes it clear that plans may need to be revised to take into account the policies the NPPF, which should be progressed as quickly as possible through a partial review or preparing a new Plan. In this respect, at the time of publication of the NPPF, there were three 'contingencies':

(a) for 12 months from the date of publication (of the NPPF), decision makers may continue to give full weight to relevant policies adopted since 2004, even if there is a limited degree of conflict with the NPPF (Paragraph 214);

(b) in other cases, and following this 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given) (Paragraph 215); and

(c) from the day of publication of the NPPF decision makers may also give weight to relevant policies in emerging Plans according to the stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with the NPPF (Paragraph 216).

5.05 In this case the statutory development plan for the consideration of this application comprises the Barnsley Core Strategy adopted September 2011, the Barnsley Education Sites Development Plan Document (DPD), and the remaining unsaved policies of the Unitary Development Plan and Proposals Map (Adopted December 2000).

5.06 The site is located in a UDP Housing Policy Area in the Barnsley Unitary Development Plan in accordance with UDP policies H8/WW2. In addition the site is proposed to be allocated for housing in the emerging Local Plan under draft policy H2 – site reference H63.

5.07 The Barnsley Core Strategy policies relevant to this application are as follows:

CSP 2 – Sustainable Construction
CSP 3 – Sustainable Drainage Systems (SuDS)
CSP 4 – Flood Risk
CSP 5 – Including Renewable Energy in Developments
CSP 14 – Housing Mix and Efficient Use of Land
CSP 15 – Affordable Housing
CSP 25 – New Development and Sustainable Travel
CSP 26 – New Development and Highway Improvement
CSP 29 – Design
CSP 36 – Biodiversity and Geodiversity
CSP 40 – Pollution Control and Protection
CSP 42 – Infrastructure and Planning Obligations

Other Material Policy Considerations

National Planning Policy Framework – March 2012

Sustainable Development

5.08 Paragraph 6 of the NPPF indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. The 'Brundtland'

definition is quoted *(development that meets the needs of the present without compromising the ability of future generations to meet their own needs)*. Paragraph 7 notes that the three inter-related dimensions to sustainable development are economic, social and environmental, and paragraph 17 confirms that housing is a key component of sustainable *economic* development.

5.09 Paragraph 14 stresses that at the heart of the NPPF is a *presumption in favour of sustainable development which should be seen as a golden thread running through* both Plan making and decision-taking. For decision makers this means approving development proposals that accord with the development plan *without delay* unless adverse impacts would *significantly and demonstrably* outweigh benefits, or specific policies in the NPPF[1] indicate that development should be restricted. It also indicates similarly that, where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework.

Core Planning Principles

5.10 Under the heading of Core Planning principles Paragraph 17 notes that the aim of proactively driving and supporting sustainable economic development includes the objective of delivering homes. As noted above, economic development thus includes the delivery of housing as well as business and industrial units and infrastructure.

5.11 Other relevant principles in this case include:

(a) making every effort objectively to identifying and then meeting the housing needs of an area, and responding positively to wider opportunities for growth. Plans should take account of market signals (such as land prices and housing affordability) and set out a clear strategy for allocating sufficient land which is suitable for development, taking account of the needs of the residential and business communities;

(b) always seeking to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;

[1] Policies include sites protected under the Birds and Habitats Directives, Sites of Special Scientific Interest,, Green belt, Local Green Space, AONB, Heritage Coast , National Park, the Broads,

(c) supporting the transition to a low-carbon future in a changing climate;

(d) contributing to conserving and enhancing the natural environment;

(e) actively managing patterns of growth to make the fullest possible use of public transport, walking and cycling, and focusing significant development in locations which area or can be made sustainable.

Delivering Sustainable Development

Promoting Sustainable Transport

5.12 Paragraphs 29 – 33 support a pattern of development that promotes sustainable transport, and recommends siting housing development so that it is close to shops and other facilities. Paragraph 32 notes that all development that generates significant amounts of movement should be supported by a Transport Statement or Assessment.

Delivering a Wide Choice of High Quality Homes

5.13 Paragraph 49 confirms that housing applications should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the LPA cannot demonstrate a five-year supply of *deliverable* housing sites. In such circumstances added emphasis is given to the balance between impacts and benefits set out at Paragraph 14.

5.14 Paragraph 47 notes that to boost significantly the supply of housing, LPA's should:

(a) use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;

designated heritage assets and locations at risk of flooding or coastal erosion, see Footnote 9 p4 of NPPF

(b) identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;

(c) identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;

(d) for market and affordable housing, illustrate the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy for the full range of housing describing how they will maintain delivery of a five-ear supply of housing land to meet their housing target; and

(e) set out their own approach to housing density to reflect local circumstances.

