

**JohnsonBrook**  
Planning & Development Consultants

Planning Case Report  
On behalf of  
David Wilson Homes  
For  
Proposed Residential Development of 66 Dwellings  
At  
Land off Church Lane, Hoylandswaine

[www.johnsonbrook.co.uk](http://www.johnsonbrook.co.uk)

June 2014

## **PLANNING CASE REPORT**

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## 1.0 INTRODUCTION

1.1 This Planning Case Report has been produced in support of a full planning application for the residential development of 66 dwellings off Church Lane, Hoylandswaine.

1.2 The application site covers an area of approximately 3.3 hectares (8.15 acres) of greenfield land, currently designated as safeguarded land in the Barnsley Unitary Development Plan (UDP) however the site is proposed as an allocation for Low Density Housing in the emerging Sites and Places Development Plan Document. An extract of both the current plan and the emerging plan can be found in Appendices 1 and 2 respectively.

1.3 This Planning Case Report should be read in conjunction with the following reports which form this full planning application submission:-

- Design and Access Statement (KSL Design)
- Arboricultural Report (JCA Ltd)
- Flood Risk Assessment (Eastwood and Partners)
- Phase 1 Habitat Survey (JCA Ltd)
- Topographical Survey (Haycock & Todd)
- Transport Statement (Optima Highways)
- Geotechnical and Geoenvironmental Report (Eastwood and Partners)
- Heritage Assessment (Johnson Brook)
- Heritage Desk Top Report (Prospect Archaeology)
- Statement of Community Involvement (Johnson Brook)

1.4 This Planning Case Report identifies the characteristics and its location, the nature and extent of the development proposals, the planning policy context and in particular the policies relating to development in the Green Belt. The report concludes by drawing together all the policy and local factors which collectively support the proposed residential development scheme.

## **2.0 LOCATION AND SITE CHARACTERISTICS**

- 2.1 The application site has an area of land approximately 3.3 hectares located in the North East of Hoylandswaine village, in eastern part of Barnsley Metropolitan Borough. The site lies approximately 3.8 km from the Principle Town of Penistone, 9.8 km from Barnsley town centre, 23 km from Huddersfield and 24.7 km from Wakefield. The site, most recently in agricultural use is currently grass with access through adjacent fields.
- 2.2 The surrounding land use is predominantly open fields and agricultural use, with residential development to the south east where the site abuts rear gardens of properties fronting Church Heights. To the north east of the site lie several detached properties and St John's Evangelist Church. The western boundary abuts Green Belt land however it must be stressed that this site is not situated within the Green Belt.
- 2.3 The site is bounded by existing hedgerows and trees, particularly on the eastern boundary which abuts the residential properties. Furthermore the two fields which make up the site are divided by a line of existing hedgerows and trees. There is a small collection of stables currently situated within the south east of the site.

### **3.0 THE PROPOSED DEVELOPMENT**

3.1 Full details of the proposed development are set out within the Design and Access Statement accompanying the planning application. The development comprises of:

- The erection of 66 dwellings.
- Formation of new vehicular access off Church Lane.
- Provision of open space and structural landscaping.
- Provision of visitor car parking for St John's Church.

3.2 The scheme makes provision for 6 affordable units or 10% of the overall development. The remaining 15% of affordable housing has been provided through a commuted sum for off-site provision.

3.3 There is no recorded history or earlier planning applications on this site.

#### **Pre-Application Discussions**

3.4 The proposed development was the subject of pre-application discussions with Local Planning Authority officers during June 2013, a subsequent meeting was held in August 2013. These discussions were based upon the layout proposals for 58 dwellings. A copy of this feedback can be found in Appendix 3. The principle points agreed/discussed are summarised below:

- The site is designated Safeguarded Land by policies WR11/GS10 in the Unitary Development Plan.
- In accordance with Paragraphs 214 and 215 of the NPPF, it should be considered that UDP Safeguarded Land designations are out of date where the site can be shown to be in a sustainable location.
- The Council's Economic Strategy, which was agreed by the Council in June 2012, has established a need to deliver a step change in the quality of residential development in the borough leading to the construction of high quality large family sized dwellings constructed at lower densities.
- The submitted plan reflects well against the objectives of the economic strategy and draft policy LD7.

- Sustainability issues should be addressed through completing the 'Housing Development Sustainability Checklist' and as part of the Transport Statement.
- There is a need to protect the visual amenity of the Green Belt.
- A minimum of 15% green space provision should be provided in site.
- Potential need to provide a LEAP, off site provision would put the onus on the developer to identify a suitable site.
- Access via Church Lane does not appear to be a significant issue at this stage.
- Technical reports to be submitted with a planning application should include Transport Assessment, Travel Plan, Heritage Statement, Flood Risk and Drainage Assessment, Tree Survey, Ecology Report, Affordable Housing Statement and Design and Access Statement.

3.5 The feedback received in respect of the proposals has been incorporated into the scheme presented with this application and further details are provided within the Design and Access Statement.

#### **Environmental Impact Assessment**

3.6 A formal screening opinion was sought under Regulation 5 of the 2011 Environmental Impact Assessment Regulations to determine whether the scale of development proposed in this location required the production of an Environmental Statement.

3.7 A formal response was received from Barnsley Metropolitan Borough Council on 10<sup>th</sup> March 2014 which confirms that the proposal is unlikely to have significant effects on the environment and an EIA is not therefore required.

#### 4.0 THE POLICY CONTEXT

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 remains in force and states:

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

4.2 The development plan for this residential scheme comprises the following document:-

- Barnsley Unitary Development Plan (UDP) (adopted December 2000). This report refers to policies within the UDP saved under the direction of the Secretary of State of 17<sup>th</sup> September 2007 and have not been superseded by the Barnsley Local Plan.
- Barnsley Core Strategy (CS) (September 2011)

4.3 The Barnsley CS was adopted in 2011 and sets out the spatial vision for the area and the key strategic objectives and policies for development. The CS along with the ‘saved policies’ from the UDP make up the current Local Plan. The ‘saved policies’ which have not yet been replaced by the CS will remain in place until they are superseded by other Development Plan Documents (DPDs).

#### **Material Considerations**

4.4 There are a number of other relevant policies which are being taken into account as a material consideration and these are as follows:-

- The Plan for Growth
- Written Material Statement by the RT Hon Greg Clark MP- Planning for Growth (2011)
- Department for Communities and Local Government- Laying the Foundations: A Housing Strategy for England (2011)
- National Planning Policy Framework (adopted March 2012)
- Technical Guidance to National Planning Policy Framework (March 2012)

**Plan for Growth (March 2011)**

- 4.5 The function of the Plan for Growth is to enable the UK to get onto a path of sustainable long term economic growth. The Government have identified that economic stability alone is not sufficient to get the UK to deliver long term growth and for sustainable growth to be driven by private sector investment and enterprise, they need to act in a way which will support growth.
- 4.6 The economic policy objective set by the Government is to achieve strong, sustainable and balanced growth which is more evenly shared across the country as well as between industries.
- 4.7 The Plan for Growth is made up of four overarching ambitions which are:-
1. To create the most competitive tax system in the G20;
  2. To make the UK one of the best places in Europe to start, finance and grow a business;
  3. To encourage investment and exports as a route to a more balanced economy; and
  4. To create a more educated workforce that is the most flexible in Europe.

**'Planning for Growth' Ministerial Statement of Greg Clark, Minister of State for Decentralisation, 23 March 2011**

- 4.8 In March 2011, the Government through the Ministerial Statement "Planning for Growth" emphasised the importance for local planning authorities to press ahead without delay in preparing up-to-date development plans, and should use this opportunity to be proactive in driving and supporting growth.
- 4.9 'Planning for Growth' states that *"when deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development."*

4.10 In its response to the Communities and Local Government Committee's Report 'Abolition of Regional Spatial Strategies: a Planning Vacuum' (June 2011) the Government reiterates its commitment to 'Planning for Growth' stating "the Government is committed to ensuring that the planning system does everything it can to support growth, and have been clear that we see a housing offer fit for the 21st century (underlining our emphasis), with new homes in the right places, as vital for our future economic competitiveness, enabling a mobile workforce and dynamic economy".

