Homes England

Land at High Street, Shafton

Planning Statement

A090070-332

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Appendices

Appendix A Outline Planning Permission Ref No: 2015/0456

1.0 Introduction

1.1 Application Overview

1.1.1 WYG has been instructed by the Homes England (The Applicant) to provide planning advice in respect of the preparation of a planning application comprising:

"Outline planning permission for the development of up to 43 residential dwellings (Use Class C3) with access for determination and all other matters reserved for future determination at Land at High Street, Shafton, Barnsley".

1.1.2 The proposal will deliver a new residential development. The proposal delivers significant regeneration benefits including:

Economic benefits:

- Provision of circa 43 residential units which would contribute to meeting the housing need in Barnsley Metropolitan Borough Council;
- New Homes Bonus over 4 years of £8,400.00;
- Construction employment for the duration of the build period;
- Additional household expenditure in local shops by residents; and
- Additional leisure expenditure by households.

Social benefits:

- Provision of a mix of high quality housing within a Housing Regeneration Area;
- Delivery of 6 Affordable Homes on Site;
- Increase in the critical mass of local residents;
- Contribution towards off-site Public Open Space provision/enhancement;

Environmental benefits:

- Redevelopment of previously developed land within the settlement boundary of Shafton resulting in the improvement of the visual amenity of the area; and
- Addressing localised drainage issues through the provision of a balancing pond and foul water pumping station.

1.1.3 The Application Site benefits from an extant outline planning permission of 38 no. dwellings (Planning permission 2015/0456) granted by Barnsley Metropolitan Borough Council on the 15th December 2016. The existing planning permission is presented at Appendix A. Homes England acquired the Site in April 2017 and commenced a review to confirm the maximum extent of new homes for local residents in Shafton on the Site. A number of technical survey have been completed to inform the site review which also considered the delivery and infrastructure (drainage and access) requirements associated with the proposed scheme.

1.1.4 Based on the outcome of the site review and the results of the technical surveys a number of potential 'sketch' scheme layout was prepared to confirm the development capacity on the Site. Homes England have undertaken formal pre-application consultation with the Planning Authority (Andrew Burton) and the Highway Authority on the nature and scope of the proposed application. This engagement has involved discussions on the original sketch layouts for the Site and resulted in the evolution of the mix of housing units on the Site and the confirmation of the final scheme.

1.1.5 Discussions have also been undertaken with Yorkshire Water on the extent of foul and surface water drainage capacity in the vicinity of the Site. This has identified the need for a pumping station to be included as part of the overall scheme proposals. The finalised development scheme will deliver 43 homes and provide essential surface water mitigation and a foul water pumping station.

1.2 Submitted documents in support of the application

1.2.1 The Application is accompanied by the following supporting documentation:

- Completed Planning Application Forms and Certificates;
- Supporting Architectural drawings (including illustrative and landscape masterplans) (WYG);

- Planning Statement (including planning merits, affordable housing, policy overview and S106 Draft Heads of Terms) (WYG);
- Design and Access Statement (WYG);
- Flood Risk Assessment and Drainage Strategy (WYG);
- Tree Survey (James Royston)
- Travel Statement (WYG); and
- Preliminary Ecological Appraisal (MEC) and Reptile Survey Report (WYG).

1.2.2 This report is structured to provide a description of the Site, surroundings and planning history (Section 2); an outline of development proposals (Section 3); a review of the applicable planning policy (Section 4); scheme benefits (Section 6); an analysis of the planning and technical issues (Section 7). In the final sections (Sections 8 and 9), we have set out our conclusions on the weight that should be given to relevant planning polices and guidance in the planning balance.

2.0 Site Location and Description

2.1 Site Location and Description

2.1.1 The Application Site ('the Site' hereafter) for the proposed development, is shown edged red on the submitted Site Location Plan (Drawing No. A090070-332 004) and has a site area of 1.26 hectares. The Site falls within the administrative boundary of Barnsley Metropolitan Borough Council. The majority of the Site is owned by the Homes England.

2.1.2 The Site is bordered by High Street to the west, Poplar Avenue to the north, Park View/Acacia Grove to the east and the playing field for Shafton Primary School to the south. The rear gardens of existing residential properties form the boundaries to the north and east of the Site. To the west, the Site partially fronts High Street and adjoins the rear gardens of a small run of terraced houses on High Street.

2.1.3 The Site currently benefits from an extant outline planning approval (reference 2015/0456) for 38 residential dwellings but the consent has not been implemented. A copy of the extant planning consent is presented at Appendix A.

2.2 Local Services and connectivity

2.2.1 The Site is located in the centre of Shafton, close a number of facilities and services within the village. The southern boundary of the Site adjoins Shafton Primary School and there is a pharmacy; Sainsbury's Local convenience store; and, Highgate Doctors Surgery immediately to the west of the Site on the opposite side of High Street. Further local facilities available nearby include; a play area and open space on Plumpton Park (100m); Shafton Working Mens Club, which has a bowls club, playing fields and a play area (175m); Haslehurst Butchers (205m); the Fox and Hounds Public House (375m); Shafton Methodist Church (380m); and, Outwood Academy (secondary school) 580m).

2.2.2 The nearest bus stop to the Site on the opposite side of High Street (northbound) and 100m to the north along High Street (southbound) provides an hourly service on Monday to Friday (Waterson Coaches) between Barnsley and South Elmsall (via Hemsworth). More frequent bus services serving Shafton are off Brierly Road/Pontefract Road, circa 275m to the south of the Site. From stops here Stagecoach Bus Service No's 26, 27, 29 and 30 (frequency- every 15 minutes Monday to Friday), link Shafton to; Barnsley; Pontefract; Cudworth; Grimethorpe; Brierley and Hemsworth.

2.2.3 The wider strategic highway network is located around 500m to the south west of the Site. The A628 links Shafton with Barnsley town centre and Pontefract. The A6195 links to the A628 near to Outwood Academy and provides access to Grimethorpe, Wombwell and the M1 at junction 36. Further details of the Site Accessibility are set out in the Design and Access Statement and the Transport Statement accompanying the Planning Application submission.

2.3 Planning History

2.3.1 The Site benefits from an extant outline planning permission (planning approval reference 2015/0456) for:

"Residential Development of 38 no. dwellings (Outline, seeking approval over means of access and layout)."

2.3.2 Planning application 2015/0456 was approved by the Council on 15th December 2016. The planning consent has not been implemented.

3.0 The Proposed Development

3.1 Introduction

3.1.1 The planning application submitted proposes the redevelopment of the Site for:

"Outline planning permission for the development of up to 43 residential dwellings (Use Class C3) with access for determination and all other matters reserved for future determination at Land at High Street, Shafton, Barnsley".

3.1.2 With the exception of Access details, all other matters will be reserved for future determination. The proposed access arrangements are shown on Drawing No. A100989-003). An Indicative Masterplan (Drawing No. A090070-332-003) has been prepared to confirm the quantum of development on the Site can be accommodated on the Site in a Policy compliant manner. The Masterplan also demonstrate how the proposals could be successfully incorporated into the Site and wider area. A summary of the development proposals as shown on the proposed layout is set out below.

3.1.3 The Indicative Masterplan (Drawing No. A090070-332 003-003) has been developed following a review of the technical constraints outlined in the supporting reports together with discussions with the Planning Authority. An Indicative Drainage Strategy (Drawing No. A090070-332-300) has been prepared for the Site.