5.15 To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans. To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.

5.16 Paragraph 48 refers to windfall allowances, and notes that this can be taken into account in the five-year supply provided LPAs have compelling evidence that such sites have consistently become available in the locality, can be relied upon to continue to do so and are realistic having regard to the SHLAA, and having regard to past and future trends.

5.17 Paragraph 50 refers to the delivery of a wide choice of quality homes (widening opportunities for home ownership and creating sustainable, inclusive and mixed communities). LPAs are required to:

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

(b) identify the size, type. tenure and range of housing that is required in particular locations, reflecting local demand; and

(c) where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.

5.18 Paragraph 52 indicates that the supply of new homes can sometimes be best achieved through planning for larger scale developments. The specific examples given include new settlements or extensions to existing towns and villages, and whilst the appeal proposals are not necessarily on this scale, the reasons stated for the recovery of the appeal for determination by the Secretary of State acknowledge the significance of the scheme in this regard.

Requiring Good Design

5.19 Paragraph 56 notes that the Government attaches great importance to the design of the built environment, and that good design is indivisible from good planning and should contribute positively to making places better for people. Accordingly, Paragraph 57 indicates that it is important to plan positively for the achievement of high quality and inclusive design for all development.

5.20 Para. 58 sets out a number of design objectives to be taken into account in planning policy formulation and decision making to ensure that developments:

(a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

(b) establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;

(c) optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;

(d) respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;

(e) create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and

(f) are visually attractive as a result of good architecture and appropriate landscaping.

5.21 Additionally, Paragraph 61 notes that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

5.22 Although Paragraph 63 gives great weight to outstanding or innovative designs which help to raise the standard of design more generally within an area, Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities *available* for improving the character and quality of an area and the way it functions, and Paragraph 59 encourages LPAs to consider using design codes where they could help deliver high quality outcomes. This is, however, qualified at paras. 59 and 60 which note respectively:

(a) design policies should avoid *unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape,*

layout, materials and access of new development in relation to neighbouring buildings and the local area more generally; and

(b) planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative *through unsubstantiated requirement, to conform to certain development forms or styles.* It is, however, proper to seek to promote or reinforce local distinctiveness.

Meeting the Challenge of Climate Change, Flooding and Coastal Change

5.23 Paragraph 100 indicates, inter-alia, that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. The associated Technical Guidance confirms that "areas at risk of flooding" means land within Flood Zones 2 and 3; or land within Flood Zone 1 which has critical drainage problems *and* which has been notified to the LPA by the Environment Agency.

Conserving and Enhancing the Natural Environment

5.24 Paragraph 109 notes that the planning system should contribute to, and enhance the natural (and local) environment by, inter-alia:

(a) protecting and enhancing valued landscapes, geological conservation interests and soils;

(b) recognising the wider benefits of ecosystem services;

(c) minimising impacts on biodiversity.

5.25 Paragraphs 115 and 118 stress that the greatest weight should be given to conserving and enhancing landscape and scenic beauty and biodiversity in those areas which have the highest status of statutory national and European protection. The application site bears no such designation.

Decision Taking

Pre-Application Engagement and Front Loading

5.26 Paragraph 188 indicates that early engagement has significant potential to improve the efficiency and effectiveness of the planning system for all parties. It is expected that good quality pre-application discussion enables better co-ordination between public and private resources and improved outcomes for the community. Para. 190 confirms that the more issues that can be resolved at pre-application stage, the greater the benefits.

Determining Planning Applications

5.27 Paragraphs 196 and 197 confirm the key principles summarised at paragraph 5.02 above.

Planning Conditions and Obligations

5.28 Paragraph 203 notes that LPAs should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition, and paragraph 204 confirms that planning obligations should only be sought where they meet the tests of necessity, direct relationship to the development and are fairly and reasonably related in scale and kind to the development.

5.29 Paragraph 205 does note, however, that where obligations are being sought (or revised) LPAs should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.

5.30 Paragraph 206 re-iterates the advice set out at Circular 11/95 that planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

National Planning Practice Guidance

5.31 The National Planning Practice Guidance (NPPG) was published in March 2014.

5.32 Although the NPPG is related to the NPPF it contains a number of sections of additional guidance, and in particular one relating to viability, which indicates, inter-alia, that

(a) decision-taking on individual applications does not normally require consideration of viability. However, where the deliverability of the development may be compromised by the scale of planning obligations and other costs, a viability assessment may be necessary, which should be informed by the particular circumstances of the site and the proposed development in question;

(b) for residential schemes, viability will vary with housing type. Viability considerations in decision-taking should take account of the economics of a scheme, which may result in a different approach to planning obligations or an adjustment of policy requirements.