**"Laying the Foundations: A Housing Strategy for England" (November 2011)**

4.11 This strategy document is the very latest policy statement which makes clear the Government's intentions and direction of policy travel aimed at freeing up both sides of the housing market by responding to increasing need, providing for enhanced supply (quantitatively and qualitatively) and improving household's access to the market. The foreword by the Prime Minister and Deputy Prime Minister states that this is "a radical and unashamedly ambitious strategy" with the twin aims of i) driving local economies and creating jobs and ii) to spread the opportunities for home ownership.

4.12 Chapter 1 focuses on social mobility and enabling individuals to find the right home in the right place. Improving affordability is seen as crucial for aspiring homeowners. The Government consider that the current housing market is failing to help people meet their aspirations. The Government also now recognise that "lower housing supply means lower growth and fewer jobs". The economic and job creation benefits of housing are summarised at paragraphs 4 to 8 inclusive. The greatest challenge is that of increasing housing supply (Paragraph 15).

4.13 Chapter 2 is entitled: - "Increasing supply: more homes stable growth". Both potential buyers and house builders suffer from house price volatility. Consistent shortage of housing supply over the past 15 years coupled with more recent easy access to credit has contributed to steep rises in house prices, running well ahead of earnings. The average age of first time buyers has steadily increased from 26 in the mid 1970's to over 30 and above since 2000. These trends have been exacerbated since 2008 with the advent of the credit crunch. "A rapid contraction of lending both to aspiring homeowners and to house builders, has resulted in the housing market seizing up" (Chapter 2 Paragraph 15). The Government

concludes that “we have a housing market which is currently failing to deliver the homes that people need, in the places they wish to live – with serious consequences for social mobility, for jobs and for growth” (Chapter 2 Paragraph 17). The housing market failings are long term and deep rooted. Much of this chimes with the findings of the Barker Report.

4.14 The Government go on to outline their “new approach” and “the immediate need for action to get the housing market moving”. A series of new economic interventions are outlined including: -

- New build indemnity scheme to provide up to 95% loan to value mortgages for new build properties.
- The First Buy equity loan scheme – Government and over 100 house builders working together to help first time buyers purchase a new build home with the help of an equity loan of up to 20%.
- Get Britain Building Investment Fund to support small and medium sized builders in need of development finance.
- Encouraging locally planned large scale development including extensions to villages and towns.
- Reference to the New Homes Bonus introduced in April 2011 – a fiscal incentive for local authorities delivering new housing. This Bonus is paid to local authorities for 6 years and is based on the Council Tax raised from additional new homes.

4.15 At paragraph 77 of Chapter 2 the need for a local robust land supply is reiterated and cross referenced to the Draft National Planning Policy Framework.

4.16 Chapter 3: - Places strong emphasis on improving the supply of affordable housing via a mix of initiatives involving both public and private sectors.

#### **National Planning Policy Framework (March 2012)**

4.17 The Government’s recently adopted National Planning Policy Framework (the Framework) now forms the relevant policy guidance at National level for the determination of all planning applications; this is especially so where the local development plan is either silent, absent or out of date (underlining our emphasis).

- 4.18 The Framework is based around the core principles of creating sustainable development. Following a lengthy consultation process and further consideration of the definition of sustainable development to be used in the planning process a fuller definition is now provided in the final document. The Framework states at paragraph 6 that all the policies in paragraphs 18-219 of the Framework, “taken as a whole, constitute the Government’s view of what sustainable development in England means in practice for the planning system.” There are three dimensions to sustainable development comprising economic, social and environmental roles. These are to be considered as mutually dependent and should not be considered in isolation (paragraph 8).
- 4.19 At the heart of the planning system is a new presumption in favour of sustainable development. Paragraph 14 of the Framework identifies how this presumption is to be applied in making decisions on individual applications. This means:-
- *“approving development proposals that accord with the development plan without delay; and*
  - *Where the development plan is absent silent or relevant policies are out of date, granting permission unless:*
    - *Any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
    - *Specific policies in this Framework indicate development should be restricted.”*
- 4.20 The presumption follows the content of Section 38 (6) of the Planning and Compulsory Purchase Act 2004 (see paragraph 2 of the Framework) and states that *“planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.”*
- 4.21 A set of 12 core land use principles are to underpin plan making and decision taking; these are stated at paragraph 17 of the Framework. Such principles include, but are not limited to the following examples:-
- *“Be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of*

*the area. Plans should be kept up-to-date, and be based on joint working and cooperation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a degree of predictability and efficiency;*

- *Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.*
- *Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;*
- *Take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.*
- *Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the re-use of existing resources, including conversion of existing buildings, and encourage the use of renewable sources (for example, by the development of renewable energy);*
- *Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable”.*
- *Encourage the effective use of land by re-using land that has been previously developed (brownfield land) provided it is not of high environmental value.*

4.22 There are 13 topic areas which form the Framework document and those topic areas considered of relevance to this planning application are set out below.

#### **Section 1: Building a strong, competitive economy**

4.23 Paragraph 19 makes it very clear that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore

significant weight should be placed on the need to support economic growth through the planning system.

4.24 To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century. In this regard local planning authorities should:-

- *Support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances;*
- *Plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries.*

#### **Section 4: Promoting sustainable transport**

4.25 Provisions for the promotion of sustainable transport are set out in Paragraphs 29 to 41. At Paragraph 32 it is made clear that all developments that generate a significant amount of movement need to be supported by a Transport Statement or Transport Assessment. Plans and decisions 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 can be achieved for all people; and,*
- *Improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe”.*

### **Section 6: Delivering a wide choice of high quality homes**

- 4.26 Paragraphs 47 to 55 provide the policy guidance for plan making and decision taking under the overall aim of significantly boosting the housing supply.
- 4.27 The requirement for a five year deliverable supply of sites is restated but with an “additional buffer of 5% to ensure choice and competition in the market for land”. Where there has been a persistent under-delivery then this buffer should be increased to 20%.
- 4.28 Local planning authorities can now if they wish introduce a windfall allowance into the five year supply but they need to have “compelling evidence that such sites have consistently become available” and “will continue to provide a reliable source of supply”. Any allowance is to be realistic and have regard to the SHLAA, historic windfall delivery rates and expected future trends (paragraph 48).
- 4.29 Paragraph 49 states that housing applications are to be considered in the context of the presumption in favour of sustainable development and relevant policies regarding housing supply should not be considered up to date if a five year supply of deliverable sites cannot be demonstrated (underlining our emphasis).
- 4.30 A wide choice of high quality homes is to be delivered and opportunities for home ownership are to be widened by planning for a good mix of housing based on the needs of different groups and local demands.

### **Section 7: Requiring good design**

- 4.31 This section of the Framework initially identifies, at paragraph 56, that the Government attaches great importance to the design of the built environment and that it also considers that design is a key aspect of sustainable development. In addition it also recognises that design is indivisible from good planning and should positively contribute to making places better for people.
- 4.32 Paragraph 57 states that *“it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes”*.

- 4.33 At paragraph 60, this document refers to the position that decisions *“should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness”*.
- 4.34 Paragraph 61 explains 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”*.
- 4.35 With regards to involving the community it is stated at paragraph 66 that applicants will be expected to work closely with those people who are directly affected by their development proposals to evolve designs that take into account the views of those people living within the community. It also states that those proposals that are able to demonstrate this in the developing of the new development should be looked on more favourably.