3.1.4 The masterplan has incorporated/addressed:

- Topography, with an attenuation pond proposed in the north eastern corner of the Site, where levels are lowest;
- Provision of foul water pumping station;
- Access from High Street only;
- Provision of access and car parking areas for existing properties fronting High Street and located adjacent to the Site;
- Secure Site boundaries where there are currently exposed rear gardens of existing properties and the planting of new boundary trees to strengthen the north western boundary and screen the pumping station;
- Properties located away from the site edges to avoid overlooking of neighbours.

3.1.5 Although indicative, the masterplan and supporting Design and Access Statement have provided a clear indication as to how the development could be appropriately designed and set out to respond to the positive elements taken from the design of surrounding housing development.

4.0 Planning Policy and Legislative Context

4.1 Introduction

4.1.1 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) requires that proposals are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises those local planning documents which have been the subject of examination in public or testing through public inquiry, and are adopted having been through due processes.

4.1.2 The Application Site falls within the administrative boundary of Barnsley Metropolitan District Council and the statutory Development Plan comprises of the following documents:

- Barnsley Local Development Framework Core Strategy (2011)
- Saved policies of the Barnsley Unitary Development Plan (2000)

4.1.3 The weight to be attached to the policies in the Development Plan should be determined according to their degree of consistency with the National Planning Policy Framework (NPPF or Framework), in compliance with paragraphs 214 and 215 of that document.

4.1.4 In addition to the Statutory Development Plan, applications should also be assessed against the National Planning Policy Framework (NPPF or the Framework) and National Planning Practice Guidance (PPG), which are material considerations in the determination of a planning application. Other material considerations include supplementary guidance such as 'Designing New Residential Development' Supplementary Planning Document (SPD), 'Parking' SPD, 'Open Space Provision on New Housing Development' SPD and the submission version of the draft Barnsley Local Plan (2016). The latter can be afforded weight for the purposes of determining a planning application as it has been submitted to the Secretary of State, with modifications made, and is currently undergoing examination in public.

4.2 Statutory Development Plan

Adopted Barnsley Local Development Framework Core Strategy (2011)

4.2.1 The Barnsley Local Development Framework Core Strategy (Core Strategy) was adopted in September 2011 and has a plan end date of 2026. The Core Strategy, along with the saved policies of the Barnsley Unitary Development Plan (UDP) guides development throughout the Borough and covers the issues of housing, the economy, transport, local character, town

centres, green infrastructure and community infrastructure. It will be replaced by the emerging Local Plan 2008-2036 once adopted, but at present the Core Strategy and saved policies of the UDP remain relevant to the consideration of this Planning Application.

4.2.2 The table attached to paragraph 7.4 of the Core Strategy defines the Borough's settlement hierarchy, with Shafton (as part of Cudworth), identified as a 'Principal Town'.

4.2.3 **Core Strategy Policy CSP 8 (location of growth)** prioritises development within Principal Towns, with **Core Strategy Policy CSP 9 (number of new homes)** expecting at least 21,500 net additional new homes to completed during the lifetime of the Core Strategy, with *"A minimum five year supply of deliverable sites … maintained."*

4.2.4 **Core Strategy Policy CSP 10 (distribution of new homes)** proposes 1,800 new homes for the Cudworth area during the Core Strategy period.

4.2.5 **Core Strategy Policy CSP 1 (Climate Change)** gives preference to development in sustainable locations which utilise sustainable construction techniques.

4.2.6 **Core Strategy Policy CSP 2 (Sustainable Construction)** requires new development to demonstrate how it minimises resource and energy consumption, with all new dwellings expected to achieve Code Level 6 for Sustainable Homes by 2016.

4.2.7 **Core Strategy Policy CSP 3 (SuDS)** expects all new developments to incorporate Sustainable Drainage Systems (SuDS) as part of proposals and **Core Strategy Policy CSP 4 (Flood Risk)** aims to reduce the extent and impact of flooding.

4.2.8 **Core Strategy Policy CSP 5 (renewables)** expects residential development of 10 or more dwellings to "…incorporate decentralised, renewable or low carbon energy sources and other appropriate design measures sufficient to reduce the development's carbon dioxide emissions by at least 15% for applications submitted up to 2015, rising to 20% for applications submitted thereafter subject to such measures being practicable and not unacceptably prejudicing the viability of the development."

4.2.9 **Core Strategy Policy CSP 14 (Housing Mix and Efficient Use Of Land)** aims to deliver between 55% and 60% of homes to be built on previously developed land, with a minimum housing density of 40 dwellings per hectare, rising to 45 dwellings per hectare in areas with good public transport links.

4.2.10 **Core Strategy Policy CSP 15 (Affordable Housing)** on sites of 15 dwellings or more, requires 15% of the total housing proposed to be affordable, subject to viability.

4.2.11 **Core Strategy Policy CSP 17 (Housing Regeneration Areas)** identifies Shafton as a recognised area of low housing demand, and the Council will support a range of housing market regeneration programmes including:

- Granting planning permission for housing development;
- Addressing the density and mix of housing types and tenure; and,
- Providing new infrastructure to support the sustainability of communities.

4.2.12 **Core Strategy Policy CSP 25 (New Development and Sustainable Travel)** expects new development to be located to reduce the need to travel, being accessible to public transport and provide at least the minimum level of parking of cycles and motorbikes, with the maximum level of car parking spaces not exceeded.

4.2.13 **Core Strategy Policy CSP 29 (Design)** requires new development which respects, takes advantage of and enhances the distinctive features of Barnsley.

4.2.14 **Core Strategy Policy CSP 35 (Green Space)** allows the redevelopment of green space where its loss would not affect the existing and potential green space needs of the Borough.

4.2.15 **Core Strategy Policy CSP 36 (Biodiversity and Geodiversity)** expects development to conserve and enhance biodiversity in the Borough and maximise biodiversity opportunities in and around new developments.

4.2.16 **Core Strategy Policy CSP 39 (Contaminated and Unstable Land)** confirms that site investigation reports are required out where future occupiers of a development would be affected by contamination and **Core Strategy Policy CSP 40 (Pollution Control and Protection)** states that developers should minimise the effects of any possible pollution and provide mitigation measures where possible.

4.2.17 **Core Strategy Policy CSP 42 (Infrastructure and Planning Obligations)** states that development must contribute to meet all on and off-site infrastructure requirements to enable development to take place satisfactorily.

Saved policies from the Barnsley Unitary Development Plan (2000)

4.2.18 The Barnsley Unitary Development Plan (UDP) was adopted in December 2000 and has a plan end date of 2001 (the plan period is between 1986 and 2001). A number of UDP Policies were saved under a direction from the Secretary of State in 2007.

4.2.19 The relevant UDP policies need to be considered in accordance with their 'Saving Letter' and in the context of the Framework.

4.2.20 The Application Site is identified as 'urban greenspace' and 'allotments' within the UDP Proposals Map (see excerpt below). The Site does not fall within a Conservation Area and does not contain any listed buildings. There are limited relevant policies of the saved Local Plan, which are referred to below.

4.2.21 **Local Plan Policy BE5** supports the enhancement of the environmental quality of existing housing areas.

4.2.22 **Local Plan Policy BA40/7** states that areas of urban green space will remain open and undeveloped.