'The Planning System: General Principles' – 2005

5.33 'The Planning System: General Principles' sets out a number of the general principles governing the operation of the planning system, and is relevant in terms of what comprises 'material considerations', and the fundamental basis upon which development control decisions should be taken. It has not been replaced by the NPPF and the established principles it contains sit alongside the achievement of sustainable development.

5.34 Paragraph 12 indicates that the Courts are the arbiters of what constitutes a material consideration. All the fundamental factors involved in land-use planning are included, such as the number, size, layout, siting, design and external appearance of buildings and the proposed means of access, together with landscaping, impact on the neighbourhood and the availability of infrastructure.

5.35 In this context, Paragraph 29 refers to private interests and notes that the planning system does not exist to protect the private interests of one person against the activities of another, although private interests may coincide with the public interest in some cases. It can be difficult to distinguish between public and private interests, but this may be necessary on occasion. The basic question is not whether owners and occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would *unacceptably affect* amenities and the existing use of land and buildings which ought to be protected in the public interest.

5.36 Paragraph 29 thus applies the principle of the test of unacceptability in judging proposals for development. It is regularly applied in making judgements about the overall consistency of development with policy criteria which can variously be

formulated by reference, for example, to adverse, significantly adverse or detrimental impacts; and it is used in the NPPF. In essence this is a 'harm based' approach, because if planning permission is to be refused, it must be demonstrated that development is *unacceptable*.

5.37 Paragraphs 17 – 19 refer to prematurity. The key elements of the advice are that a refusal of planning permission on the grounds of prematurity may only be justifiable where a DPD is being prepared or is under review, but it has not yet been adopted. This may be appropriate where a proposed development is so substantial or where the cumulative effect would be so significant, that granting permission could prejudice the DPD by predetermining decisions about the scale, location or phasing of new development which are being addressed in the policy in the DPD. A proposal for development which has an impact on only a small area would rarely come into this category. Otherwise, refusal of planning permission on grounds of prematurity will not usually be justified. This is restated in the NPPG.

Other Material Considerations

5.38 The emerging Barnsley LDF Development Sites and Places Consultation Draft 2012 considers the future use of all land within the borough and shows potential allocations and designations on the proposals map. The interactive proposals map identifies the site as being within the settlement boundary and designated as housing allocation H63.

5.39 The following Supplementary Planning Guidance (SPG) and Planning Documents (SPD) are considered relevant to this application:

- SPD – Trees and Hedgerows, adopted March 2012
- SPD – Designing New Housing Development, adopted March 2012
- SPD – Open Space provision on new housing development, adopted March 2012
- SPD – Parking, adopted March 2012
- SPG – Financial Contributions to School Places, Adopted March 2005
- DPD – Barnsley Education sites – adopted 2009

Policy Analysis: Interpretation and Application

5.40 The NPPF stresses at Paragraph 14 the presumption in favour of sustainable development and indicates that for decision makers this means approving development proposals that accord with the development plan without delay unless

adverse impacts would significantly and demonstrably outweigh benefits, or specific policies in the NPPF indicate that development should be restricted (paragraph 5.15 above). Applied to the Local Plan and emerging Core Strategy, the NPPF also notes respectively that due weight should be given according to the degree of consistency with the NPPF and full weight can be given even if there is a limited degree of conflict (paras. 5.05 and 5.06 above).

5.41 This establishes a number of clear and unambiguous tests:

(a) consistency with development plan policy must be assessed by balancing any adverse impacts against benefits and in accordance with the degree of consistency with the NPPF;

(b) if the development plan is not consistent with the NPPF proposals which may contravene the relevant policies should be approved now unless;

(c) the degree of adversity *significantly* and *demonstrably* outweighs the benefits; or

(d) there are overriding NPPF policies which indicate that development should be restricted (which do not apply in this case).

5.42 In relation to the Local Plan, due weight can only be afforded where policies are consistent with the NPPF.

5.43 It follows that if a Local Plan policy conflicts with the policies of the NPPF due weight cannot be afforded it and it must be regarded as out-of-date and be over-ridden by the NPPF. The same is true if a Core Strategy policy conflicts with the NPPF to more than a limited degree.

5.62 This is clearly demonstrated for example at Paragraph 49 of the NPPF which, in confirming that housing applications should be considered in the context of the presumption in favour of sustainable development, notes that relevant policies for the supply of housing land should *not* be considered to be up-to-date if the LPA cannot demonstrate a five-year supply of deliverable housing sites.

5.63 Equally, NPPF paragraph 58 introduces a further design dimension relating to optimising the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities/transport networks.