#### **Section 8: Promoting healthy communities**

- 4.36 Paragraph 69 of the promoting healthy communities section of this Framework document states that the planning system can play an important role in the facilitation of not only social interaction but also creating both healthy and inclusive communities. It also states that Local Planning Authorities should create a shared vision with communities of the residential environment and facilities that they wish to see. In order to support this, this document states that local authorities should aim to involve all section of the community in both the development of Local Plans and in planning decisions as well as facilitating neighbourhood planning. Planning decisions in turn therefore should aim to achieve places which promote:
- *“opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity;*

- *Safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and,*
- *Safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas”.*

#### **Section 10: Meeting the challenge of climate change, flooding and coastal change**

4.37 Inappropriate development in areas at risk of flooding should be avoided by directing development away from the areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Local Plans should be supported by Strategic Flood Risk Assessments and develop policies to manage flood risk from all sources taking account of advice from the Environment Agency and other relevant flood risk management bodies, such as Lead Local Flood Authorities and Internal Drainage Boards. Local Plans should apply a sequential, risk based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change, by:-

- *applying the Sequential Test;*
- *if necessary, applying the Exception Test;*
- *safeguarding land from development that is required for current and future flood management;*
- *using opportunities offered by new development to reduce the causes and impacts of flooding; and,*
- *where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to facilitate the relocation of development, including housing to more sustainable locations.*

#### **Section 11: Conserving and enhancing the natural environment**

4.38 Paragraph 109 refers to the contribution and enhancement of the natural and local environment including minimising impacts on biodiversity. At the point of determining an application paragraph 118 of the Framework identifies that local authorities should aim to

conserve and enhance biodiversity by applying such principles as *“development proposals where the primary objective is to conserve or enhance biodiversity should be permitted; and opportunities to incorporate biodiversity in and around developments should be encouraged”*.

- 4.39 Paragraph 112 of the Framework states *“Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of higher.”*

#### **Using a Proportionate Evidence Base**

- 4.40 Each Local Planning Authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Local Planning Authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals.
- 4.41 Under the housing sub heading, reference is made to the requirements for a SHMA and SHLAA. The SHLAA is to establish realistic assumptions about the availability, suitability and likely economic viability of land to meet the identified housing need over the plan period.
- 4.42 The following are of general relevance when considering an application for residential development:-
- Barnsley Strategic Housing Land Availability Assessment (SHLAA) (2011 Update)
  - Barnsley Strategic Housing Market Assessment (SHMA) (2008)
  - Annual Monitoring Report (December 2010)
  - Barnsley Housing Five Year Supply Note (October 2013)

#### **Decision Taking**

- 4.43 In relation to the decision taking section of the Framework, paragraph 187 notes that local planning authorities should *“look for solutions rather than problems, and decision takers at every level should seek to approve applications for sustainable development where possible.”*

This includes working proactively with applicants to *“secure developments that improve the economic, social and environmental conditions of the area.”*

- 4.44 In determining application, paragraph 196 requires that *“applications for planning permissions must be determined in accordance with the development plan, unless material considerations indicate otherwise”* in line with the established plan-led planning system. Paragraph 197 confirms that in assessing and determining development proposals, *“local planning authorities should apply the presumption in favour of sustainable development.”*

#### **Annex 1: Implementation**

- 4.45 Annex 1 outlines how the policies in the Framework come into operation and how they relate to existing and emerging Local Plans. For a period of 12 months from the date of publication of the Framework “decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework” (paragraph 214). Subsequent to this 12 month period due weight is to be given to relevant plans according to their degree of consistency with this framework. From the date of publication of the NPPF weight can also be given to relevant policies in emerging plans subject to the degree of consistency with the Framework, the stage reached and the extent to which there are unresolved objections (paragraph 216).
- 4.46 The Barnsley UDP was adopted in 2000, well before the Planning and Compulsory Purchase Act 2004, and therefore paragraph 215 of the Framework applies.

#### **Technical Guidance to National Planning Policy Framework (March 2012)**

- 4.47 This document provides additional guidance to Local Planning Authorities regarding development within areas at risk of flooding. This application site is within Zone 1 and is therefore not at risk of flooding.

#### **Barnsley Core Strategy (September 2011) (BMBC CS)**

- 4.48 The BMBC CS sets out the vision and objectives for planning new development in the Barnsley Borough over the next 12 years.

4.49 The BMBC CS contains policies that set out the broad principles about how much, where and when new development should take place, and what form it should take. It also outlines the sustainable transport and other infrastructure that will need to be provided to support it. It promotes economic growth and new housing to meet local needs and those needs of people looking to move to Doncaster for work. The plan covers the period up to 2026.

4.50 The BMBC CS policies relevant to this particular planning application include:-

CSP 1 Climate Change

4.51 This policy is in relation to tackling climate change and the mitigation of the effects of extensive development on land.

CPS 2 Sustainable Construction

4.52 This policy relates to new development and its expectation to minimise resource consumption in line with Building Regulations. It states that *“all new homes will be expected to achieve at least a level 3 rating under the Code for Sustainable Homes or equivalent.”* It is detailed that this requirement will rise to level 4 by 2016.

CSP 3 Sustainable Drainage Systems

4.53 This policy indicates that all development will be expected to use Sustainable Drainage Systems.

CSP 4 Flood Risk

4.54 This policy relates to reducing the extent and impact of flooding. It details all developments over 1 ha in Flood Zone 1 should require a Flood Risk Assessment.

4.55 A Flood Risk Assessment has been submitted with this application.

CSP 5 Including Renewable Energy in Development

4.56 This policy details that:-

*“All developments of 10 or more dwellings will be expected to incorporate decentralised, renewable or low carbon energy resources and other appropriate design measures sufficient*

*to reduce the development's carbon dioxide emissions by at least 15% for applications submitted up to 2015."*

CSP 9 The Number of New Homes to be Built

- 4.57 This policy outlines that Barnsley Metropolitan Borough Council will *"seek to achieve the completion of at least 21,500 net additional homes during the period 2008 to 2026. A minimum five year supply of deliverable sites will be maintained."* The annual requirement, as outlined in Appendix 2 of the Core Strategy, is outlined in the table below.

Year	Gross Dwellings	Demolitions	New Dwellings
2008-09*	1,096	236	860
2009-10*	797	251	546
2010-11	850	150	700
2011-12	900	100	800
2012-13	950	88	862
2013-14	1,100	104	996
2014-15	1,150	50	1,100
2015-16	1,250	50	1,200
2016-17	1,450	50	1,400
2017-2026	1,500	50	1,450
2008/26	23,043	1,529	21,514

\* based on the number of housing completions

CSP 10 The Distribution of New Homes

- 4.58 Outside of Urban Barnsley and the Principle Towns, other settlements will deliver 1,000 new dwellings representing 5% of the plan periods total net additional 21,500 homes. Hoylandswaine is included within these other settlements.

CSP 14 Housing Mix and Efficient Use of Land

- 4.59 This policy outlines that "housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced communities." It further states that "lower densities will only be supported where it can be demonstrated that they are necessary

*for need, viability or sustainable design reasons.”*

CSP 15 Affordable Housing

- 4.60 This policy highlights the expected affordable housing provision of 25% on housing developments of 15 or more dwellings within Penistone and the rural west, Darton and Barugh and Dodworth. 15% affordable will be expected in all parts of the borough. The developer must show that arrangements have been put in place to keep the new homes affordable.

CSP 25 New Development and Sustainable Travel

- 4.61 This policy states that new development will be expected to:
- *provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people, and should not provide more than the maximum number of car parking spaces set out in a Supplementary Planning Document*
  - *provide a transport statement or assessment in line with the thresholds and guidance set out in Department for Transport 'Guidance on Transport Assessments' as published March 2007 (or any subsequent version)*

*Where levels of accessibility through public transport, cycling and walking are unacceptable, we will expect developers to take action or make financial contributions in accordance with policy CSP 42.*

- 4.62 A Transport Statement has been submitted in support of the application.

CSP 26 New Development and Highway Improvement

- 4.63 This policy states that:-

*New development will be expected to be designed and built to provide safe, secure and convenient access for all road users.*

CSP 29 Design

- 4.64 This policy is in relation to design principles. It outlines that high quality development will be expected that contributes towards to a healthy, safe and sustainable environment.