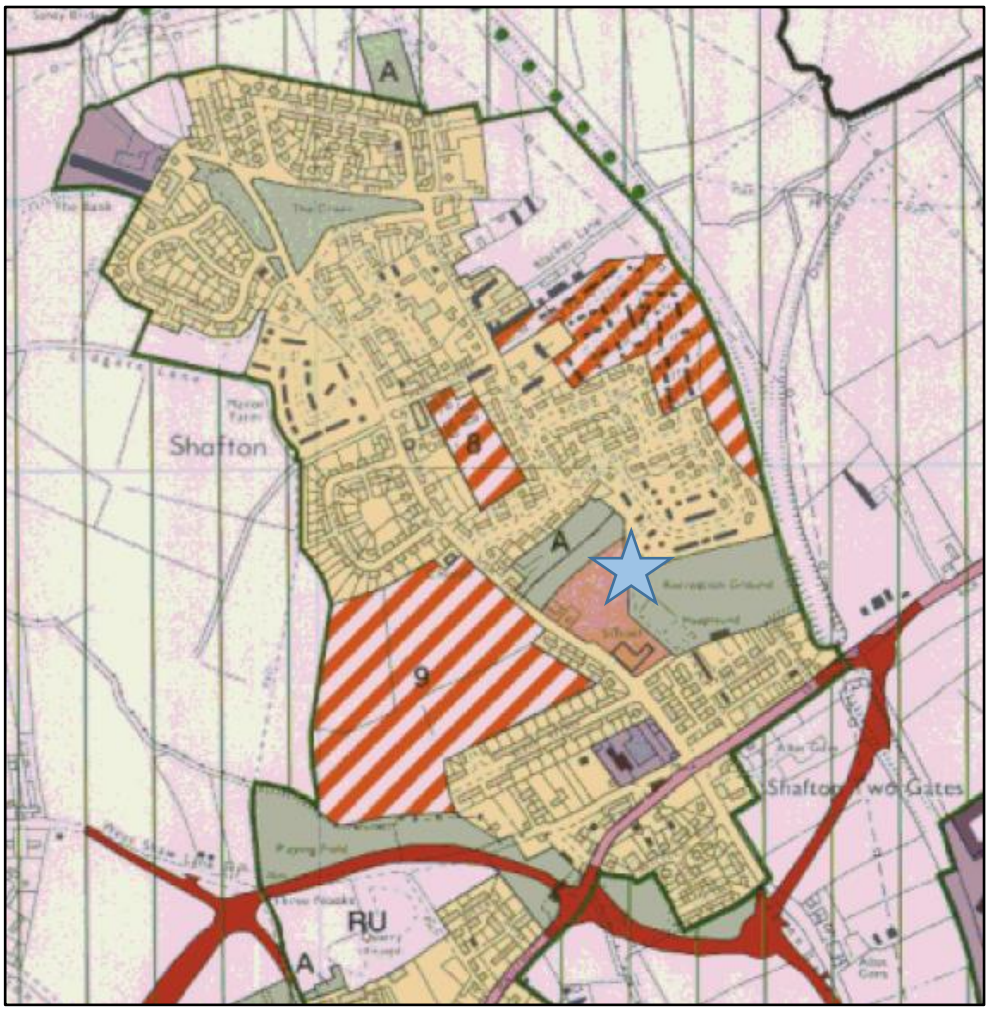
4.3 Other material considerations: Supplementary Planning Documents (SPD) and Planning Advice Notes (PAN)

Designing New Housing Development SPD (2012)

4.3.1 Adopted by the Council in March 2012, this SPD aims to supplement Core Strategy Policy CSP 29 (Design). The SPD provides guidance on; the relationship between existing and proposed dwellings; external space standards (including garden sizes and separation distances); street pattern and layout; design of residential parking; front gardens; boundary treatments; and, landscaping.

4.3.2 As part of the planning application the proposals aim to adhere to the principles and guidelines within this SPD. Further details are contained in the supporting drawings and Design and Access Statement.

Local Plan designation (site starred). Green is 'urban greenspace' with the letter 'A' denoting allotments.



Parking SPD (2012)

4.3.3 The Parking SPD was formally adopted in March 2012 and sets maximum standards for car parking for specified uses in different areas of the Borough. Minimum levels of cycle/motorcycle parking are also specified, although these are 'assessed on an individual basis' for residential developments.

4.3.4 The SPD confirms that maximum standards for car parking in relation to residential uses are as follows:

- 1 car parking space for 1 or 2 bedroom dwellings
- 2 car parking spaces for dwellings with 3 or more bedrooms

4.3.5 The proposals set out on the indicative masterplan meet the above car parking standards.

Open Space Provision on New Housing Development SPD (2012)

4.3.6 The Open Space Provision on New Housing Development SPD provides guidance on general open space requirements for new residential development.

4.3.7 The SPD requires a minimum of 15% of the gross site area to be open space on schemes of 20 or more dwellings. Where it is impossible to make such a provision off-site open space may be acceptable.

4.3.8 Types of open space required are outlined within the SPD. For schemes of over 40 houses, the SPD recommends that informal play space and landscaped areas are provided. However, the SPD adds that this provision will not usually be required if there are existing facilities within the locality of the Site.

Residential Amenity and the Siting of Buildings SPD (2012)

4.3.9 Adopted in March 2012, the Residential Amenity and the Siting of Buildings SPD provides guidelines on: Impact on daylight and sunlight 'the 25degree rule'; separation distances; outlook; and, privacy.

Financial Contributions to School Places PAN (2005)

4.3.10 The Financial Contributions to School Places PAN notes that planning applications for new homes will be refused unless local schools have sufficient capacity and enough extra places can be created to accommodate them.

4.3.11 A financial contribution is required on residential developments of 20 or more homes which is calculated within the PAN.

4.4 Other material considerations- National Planning Policy/Guidance

National Planning Policy Framework (March 2012)

4.4.1 The NPPF includes the Government's planning policies for England, highlighting the economic, social and environmental roles of planning, and its contribution to meeting the mutually dependent objectives of a strong, responsive and competitive economy; strong vibrant and healthy communities; and the protection of the natural, built and historic environment.

4.4.2 The NPPF establishes that the purpose of planning is to contribute to the achievement of sustainable development (paragraph 6) and in paragraph 7 identifies three pillars to sustainable development: economic, social and environmental. These dimensions require the planning system to perform a number of roles:

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

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

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

4.4.3 At the heart of the NPPF is the presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-making (paragraph 14) with LPA's approving development proposals that accord with the development plan without delay.

4.4.4 Framework paragraph 8 makes it clear that the three roles (economic, social and environmental) do not operate in isolation of each other, because they are mutually dependant. That is, they need to be addressed together and as part of a balancing exercise, as there are many over lapping factors to their operation.

4.4.5 Paragraph 17 of the Framework establishes 12 core principles, which in summary, confirm that planning should:

- Be plan led;
- Enhance and improve places;
- Drive and support sustainable economic development;
- Seek and secure high-quality design;
- Respect the character of areas and protect the green belt;
- Support transition to a low carbon economy;
- Conserve and enhance the natural environment;
- Encourage the use of brownfield land;
- Promote mixed use developments;
- Conserve heritage assets;
- Maximise use of sustainable transport opportunities; and
- Meet social and cultural community needs.

4.4.6 The Core Principles of the NPPF confirm the Government's commitment to drive and support sustainable economic development in order to boost significantly the supply of housing and thriving local places that the country needs.

4.4.7 **Promoting Sustainable Transport**- Section 4 of the NPPF seeks to promote sustainable transport. Paragraph 30 encourages local authorities to support a pattern of development which facilitates the use of sustainable modes of transport.