6.0 ASSESSMENT OF PROPOSALS

Introduction

6.01 As set out in Section 5 above, applications for planning permission must be determined in accordance with the (Statutory) Development Plan unless material considerations indicate otherwise. Proposed development which accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

6.02 The NPPF also indicates that, at the heart of Government Policy is a *presumption in favour of sustainable development which should be seen as a golden thread running through* both Plan making and decision-taking. For decision makers this means approving development proposals that accord with the development plan *without delay* unless adverse impacts would *significantly and demonstrably* outweigh benefits, or specific policies in the NPPF indicate that development should be restricted. It also indicates that, where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework.

The Statutory Development Plan

1. Allocation Led Policy Criteria

6.03 The site is located in an area where new residential development is considered acceptable in principle under current Local Plan policy and is proposed to be allocated for housing development under emerging Local Plan policy as an immediate housing allocation. The proposals therefore demonstrate an appropriate use of the land in policy terms.

2. Other Policy Criteria

Housing Land Supply

6.04 As per the Council's latest evidence (Five Year Housing Land Supply Report (October 2013), it is confirmed that the Council are not able to demonstrate a Five Year Deliverable Housing Land Supply, the supply being less than three years. This suggests that the requirement of paragraph 14 of the NPPF should be followed and planning permission should be granted unless adverse impacts outweigh the benefits.

Sustainable Development

6.05 The NPPF indicates that sustainable development should be permitted unless adverse impacts would significantly and demonstrably outweigh the benefits. It is therefore appropriate to consider the sustainability of the site for housing development.

6.06 The Transport Statement demonstrates that the site is located where it is accessible to a wide range of services and facilities. It has good access to bus services, with bus stops serving a number of routes within the recommended distances from the site. Educational establishments are within an appropriate distance, and the site is close to the town centre shops and facilities.

6.07 The above information suggests that the proposals can be considered to accord with the requirements of the statutory development plan in this respect.

Transport

6.08 The findings of the Transport Statement confirm that the site can be accessed safely from the proposed access and the development will not adversely affect highway safety.

Affordable Housing

6.09 The Policy requirement for Affordable housing is 15% of the total units on site. However, following lengthy discussions with the housing officer at BMBC, Gleeson as an alternative are proposing to provide a commuted sum towards the provision of affordable housing off site in the local community.

Other Planning Gain Matters

6.10 As explored at pre-application and following discussions with other relevant planning officers, it has been determined that a contribution towards off site recreational facilities will also be provided as per the planning obligation statement accompanying the application.

Ecology

6.11 The extended Phase 1 habitat survey indicates that the site has limited ecological value, and sets out recommendations to preserve and enhance the potential ecological value of the site. The protected species survey demonstrates that no protected species were encountered or are likely to be encountered on site.

Flood Risk

6.12 The FRA confirms that the site lies in an area that is not indicated as suffering from flooding issues by the Environment Agency. With an appropriate design of drainage system it is therefore considered that the site should be suitable for development from a drainage aspect.

Education Facilities and Community Uses

6.13 The site had a previous use as a care home before it was demolished in 2013. Under policy CSP 43 in the adopted Core Strategy, it states that such sites should be protected from alternative development unless it can be demonstrated that the site is no longer required for such use.

6.14 The site has been marketed on a number of occasions both internally and externally to attempt to generate interest as a going concern. However, following this extensive exercise and inclusion of the site for a number of years on the BMBC Asset Disposal Programme, no viable alternative was proposed for the site leading to the demolition of the buildings in 2013 following a spate of vandalism. The site was subsequently further marketed with no interest shown from any user except for residential development.

6.14 The above explanation, coupled with the fact that the site has now been allocated by BMBC in their emerging Local Plan for residential development indicates that the site only has one viable alternative use, being housing development.

7.0 CONCLUSIONS

7.01 The proposed development comprises residential development of a site within the development boundary which is allocated for housing under emerging local plan policy.

7.02 The proposed development will result in a number of benefits. The site is in a sustainable location and will provide low-cost market housing. This will provide a good range of houses available for local people in accordance with the Gleeson model and will also address the requirements of the Local Plan and the lack of housing supply in the BMBC area.

7.03 The site is in a sustainable location with easy access to services and facilities in the town, and bus stops on nearby roads. The proposal will bring forward a mixture of different sizes of properties, which have been designed to create an attractive place for future residents to live.

7.06 None of the policies cited at NPPF paragraph 14 footnote 9 apply to the site. Accordingly, there are no potential adverse impacts which would outweigh the benefits of the proposed development, let alone significantly and demonstrably so.

7.07 The site will provide planning gain in the form of an off site affordable housing contribution along with an off site recreation facility contribution.

7.08 The proposed development would not unacceptably affect amenity and the use of land and buildings which ought to be protected in the public interest. It comprises sustainable development and should benefit from the 'presumption in favour' conferred by the NPPF, and planning permission should be granted without delay.