CSP 30 The Historic Environment

- 4.65 This policy details that Barnsley will encourage the management, conservation and enjoyment of Barnsley's historic environment and make the most of the heritage assets which define Barnsley's local distinctiveness. It further states:-

*“Development which affects the historic environment and Barnsley's heritage assets and their settings will be expected to protect or improve:*

- *the character and/or appearance of Listed Buildings (including any locally listed buildings or buildings of archaeological significance)”*

CSP 33 Green Infrastructure

- 4.66 This policy is in relation to Green Infrastructure. It states that *“Green Infrastructure will be secured by protecting open space, creating new open spaces as part of new development, and by using developer contributions to create and improve Green Infrastructure.”*

CSP 35 Green Space

- 4.67 This policy refers to Green Space. Barnsley Council will assess the need for green space against the standard in their Green Space Strategy.

CSP 39 Contaminated and Unstable Lane

- 4.68 This policy relates to proposals where the future users and occupiers of the development would be affected by contamination or stability issues or where contamination may present a risk to the water environment.

CSP 40 Pollution Control and Protection

- 4.69 This policy states that *“Developers will be expected to minimise the effects of any possible pollution and provide mitigation measures where appropriate.*

CSP 42 Infrastructure and Planning Obligations

- 4.70 It is highlighted that development must contribute as necessary to meet all on and site infrastructure requirements to enable development to take place satisfactorily.

**Barnsley Unitary Development Plan (UDP) (December 2000)**

- 4.71 The Barnsley UDP was adopted in December 2000, following a revision of the existing plan at that time, it covers the period 1986-2001. Subsequently it is now considered to be significantly out of date and in the main replaced by policies of the Core Strategy. The UDP sets out a forecast requirement for 10,750 new dwellings in the Borough between 1986 and 2001.

- 4.72 The saved policies that relate to the proposals map remain part of the statutory plan for Barnsley. Within the UDP Proposals Map, the application site is designated as Safeguarded Land (to which policy GS10 applies). Policy GS10 was saved under a direction from the Secretary of State in September 2007. It states that:-

*"In areas shown as safeguarded land on the proposals map existing uses will normally remain during the plan period and development will be restricted to that necessary for the operation of the existing uses. Otherwise planning permission for the permanent development of such land will only be granted following a review of the UDP which proposes that development on the land in question."*

**Barnsley Emerging Development Sites and Places (Consultation Draft 2012)**

- 4.73 This document was published for consultation in July 2012. It contains housing and economic allocations. The Council agreed a new Economic Strategy (2012 - 2033) in June 2012 with the objective to *"Create the conditions for economic growth and greater prosperity through the provision of quality employment sites, appropriate housing mix and a fully integrated transport infrastructure."*

- 4.74 Since the adoption of the Core Strategy the need for low density, high value or 'Executive Housing' in order to support the Economic Strategy (2012-2033) has emerged in order to provide the right housing mix and contribute towards creating the conditions for economic growth, and there is an aspiration to deliver 1200 low density homes across the borough.

The purpose of this document is to allocate sites for development to achieve the Spatial Strategy set out in the Core Strategy and to fulfil the spatial objectives set out in the Economic Strategy. The Land off Church Lane is identified within this document as a draft allocation (reference LD7) for Low Density Housing, that being an expectation of 'Executive Housing.'

## 5.0 THE PLANNING CASE

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

### **The Five Year Land Supply Position**

5.2 As previously noted the Framework sets out a requirement for local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a rolling 5-year supply of land for housing. This should include the additional 5% buffer to ensure choice and competition in the market for land, increasing to 20% in instances where there has been a persistent under delivery of housing. In addition authorities should identify a supply of developable sites or broad locations for housing growth for years 6-10 and, where possible, for years 11-15 (paragraph 47). The Framework makes clear, in paragraph 49 that:

*“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.”*

5.3 The BMBC Core Strategy identifies the need for at least 21,500 new homes across the plan period 2008-2026. This figure reflects the now revoked RSS requirement of 1,015 new homes per annum with 1,704 new homes added as part of the Growth Point programme and an additional 1,256 new dwellings for added flexibility to conclude a requirement of 21,500 (net) new dwellings.

5.4 The latest Barnsley Five Year ‘Deliverable’ Housing Land Supply Report April 2012- March 2017 (October 2013) highlights that between 2004/05 and 2011/12 Barnsley had a record of consistently delivering housing to its net requirement, justifying the Framework buffer of 5% as outlined in paragraph 47, rather than the 20% buffer which should be applied in circumstances of persistent under delivery of housing.

5.5 Taking into account the Framework buffer the 2012/13- 2016/17 five year net requirement has been calculated as below:-

Year	Original Core Strategy Trajectory Net Requirement	Adjusted Net Requirement (08/09-11/12 Surplus -25 dwellings per year)	5% NPPF Buffer	Actual Net Requirement
12/13	862	836	42	878
13/14	996	971	49	1020
14/15	1100	1075	54	1129
14/15	1200	1175	59	1234
15/16	1400	1375	69	1444
<b>Total</b>	<b>5558</b>	<b>5432</b>	<b>274</b>	<b>5705</b>

- 5.6 The overall net requirement for the Borough as outlined in the Barnsley Five Year 'Deliverable' Housing Land Supply Report for the five year period 2012/13 to 2016/17 is 5,705 net dwellings.
- 5.7 The 2012/13 to 2016/17 Fiver Year 'Deliverable' Housing Land Supply Report sets out the overall housing capacity of sites which Barnsley Council consider are deliverable within 5 years as follows:

Category	Gross Deliverable Supply
Planning Permissions >= 10 Dwellings	1717
Remaining UDP Housing Proposals	433
Redundant School Sites	210
Permissions < 10 Dwellings	507
Windfall Allowance	766
<b>5 Year 'Deliverable' Gross Supply Total</b>	<b>3633</b>
Predicted Losses	330
<b>5 Year 'Deliverable' Net Supply Total</b>	<b>3303</b>

- 5.8 From this table it is evident that only 3,303 net dwellings can be delivered against a requirement for 5,705 net dwellings. This falls short of the five year supply requirement. This is acknowledged by the Council in paragraph 4.2 of the Five Year 'Deliverable' Housing Land

Supply Report which states that the Council cannot demonstrate a supply of specific, deliverable sites sufficient to meet the Borough's housing requirement.

### **The Principle of Development**

- 5.9 The National Planning Policy Framework (Framework) advocates a presumption in favour of sustainable development. Within the Framework a core objective is to boost significantly the supply of housing and to deliver a wide choice of high quality homes. It also states that planning should proactively drive and support sustainable economic development to deliver the homes that the country needs. The Framework states that every effort should be made objectively to identify and meet the housing needs of an area and respond positively to wider opportunities for growth.
- 5.10 Barnsley Council acknowledge in their Five Year Housing 'Deliverable' Housing Land Supply Report (October 2013) that they cannot demonstrate a five year supply, they can only demonstrate a 2.89 year housing land supply which is a significant under supply (Paragraph 49). The Framework makes it clear that where there is an insufficient supply of housing land there is a presumption in favour of sustainable development.
- 5.11 Paragraph 14 of the Framework states that where the development plan is absent, silent or relevant policies are out of date local planning authorities should grant permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits (underlining our emphasis) when assessed against the policies in the Framework as a whole, or where specific policies in the Framework indicate otherwise. The Framework identifies various policy areas that need to be considered, whilst this is not a closed list it is pertinent that Safeguarded Land is included in the list, nor is any other land designation where future development is intended or contemplated.
- 5.12 Whilst the site is identified in the UDP as Safeguarded Land, the text that supports policy GS10 informs that *"planning permission for the permanent development of such land will only be granted following a review of the UDP which proposes that development on the land in question."* Formation of the Sites and Places DPD is underway in which the application site is identified as Low Density Housing, a replacement for the Safeguarded Land Allocations in the UDP.