4.4.8 Paragraph 32 states that decisions on developments that generate significant amounts of movements should take account of whether the opportunities for sustainable transport modes have been taken up (depending on the nature and location of the site) to reduce the need for major transport infrastructure; safe and suitable access to the site for all people; and whether improvements can be undertaken within the transport network that cost effectively limit the significant impacts of development. Development should only be refused or prevented on transport grounds where the residual cumulative impacts of development are severe.

4.4.9 Paragraph 34 continues by stating that account should be taken of the need to locate developments that generate significant movement where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

4.4.10 Paragraph 39 states that in developing parking standards, local authorities should take account of the local circumstances relating to a site.

4.4.11 **Delivering a Wide Choice of High Quality Homes-** The NPPF seeks to deliver a wide choice of high quality homes. Local planning authorities should plan for a mix of housing, identifying the size, type, tenure and range of housing that is required in a particular location, reflecting local demand (paragraph 50).

4.4.12 LPA's are also encouraged to plan for high quality homes, which widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

4.4.13 In order to significantly boost the supply of housing, local planning authorities should be able to demonstrate a deliverable five-year housing supply with an additional 5% buffer to ensure choice and competition in the market of land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land (paragraph 47).

4.4.14 Paragraph 49 notes that "Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites." The joined Supreme Court Appeals of Suffolk Costal District Council v Hopkins Homes Ltd UKSC 2016/0076 and Richborough Estates Partnership LLP v Cheshire East Borough Council UKSC 2016/0078 confirmed that a non-housing policy which has the effect of restricting the supply of housing (e.g. in relation to the Green Belt or Areas of Outstanding Natural Beauty) is not deemed to be out-of-date by paragraph 49 of the NPPF.

4.4.15 **Requiring Good Design**- Section 7 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.

4.4.16 Paragraph 57 highlights the importance of planning positively to achieve a high quality and inclusive design for all development. Paragraph 58 of the Framework confirms that planning policies and decisions should aim to ensure that developments:

- "Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public spaces as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and appropriate landscaping."

4.4.17 Paragraph 60 warns that local planning policies and decisions should not attempt to impose architectural styles or particular tastes and should not stifle innovation, originality or initiative through unsubstantiated requirements to confirm to certain development forms or styles. It is appropriate to seek to promote or reinforce local distinctiveness. There is recognition within the Framework that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond the aesthetic considerations (paragraph 61), reinforcing the need to integrate new development into the natural, built and historic environment.

4.4.18 Proposals should also not be refused by LPA's which promote high levels of sustainability because of concerns about incompatibility with the existing landscape, if those concerns have been mitigated by good design (paragraph 65).

4.4.19 **Conserving and Enhancing the Natural Environment-** Section 11 of the NPPF states that the planning system should contribute to and enhance the natural and local environment. Paragraph 109 confirms that planning should also contribute to and enhance the natural and local environment. When determining applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles set out in paragraph 118, which includes encouraging opportunities to incorporate biodiversity in and around developments.

4.4.20 Paragraph 120 states that new development must be appropriate for its location in order to prevent unacceptable risks from pollution and land instability

4.4.21 **Ensuring Viability and Deliverability-** Paragraph 173 of the NPPF relates to viability and states that pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

4.4.22 **Decision taking-** Paragraph 187 is important in that it confirms that the approach of local planning authorities should be to look for solutions rather than problems, and decisions taken at every level should seek to approve applications for sustainable development where possible.

4.4.23 Paragraph 196 confirms that planning law requires that applications be determined in accordance with the Development Plan unless material considerations indicate otherwise, with the Framework identified as a material consideration in making planning decisions. Paragraph 197 states that the presumption in favour of sustainable development should be applied in determining development proposals.

4.4.24 The NPPF (paragraph 215) confirms that following March 2013, due weight should be given to the relevant policies in existing plans according to their degree of consistency with the Framework. Where the Local Plan is not up to date the policies of the Framework carry the most significant weight.

4.4.25 Paragraph 216 states that from the day of publication, decision takers may also give weight to relevant policies in emerging plans according to;

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

4.5 Other considerations- Emerging Planning Policy

Draft Barnsley Local Plan (2016)

4.5.1 The draft Barnsley Local Plan 2016 (draft Local Plan) will set out a planning framework the further development of the Borough for the period to 2033. A draft Local Plan was submitted to the Secretary of State for Examination in Public in December 2016, with the final hearing taking adjourned in October 2017 and due to be reconvened in December 2017 to consider matters relating to Site MU1 (land south of Barugh Green Road).

4.5.2 The Council have published a series of Minor Modifications following a further consultation and as a result of the Inspector's letter in April 2017.

4.5.3 Para 216 of the NPPF states that relevant policies in the emerging plan may be given weight depending on their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with the Framework.

4.5.4 Given the stage of the draft Local Plan and as the only outstanding matter relates to Strategic Site MU1, policies in the Plan can be given weight for the purposes of determining a planning application. Where relevant, the draft Local Plan Polices are quoted using the Minor Modifications proposed.

4.5.5 The Site is identified specifically for housing within the draft Local Plan as **Site AC22**, with indicative number of 38 dwellings associated with the Site.

4.5.6 **Draft Policy SD1** confirms that planning applications which accord with relevant policies within the draft Local Plan will be approved without delay unless material considerations indicate otherwise.

4.5.7 **Draft Policy GD1** sets out general development principles, confirming that development proposals will be approved if:

- "there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents
- they are compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land
- they will not adversely affect the potential development of a wider area of land which
- could otherwise be available for development and safeguards access to adjacent land
- 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 treatments and other features appropriately reflect, protect and improve the character of the local landscape.
- any adverse impact on the environment, natural resources, waste and pollution is minimised and mitigated
- 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.
- any drains, culverts and other surface water bodies that may cross the site are considered
- appropriate landscaped boundaries are provided where sites are adjacent to open countryside.
- any pylons are considered in the layout,
- existing trees that are to remain on site are considered in the layout in order to avoid overshadowing."

4.5.8 **Draft Policy LG2** directs growth towards Urban Barnsley and Principle Towns, which includes Shafton as part of Cudworth.

4.5.9 **Draft Policy H1** seeks to deliver at least 20,942 new homes during the lifetime of the development plan, with a five year supply of deliverable housing sites maintained. **Draft Policy H2** aims to provide approximately 1,162 new homes in the Cudworth area, and **draft Policy H3** confirms housing development should comply with the principles set out in draft Policy GD1 and other policies within the Local Plan.

4.5.10 **Draft Policy H7** requires housing densities of about 40 dwellings per hectare (net).

4.5.11 **Draft Policy H8** requires 10% affordable housing to be provided on Sites of 15 or more dwellings unless a viability assessment can demonstrate that the required figure would render the scheme unviable.

4.5.12 **Draft Policy H9** identifies Shafton as a Housing Regeneration Area where the Council will support a range of housing market regeneration programmes.

4.5.13 **Draft Policy T3** confirms that new development should be located in areas which reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists. **Draft Policy T4** expects new development to provide safe, secure and convenient access and movement for all users.

4.5.14 Draft Policy D1 on design states that development should:

- *"contribute to place making and be of a high quality, that contributes to a healthy, safe and sustainable environment*
- *help to transform the character of physical environments that have become run down and are lacking in distinctiveness*
- *provide clear and obvious connections to the surrounding street and pedestrian network*
- *ensure ease of movement and legibility, with priority for pedestrians and cyclists*
- *ensure overlooking of streets, spaces and pedestrian routes through the arrangement and orientation of buildings and the location of entrances.*
- *promote safe, secure environments and access routes*
- *create clear distinctions between public and private spaces*
- *display architectural quality and express proposed uses through its composition, scale, form, proportions and window pattern and arrangement of materials, colours and details*
- *make the best use high quality materials*
- *include a comprehensive and high quality scheme for hard and soft landscaping*
- *provide high quality public realm."*

4.5.15 **Draft Policy GS1** expects new developments to provide and maintain appropriate green space in accordance with the 'Open Space Provision on New Housing Developments' SPD. Draft Policy BIO1 encourages the provision of biodiversity enhancement measures.

4.5.16 **Draft Policy CC1** supports the use of sustainable drainage systems (SuDS) and gives preference to development of land in sustainable locations. **Draft Policy CC2** expects development to demonstrate how it minimises resource and energy consumption. **Draft Policy CC4** requires SuDS to be incorporated on all major development.

4.5.17 **Draft Policy RE1** expects all new development to incorporate design measures to reduce carbon dioxide emissions.

4.5.18 **Draft Policy CL1** requires suitable investigation and remediation measures to be undertaken where future uses may be affected by ground contamination or land stability issues.

4.5.19 **Draft Policy I1** states that "Development must contribute as necessary to meet all on and off site infrastructure requirements to enable development to take place satisfactorily." and that "Where infrastructure requirements are covered by CIL, planning obligations will not be sought."

Draft Local Plan Evidence Base

4.5.20 As part of the evidence base for the draft Local Plan the Site is included in the Council's schedule of sites which make up their 5 year housing land supply figure and is identified as a 'developable' site within the 2014 Strategic Housing Land Availability Assessment (SHLAA) (Site reference 447). As of August 2017, the Council are unable to currently demonstrate a five year supply of deliverable sites, with 8,056 net dwellings supply, against a requirement for 10,050 dwellings. Based on the net deliverable sites, the Council's current published housing supply is 4.01 years.

Draft Barnsley Community Infrastructure Levy

4.5.21 The draft Barnsley Community Infrastructure Levy (CIL) has been subject to public consultation in October 2016. The draft CIL charging schedule will be subject to a final round of public consultation prior to submission to the Secretary of State for Examination.

4.5.22 The Site falls within the 'Rural East' area for the purposes of the draft charging schedule. In this location, it is proposed that new residential development will be charged at £30 per sq m once CIL is formally adopted.

4.6 Summary

4.6.1 Based on our review of relevant development plan polices and all other material considerations, we conclude that the key planning matters associated with this proposal are:

- Principle of development;
- Contribution to local housing need, and associated benefits;
- Need to develop in sustainable locations; and,
- Amenity, transport and associated site-specific considerations.

5.0 Scheme Benefits

5.1 Economic, social and environmental benefits

5.1.1 The scheme offers a number of benefits which collectively represent material considerations in the overall planning balance of this proposal. The benefits which would accrue in the event of planning permission being granted for the proposed development the subject of this application are set out below. The proposal will deliver benefits associated with each of the three dimensions of sustainable development referred to at NPPF Paragraph 7, which are summarised below:

Economic benefits:

- Provision of circa 43 residential units which would contribute to meeting the housing need in Barnsley Metropolitan Borough Council;
- New Homes Bonus over 4 years of £8,400.00;
- Construction employment for the duration of the build period;
- Additional household expenditure in local shops by residents; and
- Additional leisure expenditure by households.

Social benefits:

- Provision of a mix of high quality housing within a Housing Regeneration Area;
- Delivery of six Affordable Homes on Site in accordance with the Barnsley Core Strategy;
- Increase in the critical mass of local residents;
- Contribution towards off-site Public Open Space provision/enhancement;

Environmental benefits:

- Redevelopment of previously developed land within the settlement boundary of Shafton resulting in the improvement of the visual amenity of the area; and
- Addressing localised drainage issues through the provision of a balancing pond and foul water pumping station.

6.0 Planning and Technical Assessment

6.1 Introduction

6.1.1 The proposed development is for:

"*Outline planning permission for the development of up to 43 residential dwellings (Use Class C3) with access for determination and all other matters reserved for future determination at Land at High Street, Shafton, Barnsley*".

6.1.2 The grant of planning permission for the development of the Site will deliver significant benefits as set out in Section 5 and, when considered against relevant considerations, including sustainability the planning balance and the exercise of judgement regarding the loss of employment land is considered an appropriate development in this location.

6.1.3 The remainder of this section addresses the following issues:

- Principle of development including the Planning Merits;
- Contribution to local housing need, and associated benefits;
- Need to develop in sustainable locations; and,
- Amenity, transport and associated site-specific considerations.

6.2 Principle of Development

6.2.1 **Planning Merits -** The proposal is in accordance with Core Strategy and saved UDP Policies in respect of the location of new housing, the density and mix of housing, affordable housing provision and design.

6.2.2 Planning legislation requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF and the extant planning approval for residential development on the Site are material considerations in the determination of this application. The technical reports prepared in support of this planning application confirms that that there are no material considerations that would outweigh the Development Plan and the NPPF.

6.2.3 Importantly, the NPPF contains a presumption in favour of sustainable development where proposals accord with the Development Plan. Where a Development Plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts significantly and demonstrably outweigh the benefits when assessed against the Framework policies as a whole (paragraph 14) or if specific polices in the Framework indicate development should be restricted. The proposed development will address a shortfall in the current 5 year housing land supply target for Barnsley. Within this context the presumption in favour of development contained at paragraph 14 of the Framework is fully engaged in relation to this previously developed site within settlement development limits.

6.2.4 Paragraph 49 of the NPPF confirms that residential applications should be considered in the context of the presumption in favour of sustainable development, which Framework paragraph 14 explains;

" For **decision-taking** this means:

- approving development proposals that accord with the development plan without delay; and

- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

  –any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or

  –specific policies in this Framework indicate development should be restricted."

6.2.5 The Development Plan policies guiding development in Barnsley Metropolitan Borough are either out of date (2001 plan end date for the UDP) or pre-date the NPPF (Core Strategy 2011); the LPA have confirmed (as of August 2017) that the Council has a housing land supply of 4.01 years, therefore as per Framework paragraph 49 relevant polices for the supply of housing are not considered up-to-date; and, and the emerging policies contained within the new Local Plan cannot be given full weight as they plans are still being tested via Examination in Public. The adopted Development Plan is therefore out-of-date in relation to housing policies. Paragraph 14 therefore indicates that permission should be granted on this basis, subject to only 2 caveats.

1. The development would not result in any adverse impacts, which would significantly and demonstrably outweigh the benefits, when assessed against the policies of the

Framework taken as a whole. This is established in the suite of supporting information submitted with the application.

2. There are no other specific policies of the NPPF engaged which indicate development should be restricted.

6.2.5 With regard to the first caveat, the proposed scheme has sought to address any adverse impacts that do arise through appropriate mitigation. Such mitigation includes the provision of a surface water attenuation pond and foul water pumping station. This Assessment examines the relevant technical considerations and is able to conclude that any potential adverse impacts that might result can be adequately mitigated, and do not lead to a scenario where adverse impacts can exist that would *"significantly and demonstrably"* outweigh the benefits arising from this scheme.