## National Planning Policy Framework and the Development Plan

### *Building a Strong, Competitive Economy*

- 5.13 Paragraph 19 of the Framework indicated the Government's commitment to ensuring that the planning system does everything it can do to support sustainable economic growth and that significant weight should be placed upon it. The lack of housing, infrastructure and services are identified as potential barriers to investment.
- 5.14 The proposed development is consistent with the spatial development strategy set out within the Core Strategy. It will make a contribution to the five year housing land supply and provide a range of benefits:
- Delivery of new family homes
  - Provision of open market homes
  - Provision of affordable housing, consisting both on-site and off-site contributions
  - Direct and indirect construction jobs
  - New Homes Bonus in the region of £500,000.00
  - Section 106 monies in respect of public open space and play area, transport and affordable housing.
- 5.15 As such the proposed development is fully consistent with the aim of building a strong and competitive economy.

### *Promoting Sustainable Transport*

- 5.16 Paragraph 32 of the Framework states that all developments which generate significant amounts of movement should be supported by a transport assessment. Development proposals should be assessed as to whether opportunities for sustainable transport modes have been taken up, safe and suitable access to the site can be achieved and improvements can be taken within the transport network that cost effectively limit the significant impacts of development. The Framework is clear in stating that "*development should only be prevented or refused on transport grounds where the residual impacts of development are severe.*"

5.17 The Transport Statement which accompanies this application concludes that the site is in an easy accessible sustainable location. It details transport methods to the site include, by foot, cycle and public transport. It concludes that the proposed site will provide satisfactory accessibility to local services by cycle within a 20 minute, by bus to local services and facilities as well as to wider employment opportunities and by rail services. Primary educational facilities are accessible by foot however access to other essential services such as secondary education, primary health care facilities and food retail are available in just a five minute bus journey. Furthermore, the Transport Statement details that junction capacity assessments have demonstrated the Church Lane/Haigh Lane junction to comfortable and safely accommodate the traffic generated by the proposed development.

*Delivering a Wide Choice of High Quality Homes*

5.18 As set out above the development is fully in accordance with the Framework policy to boost significantly the supply of housing (paragraph 47). Given the proposed allocation of this site the development is wholly consistent with this objective.

5.19 The development will provide a mix of 4 and 5 bedroomed high quality open market dwellings. In addition, and in accordance with CSP 15 Affordable Housing, a viability exercise has been undertaken and indicates support for 25% of the units to be made available for affordable housing provision. Following discussions with the local planning authority 10% will be provided on-site, as 2 and 3 bedroom semi-detached properties, and the additional 15% through off-site contributions to facilitate affordable housing delivery and provide investment stimulus elsewhere within the District. This is consistent with the provision of the Framework (paragraph 50).

5.20 The latest Strategic Housing Marking Assessment (SHMA) (September 2013) for Barnsley identifies Hoylandswaine within the Rural West housing market area. The SHMA identifies an affordable housing shortfall of 268 dwellings each year across the Barnsley Borough. As outlined in Table D2 of the SHMA, the need for affordable housing is greater in other housing market areas such as North Barnsley and Royston, Hoyland, Wombell and Darfield, and South Barnsley and Worsbrough, where total affordable housing backlog need is 1,772, 1,715 and 1,330 dwellings respectively, in comparison to the backlog need of 358 affordable

dwellings in the Rural West. In order to meet this need elsewhere in the District, 15% off-site contributions toward affordable housing are being provided.

*Requiring Good Design*

5.21 The Design and Access Statement sets out design principles such as detail, appearance and layout of landscaping and open space. These are based upon a desire to create a high quality development based upon a number of spatial and design themes to provide for:

- A mix of family homes
- Retention and incorporation of trees and hedgerows with amenity value within boundaries and open areas within the site
- Green spaces and structural landscaping
- Sufficient separation distances from existing residential properties in order to protect amenity
- The use of construction materials complimentary to the existing urban context
- Retention of existing public rights of way and provision of new pedestrian linkages through the site.

5.22 The Statement sets out parameters in respect of character, parking, green infrastructure and landscaping, layout, external appearance, materials and detailing. They are fully consistent with the policies within the Framework which seek to ensure that, amongst other things, development function well and add to the overall quality of the area, establish a strong sense of place, optimise potential to incorporate green and public space and create safe and accessible environments (paragraph 58). The development is considered to provide good architecture, in keeping with the local context, and appropriate landscaping which will promote local distinctiveness (paragraph 60).

5.23 The Design and Access Statement demonstrates that the development will be compliant with relevant Core Strategy Policy in respect of Sustainable Construction and Design.

*Promoting Healthy Communities*

- 5.24 The Framework indicated the important role of the planning system in facilitating social interaction and in the creation of healthy, inclusive communities (paragraph 69). This includes the creation of places which promote opportunities for meetings between members of the community and safe and accessible environments which provide clear and legible pedestrian routes and high quality open space. The Framework attaches weight to the need to ensuring that sufficient choice of school places is available to new and existing communities (paragraph 72), provision of open space and recreational facilities (paragraph 73) and the protection and enhancement of public rights of way and access (paragraph 75).
- 5.25 In terms of school capacity within the area, for Primary and Secondary provision, the pre-application feedback has indicated that schools within Hoylandswaine have capacity for the anticipated number of children generated by the development and therefore an education contribution will not be sought. New public open space is provided within the development proposal and existing nearby footpaths protected.

*Meeting the Challenge of Climate Change, Flooding and Coastal Change*

- 5.26 The Framework notes the role of planning in seeking reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change and in supporting the delivery of renewable and low carbon energy. This is central to the economic, social and environmental dimensions of sustainable development (paragraph 93). In supporting the move to a low carbon future authorities should seek new development in locations and ways which reduce greenhouse emissions and, in determining applications expect account to be taken of landform, layout, building orientation, massing and landscaping to reduce energy consumption (paragraphs 95 and 96).
- 5.27 The Framework indicated that new development should be directed away from areas of risk of flooding (paragraph 100). The Flood Risk Assessment submitted with the planning application confirms that the site falls within Flood Zone 1, an area with a low probability of fluvial flooding, is not affected by flooding from any river or watercourse and is not within a groundwater protection zone. Subject to the adoption of sustainable drainage systems in respect to surface water attenuation the development can be undertaken with

no adverse impact upon flood risk. A series of mitigation measures in respect of foul and surface water drainage and attenuation are set out within the document. Having regards to the findings of the Assessment the proposed development is consistent with the policy provisions of the Framework and with the requirements of Policy CSP 4 of the Core Strategy.

*Conserving and Enhancing the Natural Environment*

- 5.28 The Framework indicates that the planning system should contribute to and enhance the natural and local environment through, amongst other things, the protection and enhancement of valued landscapes and by minimising impacts on and, where possible, providing net gains in biodiversity. In addition development should not contribute to, or be affected by, pollution (paragraph 109).
- 5.29 In respect of the landscape and visual impact of the development the site is not subject to any specific designation and is considered to hold a comparatively low landscape value. This is based upon the absence of landscape designations and the location of the site. Whilst the development will remove an area of open land the impact upon landscape character will be minimal given this urban context. In addition open space provision, the retention of amenity value boundary landscape planting and new tree planting within the development will further mitigate impact.
- 5.30 In terms of impacts upon ecology and biodiversity the Phase 1 habitat survey submitted with the application indicates that the site is not subject to any statutory or non-statutory ecological designations at European, National or Local level. As such it holds a low level of ecological value. The development will therefore not give rise to impacts upon designated wildlife sites or loss of species or habitats of high nature conservation value.
- 5.31 The survey concludes that no protected or notable species were identified in proximity to the site however, some trees and hedgerows around the site offer nesting opportunities for a number of bird species during the breeding season and roosting opportunities for bats. As such it is recommended that an aerial inspection or emergency surveys are undertaken before any measures are taken to manage or remove these trees with bat roosting potential. Any works on trees and hedgerows should be undertaken between September and February, outside of the breeding season.

- 5.32 The location of the site and nature of the development does not give rise to any potential issues in respect of noise or air pollution. Overall it is considered that the development would not give rise to any significant adverse impact upon landscape or ecological interests and would not, subject to appropriate mitigation, give rise to pollution issues. As such it is fully in accordance with Framework policy and with relevant Core Strategy policy.