6.2.6 The second caveat concerns whether specific policies of the Framework indicate that development should be restricted. In this regard, Footnote 9 of the Framework provides a list of such policies. Whilst the list is not exhaustive, the Site is not affected by any of the policy designations identified in the Framework. Moreover, the Site benefits from extant planning permission for housing (ref 2015/0456) and there are no other polices of the Framework which indicate development should be restricted.

6.2.7 The Planning Authority accepted, when determining the extant planning permission, that the Site represented previously developed land within the settlement boundary of Shafton – a principal town and key focus for new development. Core Policy CSP14 seeks to deliver 60% of new homes in the Borough on previously development land at a minimum density of 40 dwellings per hectare. The indicative proposals demonstrate that a housing density of 35 dwellings per hectare can be achieved but this reduction is based on the requirement to also provide essential drainage infrastructure on Site. The indicative scheme is, therefore, in accordance with the Core Strategy for Barnsley.

6.2.8 The provision of 15% Affordable Homes on the Site is also a key material consideration together with the mix of new homes. This accords with the requirements of Core Strategy Policies CSP14 and CSP15 and also supports the objectives of the Housing Regeneration Area at Shafton (Core Strategy Policy CSP17). This is a higher percentage than the proposed requirement in Draft Policy H8 in the emerging Barnsley Local Plan and thus a material benefit of the scheme.

6.2.9 The proposals are considered to accord with the polices in the Development Plan relating to the principle of new housing development, including affordable housing, brought forward on this Site. Based on the above, it is concluded that the proposals will not conflict with the NPPF.

6.3 Site Sustainability

6.3.1 The NPPF identifies that there are three dimensions to sustainable development: economic, social and environmental (paragraph 7). The Framework makes clear that these aspects are mutually dependent and gains in each area should be sought jointly and simultaneously (paragraph 8).

6.3.2 With this is mind, the economic, social and environmental benefits of the scheme are briefly summarised below.

6.3.3 **Economic-** There will be increased expenditure in the local economy upon completion of the development in Shafton. This will help sustain the base for a thriving urban area in line with advice contained in Framework para 17. The proposed development seeks to enhance the economic setting of this area through bringing land back into beneficial use within the settlement boundary of Shafton and increasing the critical mass of local residents in the area.

6.3.4 An effective housing market promotes productivity and is identified as a national priority in the Government's Housing White Paper *Fixing our Broken Housing Market* (2017). Such a boost to productivity and the economy of Barnsley will be delivered by the proposal's provision of employment during the construction phase. It will also be reflected by the direct benefits of the scheme on surrounding public houses, retail and catering outlets which are likely to experience increased patronage from new residents. The proposed development will have a role in boosting the local economy if approved which should weigh in favour of the grant of planning permission.

6.3.5 **Social-** The proposed development will deliver a high quality residential development in a sustainable location that is within walking distance of existing community, leisure and public transport facilities. This is consistent with Local Plan Policy and the Framework's principles. It will deliver affordable homes and offers a contribution to enhanced public open space. Shafton is identified as a 'principal town' and is subsequently a focus area for future housing growth over the plan period. The proposal will deliver much needed new homes in a sustainable location which is walking distance of community, leisure and public transport facilities to meet this future housing growth and contribute to the objectives of the Housing Regeneration Area at Shafton. The Site is therefore seen as a suitable and sustainable location to accommodate future housing.

6.3.6 **Environmental-** The scheme's design has sought to minimise the development's impact upon the environment and the effects of climate change in accordance with para 96 of the Framework. The development will re-use previously developed land, which is promoted as a Core Planning Principle within the Framework (para 17) and the Core Strategy.

6.3.7 In addition to the above, modern methods of construction and insulation in line with Building Regulations enable the scheme to be considered environmentally sustainable.

6.3.8 Existing landscape features including mature trees and hedgerows on the Site's edges will be retained as far as possible and new trees will be provide resulting in a net biodiversity gain for the area. The proposed layout incorporates all relevant mitigation measures with regard to possible impacts upon the natural environment.

6.3.9 The Site and proposed use are considered to represent sustainable development in a sustainable location. The proposed development will enable the re-use of previously developed land within the settlement boundary of Shafton. This approach is supported by the principles outlined in paras 17 and 111 of the Framework and Core Strategy Policies. The use of previously developed sites forms a central role in the delivery of sustainable development.

6.4 Technical Assessment

6.4.1 **Highways-** Section 4 of the NPPF aims to promote sustainable transport and encourages local authorities to support a pattern of development which facilitates the use of sustainable modes of transport. The traffic impacts of new development should be managed, and proposed development only refused planning permission on transport grounds where the impacts of development are 'severe.'

6.4.2 The Application is supported by a Transport Statement (TS) prepared by WYG which confirms that the modest increase in traffic predicted due to the development will not contribute to any existing road safety problems.

6.4.3 The Site access has been designed in accordance with the design standards in the South Yorkshire Design Guide. Footways with a width of 2m will be provided adjacent to both sides of the sites access junction and will tie into the existing footway adjacent to High Street. The results of an assessment of the capacity of the proposed site access junction confirms that the junction will operate within capacity following the completion of the proposed development.

6.4.4 Based on the findings of the Transport Statement it is considered that the proposed development is in accordance with the Parking SPD (2012), Designing New Housing Development SPD (2012) and Core Strategy Policy CSP25.

6.4.5 **Noise**- Section 11 of the NPPF states that planning policies and decisions should prevent development from contributing to, or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability. Paragraph 123 of the NPPF makes clear that development should avoid noise giving rise to significant adverse impacts on health and quality of life.

6.4.6 **Contaminated Land**- The NPPF (paragraph 121) seeks to ensure that sites are suitable for their new use taking account of ground conditions. It requires that adequate site investigation material prepared by a competent person be presented and that after any required remediation, land should not be capable of being determined as contaminated land under Part IIA of the Environment Protection Act 1990.

6.4.7 A Geo-Environmental study has been undertaken by WYG. The study confirms that as well as the landscape features within the site, several areas of hardstanding demolished building footprints and several piles of demolition arisings / household waste were also encountered in the north-western portion of the site.

6.4.8 The assessment concluded that there is a low potential for ground contamination from Made Ground, historical building demolition and the storage and usage of pesticide/ herbicide and fertiliser. There is also a potential for migration of ground gas to the site from a neighbouring historical landfill; although this risk is considered to be very low.

6.4.9 The site is not considered to be within the zone of influence of any ground stability concerns. It is not considered likely that the presence of a mine shaft 20m north of the boundary would represent any constraint to development. Residual below-ground structures from the early allotment structures may remain. The study concludes that these are unlikely will be substantial, although they should be removed before redevelopment.

6.4.10 Based on the findings of the Geo-Environmental study it is considered that the proposed development is in accordance with Core Strategy Policy CSP39.

6.4.11 **Ecology -** The NPPF contains a series of policies relating to the natural environment and paragraph 118 encourages opportunities for biodiversity in and around developments where possible. It further states that planning permission should be refused where significant harm resulting from a proposed development cannot be avoided, adequately mitigated or, as a last resort, compensated for.

6.4.12 A Preliminary Ecological Appraisal of the site was undertaken by MEC during January 2015 (MEC, 2015) which identified records of grass snake in the wider landscape and suitable habitat for reptiles, including grass snake, on site.

6.4.13 WYG undertook a Reptile Survey during May to September 2017. No reptiles were recorded during the survey on site. A red fox and evidence of red fox use was recorded on site.