*The Historic Environment*

- 5.33 In respect to potential impacts upon the historic environment, a Heritage Statement has determined that the proposed development will give rise to harm, which is less than substantial, to the designation or non-designated heritage assets. The Heritage Statement submitted with the application indicates that the impact upon St John's Evangelist Church is low and provides recommendation on how to commence with development. As such the proposed development would not conflict with policies set out within the Framework or Core Strategy.
- 5.34 A Desk Based Assessment has been conducted by Prospect Archaeology which considers the archaeological and historical implications of the proposed development. It states that there is no evidence for archaeological activity within the limits of the site, although it lies in an area of suspected Iron Age field systems and enclosures. As no archaeological work has been conducted in the area it is not yet possible to arrive at conclusions regarding the archaeological potential of the site. It is therefore recommended that further assessment is conducted.

*Economic Benefits*

- 5.35 The development of 66 dwellings will require a direct construction spend of circa £10 million which a large proportion will be spent through the local economy through the manufacture and use of local building materials. Capital expenditure from the development will be invested in the recovery and growth of the local economy.
- 5.36 The development, containing a high proportion of larger family dwellings, will generate householder expenditure that will help support economic activity locally, including businesses providing household goods and services, transport service providers and the leisure industry.

- 5.37 A number of direct and indirect jobs will be created through this development proposal. David Wilson Homes actively support the employment of apprentices within the construction trade, throughout the build programme.
- 5.38 The proposal will generate a New Homes Bonus of approximately £480,000 over a 6 year period for Barnsley Council to spend on improving the area.

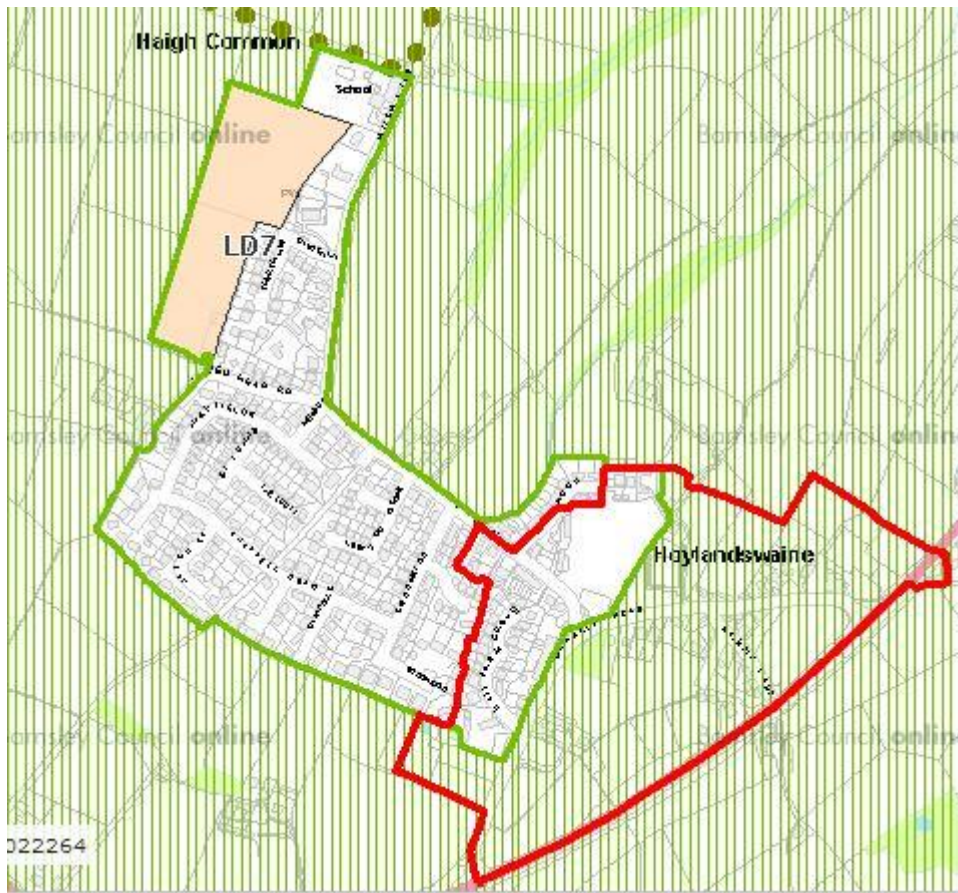
## 6.0 CONCLUSIONS

- 6.1 The National Planning Policy Framework indicates that housing applications should be considered in the context of the presumption in favour of development which should be seen as the golden thread through both plan-making and decision-taking.
- 6.2 The proposed development is fully in line with the aim of the Framework to boost significantly the supply of housing. Barnsley cannot currently identify a deliverable five year housing supply, and therefore local plan housing policies no longer apply. This development goes some way to meet the housing need within the district. As stated in paragraph 14 of the Framework where the relevant policies of the development plan are out of date, local authorities should grant planning permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits (underlining our emphasis).
- 6.3 The range of technical reports submitted in support of the application demonstrate that the development will not give rise to any adverse impact upon matters in respect of transport, landscape, ecology, flood risk or pollution. It is therefore fully compliant with the policy requirements of the Framework and relevant adopted development plan policy and local guidance.
- 6.4 The development accords with the provision of the National Planning Policy Framework and represents a sustainable development providing significant benefits in terms of housing delivery and choice and a range of developer contributions including affordable housing. As such the planning application should be supported.

# Appendix One



## Appendix Two



## Appendix Three



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**Development Service**

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Mr Mark Johnson  
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My ref: 2013/ENQ/00522  
Your ref: MTJ/lkn  
Enquiries to: Andrew Burton  
Email: andrewburton@barnsley.gov.uk  
Dial Direct: (01226) 774718  
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Date: 4<sup>th</sup> September 2013

Dear Mr. Johnson

<b>REFERENCE NO.</b>	2013/ENQ/00522
<b><u>DESCRIPTION</u></b>	<u>Proposed residential development</u>
<b><u>LOCATION</u></b>	<u>Land at Church Lane, Hoylandswaine</u>

I refer to the request made to the Council for pre-application advice relating to the above site.

This letter provides advice and an assessment of the material planning considerations that would influence the outcome of any subsequent application following our meetings 17<sup>th</sup> June and 1<sup>st</sup> August of this year.

I, Andrew Burton chaired the initial meeting (Senior Planning Officer –Development Management) which was also attended by Barbara Wilson, Group Leader Highways Development Control. The subsequent meeting 1<sup>st</sup> August was also attended by Matthew Joy (Planning Policy Officer), Nik King (Senior Urban Design Officer) and Lloyd Downer (Affordable Housing Officer).

Planning Policy issues

The Development Plan for the Borough currently consists of the saved Unitary Development Plan policies and the Local Development Framework Core Strategy. In addition the Council has produced a Consultation Draft of the Development Sites & Places Development Plan Document (DSAP), which shows possible allocations up to 2026 and associated policies. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation.

The National Planning Policy Framework (NPPF) is also an important consideration. The NPPF states that a presumption in favour of sustainable development should be at the heart of every application decision. For planning application decision taking this means:-

- approving development proposals that accord with the development plan without delay
- where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:-

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

-specific policies in the Framework indicate development should be restricted.

**Development Management**

Stephen Moralee BA (Hons) MBA  
Head of Planning, Building Control and Sustainability

The site is designated Safeguarded Land by policies WR11/GS10 in the Unitary Development Plan part of the development plan.

Policies WR11/GS10 state that *'In areas shown as Safeguarded Land on the proposals maps existing uses will normally remain during the plan period and development will be restricted to that necessary for the operation of existing uses. Otherwise planning permission for the permanent development will only be granted following a review of the UDP which proposes that development on the land in question'*.

Paragraph 215 of the NPPF states that policies such as those in the UDP which were adopted before 2004 should be given weight 'according to their degree of consistency' with the NPPF. A key element of the NPPF, as discussed above, is the presumption in favour of sustainable development. Therefore, it could be considered that UDP Safeguarded Land designations are out of date where the site can be shown to be in a sustainable location.

In such cases 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 taken as a whole; or  
-specific policies in the Framework indicate development should be restricted.

Planning Officers accept that the above guidance would apply in this case subject to an assessment of the impacts of the proposed development as to whether these would be adverse so would significantly and demonstrably outweigh the benefits.

In terms of the adopted LDF Core Strategy the site is located outside of the Urban Barnsley Sub Regional Town and Principal Towns, which are the accepted locations to be the main focus of new housing development under Core Strategy policy CSP8: Location of Growth and CSP10 'The Distribution of New Homes'.

The site is located in a village, one of the 'other settlements' in CSP10. All the villages were envisaged to deliver 1000 dwellings in total over the LDF plan period.

Based upon this the proposed development does not fall neatly within the policies of the existing adopted Core Strategy part of the Council's Development Plan. However the Council's Economic Strategy, which was agreed by the Council in June 2012, has established a need to deliver a step change in the quality of residential development in the borough leading to the construction of high quality large family sized dwellings constructed at lower densities.

This is reflected in the consultation draft of the LDF Development Sites and Places Development Plan Document, which includes a number of proposed low density development housing allocation sites, including the proposed development site which is shown as site LD7.

In my opinion the submitted plan reflects well against the objectives of the economic strategy and draft policy LD7. However only limited weight can be afforded to the draft DPD at this stage given that it currently has only been subject to an initial round of consultation without examination from a Planning Inspector.

Therefore any application made in advance of the Sites and Places DPD being adopted will need to include justification for the proposals in the context of paragraph 14 of the NPPF, which is suggested would include reference to the Economic Strategy which does have approval from Council at Cabinet level. However it shall still need to demonstrate that the development would be sustainable in order to satisfy the principle of sustainable development which is at the heart of the NPPF.



# **BARNSLEY**

**Metropolitan Borough Council**

In the first instance, you would be advised to complete a 'Housing Development Sustainability Checklist' as required by Planning Advice Note 30 – Sustainable Location of Housing Sites in order to take into account considerations such as access to local services and public transport in order to inform any areas lacking with the site and any mitigation that might be required in order to make the site sustainable.

In addition sustainability issues should be considered as part of the Transport Statement that is required to accompany the application.

Planning Officers will make a decision as to whether to support the application in principle taking into account the above considerations. Your own case in support should be set out in a Planning Statement that accompanies the application.

### Effect on the visual amenity of the Green Belt

The site is in a sensitive location with a boundary against an open area of the Green Belt. The boundaries are particularly sensitive on the northern and western sides meaning that there is a need to protect the visual amenity of the Green Belt. Therefore I consider substantial landscaping buffers would be an essential requirement along these sensitive boundaries in the interests of safeguarding the visual amenity of the Green Belt.

It was indicated that hedgerows might already exist on these areas. These should be surveyed with priority being given to their retention and enhancement. It might also be possible to provide some of the new planting in the neighbouring field if this land is under the control of the applicant, provided that this land is not included within the red line so as to remove the potential for the development to encroach into the areas of Green Belt in the future. Long term future maintenance responsibilities for the landscaping belts shall also be a consideration.

### Effect on the visual amenity of a Grade II listed building

The development will affect the setting of St John's Church which is a grade II listed building. Therefore it shall be a requirement of the application to demonstrate that the development would protect the character and/appearance in accordance with CSP 30 'The Historic Environment'. Please can you therefore ensure that any application is accompanied by a Heritage Statement detailing how this issue has been considered.

### Green space provision

In accordance with CSP35, CSP42 and the SPD Open Space Provision on New Housing Developments, all residential development over 20 units are expected to provide green space, whether that be on site or a financial contribution to upgrade existing areas.

Therefore, a minimum of 15% of the gross area of new housing development should be open space of a type appropriate to the character of the site, its location and the layout of nature of the new housing and adjoining land uses as per 'SPD: Open Space Provision on New Housing Development' standards.

Current procedure is that a green space assessment will be carried out on submission of the application to determine what the most appropriate green space requirement is in line with identified local need. However an initial assessment carried out at the pre-application stage indicates that provision should be on site as you have shown. In addition support was expressed at the meeting for the public open space to be centrally located which is again part of your proposal. The initial

### **Development Management**

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assessment has however further identified a potential need for a LEAP in the area which is likely to be requested. You indicated a preference for this to be provided off the site. As such the onus would be on you to identify a suitable alternative location for this to be provided for the Council to consider as part of the application.

Please also note that provision for the ongoing maintenance of the on site open space (either by means of a management company or Parks Services) will be required in accordance with Supplementary Planning Document: Open Space Provision on New Housing Development.

### Design

My initial thoughts on the proposed site layout are positive. However please be aware of the assessment framework which is summarised below:-

The design of the development should comply with the standards set out in the Local Development Framework Supplementary Planning Document 'Designing New Residential Development'. In particular please note the minimum separation distance standards that will apply to existing houses

The size of the dwellings should also meet the minimum internal floor space standards set out in the South Yorkshire Residential Design Guide which are 62m<sup>2</sup> for 2 bed/3 person dwellings, 77m<sup>2</sup> for 3 bedroom/4 person dwellings and 93m<sup>2</sup> for 4 bedroom/5 person dwellings.

In terms of quality, the Council supports the Building for Life Partnership Scheme which has been recently updated (2012) to include a revised number of 12 questions. The Design and Access Statement should include your own scoring assessment as to how many positive scores would be achieved in order to justify the design of the scheme.

Core Strategy policy CSP14 'Housing Mix and Efficient Use of Land' states that a mix of housing should be provided. CSP14 continues that a minimum density of 40 dwellings per hectare should be aimed for. Lower densities should be justified using the criteria laid out in the final sentence of CSP14 and in the supporting text for this policy at paragraph 9.78 of the Core Strategy. As laid out in the Economic Strategy the Council is seeking to achieve a step change in the quality of residential development in the borough. These ambitions may necessitate lower densities where it can be justified on sustainable design grounds.

I would particularly draw your attention to the following principles from the 'Designing New Residential Development' SPD:-

- Existing neighbouring properties have the potential to be affected by the development. Therefore you will need to ensure that the proposals comply with the standards in the Local Development Framework Supplementary Planning Document 'Designing New Residential Development' with regards to achieving a minimum separation distances of a minimum 21m to existing properties where they face each other back to back and a minimum 10m from windows to the garden boundaries.
- Garden sizes of a minimum 50sqm for 2 bedroom properties and 60sqm for 3 bedroom properties and a 10m depth should be provided.
- Front boundary treatments would be welcomed.
- Shared surface zones should be block paved. Barbara Wilson (Group Leader, Highways Development Control) can provide the specification.
- Side windows should be provided on plots that turn corners.

Parking provision – Standards in LDF Supplementary Planning Document 'Parking' are 1 space for dwellings with 1 or 2 bedrooms and 2 spaces for dwellings with 3 or more bedrooms.



### Highways

Initial discussions have taken place with highways about the proposed access arrangements and the design of the new junction into the site from Church Lane and accessibility does not appear to be a significant issue at this stage. However development proposals of this scale will need to be accompanied by a Transport Assessment at the planning application stage to enable Highways to carry out an assessment in the full amount of requisite detail in order to ensure that there would not be an objection to the application on highway safety grounds.

### Education

Education have been consulted at the pre-application stage and have been responded by advising that there is currently projected to be sufficient places available at local schools to accommodate the number of primary and secondary school children that is predicted as a result of the development.

### Other Core Strategy policy requirements

Affordable Housing -The development is of a size where the provision of affordable housing will be expected, unless it can be demonstrated through a viability assessment that the required figure would render the scheme unviable. Provision should meet the definition of affordable housing in the NPPF and be 25% of the overall number of dwellings which is required in this area of the Borough in order to comply with CSP15 'Affordable Housing'.

In this case it was expressed at the pre-application discussion that a mixture of on site and off site provision might be appropriate. I expressed an opinion that the initial proposal for 10% of the units to be affordable on site units with the remainder to be made up via the payment of a commuted sum would seem reasonable taking into account the aspirations of the Economic Strategy. However the proposal would need to be tested by any application given the absence of detailed planning policies on the matter taking into account consultation comments from consultees and the local community/Parish Council.