6.4.14 Based on the findings of the ecological surveys it is considered that the proposed development is in accordance with Core Strategy Policy CSP36.

6.4.15 **Drainage**- Section 10 of the NPPF states that inappropriate development should be avoided in areas of flood risk and should ensure that flood risk will not be increased elsewhere as a result of development. Core Strategy Policies CSP 3 and CSP require new development to be designed to incorporate SuDS and flood mitigation measures.

6.4.16 A flood risk assessment has been undertaken by WYG as part of this planning application. The site is considered at low risk of flooding from sources including rivers and watercourses, surface water, sewers and groundwater. The Environment Agency (EA) food risk zone map shows the site to lie entirely within Flood Risk Zone 1. This is at low risk of flooding and suitable for residential development.

6.4.17 An Indicative Drainage Strategy (Drawing No: A090070-332 -300) has been undertaken by WYG as part of this application. The Drainage Strategy confirms that surface water runoff will be attenuated within the proposed site drainage system to mitigate off-site flooding and to protect vulnerable areas within the Site. An above ground attenuation basin is proposed providing a volume of 431m^3 of attenuation storage. This will have a surface water sewer connection with Acacia Grove due to low infiltration rates.

6.4.18 Other potential SuDS options such as permeable paving with subgrade storage within private parking areas and filter drains will be considered at detailed design stage.

6.4.19 A foul water pumping station is proposed within the masterplan. Yorkshire Water has confirmed that the foul sewerage from the site can discharge at an unrestricted rate to the combined sewer in High Street to the south west of the site. A pumped connection will be required.

6.4.20 Based on the findings of the Flooding and Surface water Drainage Strategy it is considered that the proposed development is in accordance with Core Strategy Policies CSP3 and CSP4 and the need to provide all on-site infrastructure requirements in accordance with Core Strategy Policy 42.

6.4.21 **Planning Gain, Conditions & Viability**- NPPF paragraph 206 and PPG Chapter 28 both confirm 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.

6.4.22 The LPA does not have a Community Infrastructure Levy charging schedule in place such that financial contributions would need to be negotiated under Section 106 of the Town and County Planning Act 1990.

Affordable Housing

6.4.23 Core Strategy Policy CSP15 requires 15% of the total number of new housing proposed to be affordable on sites of 15 dwellings or more. The Applicant has undertaken an internal viability assessment and has developed a scheme where 6 of the homes being brought forward on the Site will be affordable. This meet the requirement of Core Strategy Policy CSP15.

6.4.24 Based on the above, the Applicant is willing to enter into negotiations regarding a S.106 legal agreement to secure provision of six affordable housing units on Site.

6.4.25 A separate agreement will be entered into with the Local Highway Authority under Section 278 of the Highways Act in relation to works to the public highway.

Public Open Space and Play Equipment

6.4.26 The adopted Open Space Provision on New Housing Development SPD requires a minimum of 15% of the gross site are to be open space on schemes of 20 or more dwellings. At the land at High Street, Shafton this would represent 0.2 Hectares or the equivalent of 3-4 homes. The development density of the Site is also reduced by the requirement to provide essential drainage infrastructure on the Site in order to deliver the housing scheme.

6.4.27 Based on the current need for new homes in Barnsley, in order for the Council to meet the 5 Year housing target, the objectives of the Housing Regeneration Area and the presence of existing Open Space provision at Shafton, the Applicant wishes to not provide Public Open Space as part of the development but contribute to the enhancement of facilities off-site. The SPD confirms that this option is acceptable where such provision will, as in this case, adversely affect the overall viability of the scheme. This contribution will be secured as part of the S.106 legal agreement.

6.4.28 With regard to this proposed application, it is expected that any planning approval forthcoming will be conditional. It is expected that the following conditions would be appropriate:

- Standard Time Conditions for Submission of Reserved Matters (Appearance, Landscaping, Layout and Scale)
- Approved List of Plans & Documents
- Parameters for built form
- Design code for new homes
- Materials Samples to be submitted
- Tree Protection Details
- Construction Management Plan
- Refuse storage details to be submitted, provided and thereafter maintained
- Cycle parking provision details to be submitted, provided and thereafter maintained

6.4.29 **Technical Assessment Conclusion-** The technical assessment has shown that the proposal accords with all the relevant Development Plan policies including Core Strategy Policies CSP3, CSP4, CSP8, CSP14, CSP15, CSP17, CSP 25, CSP36, CSP39 and CSP42. There are no material considerations which indicate that planning permission should be refused.

6.5 Scheme Benefits

6.5.1 The scheme will deliver the following benefits:

6.5.2 **Provision of a mix of high quality housing-** The proposal will deliver high quality new homes for the Borough. The land at High Street comprises previously developed land within the settlement boundary of Shafton – a Principal Town for new development identified in the Development Plan. The proposal will help to deliver a sustainable community in line with para 50 of the NPPF, contributing to the delivery of new homes over the lifetime of the Development Plan.

6.5.3 **Delivery 15% Affordable Homes on site-** The proposal will provide six new Affordable Housing units on site, to meet the needs of local residents. The latest housing land supply figures from the Council also illustrate that, the Council has a readily available housing land supply of 4.01 years. The approval of an outline development for residential on this sustainable site within the Shafton settlement boundary, will help to address this current lack of supply by bringing forward a Site which can be delivered early within the emerging Plan period. The supply of housing and specifically provision of Affordable Homes are significant and material considerations weighing positively in the planning balance.

6.5.4 **Socio Economic Benefits**- The proposal will generate direct employment benefits during the course of construction. Post construction, interaction with residents will accrue direct benefits within Shafton by utilising local facilities within the existing centre.

6.5.5 The Illustrative Masterplan includes new drainage infrastructure that will enhance existing capacity in Shafton. The proposed homes will be provided in an attractive, well landscaped setting, ensuring the amenities of existing nearby residents are safeguarded, that biodiversity is enhanced and that the proposal is successfully incorporated into the existing built environment.

6.5.6 There will be additional socio-economic benefits in the form of increased revenue for the Council via the Government's New Homes Bonus. The New Homes Bonus would generate a minimum of £8,400 for Council over four years which would be available for the Authority to invest at their discretion.

6.5.7 Other benefits of the development are outlined in Section 5 of this statement.

7.0 The Planning Balance

7.1 Assessment

7.1.1 This section of the Statement provides an assessment of the overall planning balance having regard to the matters considered in Section 6 above. The factors that weigh against the grant of planning permission have been considered against those in favour of granting planning permission in the Table below:

Issue	Positive Weighting Factors	Negative Weighting Factors
Provision of 43 dwellings	Very Significant	
Provision of 6 affordable houses	Very Significant	
Investment into Shafton/Barnsley	Significant	
Economic Operational (Residential) – spend in the community	Significant	
Policy Compliance – Development Plan (locational)	Significant	
Service Accessibility / Sustainability	Significant	
Policy Compliance – NPPF/PPG	Significant	
Provision of new Drainage Infrastructure	Moderate	
Proximity to other residential uses	Moderate	
Design	Moderate	
Arboriculture	Moderate	
Contamination		Neutral
Ecology		Neutral
Flood Risk		Neutral
Heritage		Neutral

KEY:

Scale		
Positive ↓ Negative	Very Significant	
	Significant	
	Moderate	
	Limited	
	Very Limited	
	Neutral	
	Very Limited	
	Limited	
	Moderate	
	Significant	
	Very Significant	

7.1.2 The Applicant considers that a number of the benefits arising from the development proposals would be Very Significant or Significant, including the provision of much needed market housing to meet Barnsley's requirements Development Plan.