Code for Sustainable Homes - All new dwellings should achieve at least a level 3 rating under the Code for Sustainable Homes in order to be acceptable against CSP2 'Sustainable Construction' provided that the application was submitted this year. The minimum standard is due to rise to level 4 in later this year when Part L of the Building Regulations is next altered

SUDS- All development shall be expected to control surface water run off using SuDS where viable to be in compliance with CSP3 'Sustainable Drainage Systems'.

Flood Risk – A Flood Risk Assessment will be required to comply with policy CSP4 'Flood Risk'. It will be a requirement as part of the development that existing surface run off rates should be maintained as existing or reduced on greenfield sites.

Renewable energy - The development will be expected to incorporate decentralised, renewable or low carbon energy sources and other appropriate design measures sufficient to reduce the developments carbon dioxide emissions by at least 15% from levels permissible by the 2010 Building Regulations in order to comply with CSP5 'Including Renewable Energy in Developments'.

CSP 36, 'Biodiversity & Geodiversity' states that development will be expected to conserve and enhance the biodiversity and geological features of the Borough. Development which may harm a biodiversity or geological feature will be not be permitted unless effective mitigation and/or compensation can be ensured. Therefore the application would need to be supported by an

### **Development Management**

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independent ecological report by an appropriately qualified (to be detailed) consultants, which should include data from sources including the Barnsley Biological Records Centre [www.barnsley.gov.uk/countryside-general-information](http://www.barnsley.gov.uk/countryside-general-information) and Local Wildlife Site data. It should also propose mitigation measures proportionate to the loss of habitat that would result.

### Community Consultation

Community consultation is encouraged prior to the submission of the application. Best results are normally achieved when proposals are altered or information provided to address any specific concerns that are raised.

You may also wish to carry out consultation with local Ward Members. The site is in the Penistone East Ward where the Elected Councillors are:-

Cllr Robert Barnard <https://www.barnsley.gov.uk/about/how-the-council-is-organised/general-information-about-councillors/barnard-cllr-robert>

Cllr Hand-Davis <https://www.barnsley.gov.uk/about/how-the-council-is-organised/general-information-about-councillors/hand-davis-cllr-paul>

Cllr John Wilson <https://www.barnsley.gov.uk/about/how-the-council-is-organised/general-information-about-councillors/wilson-cllr-john>

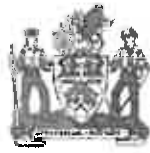
In addition Hoylandswaine has its own Parish Council and the application is likely to be of interest to Penistone Town Council.

### Validation requirements

The standard list of national planning application requirements would be expected for a full application. <https://www.barnsley.gov.uk/media/Development%20-%20Planning%20and%20Transportation/Development%20Control/Table%202%20-%20National%20Requirements.pdf>

In addition please provide the following reports from our list of local requirements:-

- Planning statement (please include the results of the any community consultation and a PAN30 assessment)
- Affordable housing statement
- Design and Access statement which affords recognition to the Supplementary Planning Documents 'Designing New Residential Developments' 'Open Space Provision on New Developments' and 'Parking', the South Yorkshire Residential Design Guide and the CABE Building for Life scheme
- Heritage Statement
- Indicative levels/house designs/street scenes
- Indicative landscaping/POS plan which includes buffer planting around the site boundaries where the site abuts open land
- FRA and drainage strategy
- Tree survey/implications assessment if any trees would be affected within the site or immediately adjacent the site boundary
- Ground investigation report
- Transport Assessment
- Framework travel plan
- Ecology report
- Energy report which sets out a strategy for addressing Core Strategy policies CSP2 'Sustainable Construction' and CSP5 'Renewable Energy'
- Heads of terms for a S106 Agreement



# **BARNSELEY**

**Metropolitan Borough Council**

Below is a link to our local validation list where you can read the summary notes to accompany most of the above documents:-

[https://www.barnsley.gov.uk/media/Development%20-%20Planning%20and%20Transportation/Development%20Control/Table%203%20-%20List%20Of%20Local%20Requirements%20\(2\).doc](https://www.barnsley.gov.uk/media/Development%20-%20Planning%20and%20Transportation/Development%20Control/Table%203%20-%20List%20Of%20Local%20Requirements%20(2).doc)

I am hopeful that this should cover everything that will be required. However I reserve the right to request additional information should that be considered necessary or be identified through the consultation process. It may also be possible to look to combine some of the documents where appropriate.

Validation will depend upon receipt of all relevant forms, fees, plans and documents.

These comments will be treated as a material consideration in relation to any planning application submitted in the next 2 years for a scheme that reflects the advice provided in this letter. However, please note that the views and opinions in this letter do not constitute a formal response or decision of the Council in relation to any future planning application.

Yours sincerely

Andrew Burton, Senior Planning Officer (Outer Area Team)  
For and on behalf of the Head of Planning, Building Control and Sustainability

**Development Management**  
Stephen Moralee BA (Hons) MBA  
Head of Planning, Building Control and Sustainability

[www.barnsley.gov.uk/developmentmanagement](http://www.barnsley.gov.uk/developmentmanagement)

**Appendix – List of main relevant planning policies to be covered (not exclusive and subject to change)**

National Planning Policy Framework

Site specific Unitary Development Plan policies <http://www.barnsley.gov.uk/volume1-strategy-policy-justificationpdf>, <http://www.barnsley.gov.uk/volume2-to-13-combinedpdf>

WR11/GS11 'Safeguarded Land'

Core Strategy - <http://www.barnsley.gov.uk/about/how-the-council-is-organised/departments/development-environment-and-culture/strategy-growth-and-regeneration/local-development-framework/core-strategy/>

CSP 1, Climate Change  
CSP 2, Sustainable Construction  
CSP 3, Sustainable Drainage Systems  
CSP 4, Flood Risk  
CSP 5, Including Renewable Energy in Developments  
CSP 14, Housing Mix and Efficient Use of Land  
CSP 15, Affordable Housing  
CSP 17, Housing Regeneration Areas  
CSP 26, New Development and Highway Improvement  
CSP 29, Design  
CSP 30, 'The Historic Environment'  
CSP 33, Green Infrastructure  
CSP35, Green Space  
CSP 36, Biodiversity & Geodiversity  
CSP 39, Contaminated and Unstable Land  
CSP 40, Pollution Control & Protection  
CSP 42, Infrastructure & Planning Obligations  
CSP43, Education and Community Facilities

LDF Development Sites and Places Consultation Draft 2012

<http://consult.barnsley.gov.uk/portal/development/planning/dsap/dsap?pointId=1164684#document-1164684>

Economic Strategy <http://edemocracy.barnsley.gov.uk/0xac16000b%20x005748d5>

LDF Supplementary Planning Documents

'Designing New Development' [http://www.barnsley.gov.uk/media/Development%20-%20Planning%20and%20Transportation/Planning%20Policy/spg/Designing%20New%20Housing%20Development\\_v2.pdf](http://www.barnsley.gov.uk/media/Development%20-%20Planning%20and%20Transportation/Planning%20Policy/spg/Designing%20New%20Housing%20Development_v2.pdf)

'Open Space Provision' [http://www.barnsley.gov.uk/media/Development%20-%20Planning%20and%20Transportation/Planning%20Policy/spg/Open%20Space\\_v2.pdf](http://www.barnsley.gov.uk/media/Development%20-%20Planning%20and%20Transportation/Planning%20Policy/spg/Open%20Space_v2.pdf)

'Parking' [http://www.barnsley.gov.uk/media/Development%20-%20Planning%20and%20Transportation/Planning%20Policy/spg/Parking\\_v2.pdf](http://www.barnsley.gov.uk/media/Development%20-%20Planning%20and%20Transportation/Planning%20Policy/spg/Parking_v2.pdf)

Planning Advice Note 30 'Sustainable Location of Housing Sites'

<http://www.barnsley.gov.uk/media/Development%20-%20Planning%20and%20Transportation/Planning%20Policy/PAN30%20FINAL%202013.10.11.pdf>

Planning Advice Note 33 'Financial Contributions to School Places'