8.0 Summary and conclusion

8.1 Development proposals summary and conclusion

8.1.1 WYG has been instructed to prepare a Planning Statement in support of a planning application made by the Homes England for:

"*Outline planning permission for the development of up to 43 residential dwellings (Use Class C3) with access for determination and all other matters reserved for future determination at Land at High Street, Shafton, Barnsley*".

8.1.2 The Site benefits from an extant planning permission for housing and the principle of residential development on this Site is accepted by the Planning Authority. The additional homes, including affordable homes, brought forward by these proposals will contribute to the current housing supply shortfall in Barnsley.

8.1.3 The proposals will result in a sustainable development which will bring with it a number of benefits including:

Economic benefits:

- Provision of circa 43 residential units which would contribute to meeting the housing need in Barnsley Metropolitan Borough Council;
- New Homes Bonus over 4 years of £8,400.00;
- Construction employment for the duration of the build period;
- Additional household expenditure in local shops by residents; and
- Additional leisure expenditure by households.

Social benefits:

- Provision of a mix of high quality housing within a Housing Regeneration Area;
- Delivery of 6 Affordable Homes on Site;
- Increase in the critical mass of local residents;
- Contribution towards off-site Public Open Space provision/enhancement;

Environmental benefits:

- Redevelopment of previously developed land within the settlement boundary of Shafton resulting in the improvement of the visual amenity of the area; and
- Addressing localised drainage issues through the provision of a balancing pond and foul water pumping station.

8.1.4 There are no technical impediments to the Site's delivery. A suite of technical supporting documents is submitted with the application which confirms that the development is it capable of delivery and implementation. The scheme positively meets Barnsley Metropolitan Borough Council's as well as national planning and regeneration objectives and is a sustainable development which should be granted planning permission subject to reasonable and relevant conditions.

8.1.5 The development has been demonstrated as sustainable and no adverse impacts have been identified that would significantly and demonstrably outweigh the benefits of the development, such that planning permission should be granted, subject to reasonable and relevant conditions.

Appendices

Appendix A

BARNSLEY
Metropolitan Borough Council

Place Directorate
Economic Regeneration
Planning and Building Control
Head of Service: Joe Jenkinson

GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2015/0456

To Farrar Bamforth Associates Ltd
51Trinity Street
Huddersfield
West Yorkshire
HD1 4DN
United Kingdom

DESCRIPTION Residential Development of 38 no. dwellings (Outline, seeking approval over means of access and layout).

LOCATION Land at High Street, Shafton, Barnsley, S72 8QB

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 01 July 2015 and described above.

THIS DECISION IS SUBJECT TO THE TERMS OF THE AGREEMENT MADE UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

The approval is subject on compliance with the following conditions:

1 The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-

(a) scale of building(s)
(b) the design and external appearance of the proposed development.
(c) landscaping

Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.

2 Application for approval of the matters reserved in Condition No. 1 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.

3 The development hereby approved shall be carried out strictly in accordance with the layout plans as approved (13-D95-04 'Site Layout') unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

4 Detailed plans shall accompany the reserved matters submission indicating existing ground levels, finished floor levels of all dwellings and associated structures, road levels and any proposed alterations to ground levels. Thereafter the development shall proceed in accordance with the approved details.
Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with LDF Core Strategy Policy CSP 29, Design.

5 The maximum scale of the plots 1-28 shall be limited to two storey development only.
Reason: In the interests of the visual and residential amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

6 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
-The parking of vehicles of site operatives and visitors
-Means of access for construction traffic
-Loading and unloading of plant and materials
-Storage of plant and materials used in constructing the development
-The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
-Wheel washing facilities
-Measures to control the emission of dust and dirt during construction
-Measures to control noise levels during construction
Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with Core Strategy Policies CSP 26 and CSP 40.

7 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:

a) Removal of parking lay by on High Street;
b) Provision of right turning pocket on High Street;
c) Provision of central island on High Street with guard rails and tactile crossings;
d) Measures to prevent parking on High Street and the new access road;
e) Provision of any necessary signing/lining;
f) Provision of/any necessary alterations to street lighting;
g) Provision of/any necessary alterations to highway drainage;
h) Any resurfacing/reconstruction as necessary.

The works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

8 Visibility splays, having the dimensions 2.4m x 90m, shall be safeguarded at the junction of the access road with High Street, such that there is no obstruction to visibility and forming part of the adopted highway.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

9 Pedestrian intervisibility splays, having the dimensions 2m x 2m, shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 1m above the nearside channel level of the adjacent highway,
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

10 Vehicular and pedestrian gradients within the site shall not exceed 1:12.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

11 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

12 No development shall take place until:
(a) Full foul and surface water drainage details, including a scheme to reduce surface surface water run-off by at least 30% and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:
(b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;
(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;
Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented and the scheme shall be retained throughout the life of the development.
Reason: To ensure proper drainage of the area, in accordance with Core Strategy policy CSP4.

13 No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:
Tree protective barrier details
Tree protection plan
Arboricultural method statement
The erection of barriers and any other measures specified for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality in accordance with Core Strategy Policy CSP 36 Biodiversity and Geodiversity.

14 No hedges or trees on the site (except those shown to be removed on the approved plan), or their branches or roots, shall be lopped, topped, felled, or severed without prior written approval from the Local Planning Authority. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
Reason: To safeguard existing trees/hedges, in the interests of the visual amenities of the locality.

15 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.

16 Prior to commencement of development an investigation and risk assessment to assess the nature and extent of any contamination on the site shall be submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include:
(i) a survey of the extent, scale and nature of contamination;
(ii) an assessment of the potential risks to:
o human health,
o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
o adjoining land,
o groundwaters and surface waters,
o ecological systems,
o archeological sites and ancient monuments;
(iii) an appraisal of remedial options, and proposal of the preferred option(s).
This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.
The development shall be carried out in accordance with the approved report including any remedial options.
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Core Strategy Policy CSP 39.

17 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of plots 37, 38 which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.
Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property in accordance with Core Strategy Policy CSP 29.

18 Prior to commencement of development full details of the mitigation measures identified in the Ecological Survey, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.

Informative(s)

Pursuant to article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, complied with our Planning Service Charter for Business and otherwise actively engaged with the applicant in dealing with the application.

Please be aware that the Council monitors construction sites and open land within the vicinity such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- *a fine of up to £50,000 and*
- *up to six months imprisonment on conviction*

Therefore, if necessary, please ensure that all demolition waste and waste associated with the construction of the approved development is disposed of via approved methods and that documents are retained to prove this.

1 The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining features are unexpectedly encountered during development, these should be reported immediately to The Coal Authority on 0345 762 6848. Further information is available on The Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

2 This permission shall not be construed as granting rights to carry out works on, under or over land not within the ownership, or control, of the applicant.

3 The applicant's attention is drawn to the comments provided in the consultation response received by the Local Planning Authority from Yorkshire Water dated 22nd July 2015.

Signed Dated 15 December 2016
Joe Jenkinson

Head of Planning and Building Control

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

NOTES:-

Appeals to the Secretary of State

If you are aggrieved by the decision of the Council to grant permission for the proposed development subject to conditions then you can appeal to the Secretary of State for the Environment, Transport and Regions under Section 78 of the Town and Country Planning Act. If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions giving under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment, Transport and Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference to the application to him. These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.