

YORKSHIRE LAND LTD

**Sheffield Road, Penistone,
Barnsley**

**Outline Consent for 14 Detached
Dwellings**



Planning Statement

June 2013

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1.0 Introduction

- 1.1 This planning statement has been developed in support of an outline planning application for redevelopment of the site to provide 14 new detached residential units; with all detailed matters reserved for future approval. Access to the site is already in place via Laird's Way, off Sheffield Road.
- 1.2 The proposed scheme is to be determined in collaboration with the Co-operative; who are the adjoining landowners and currently have a live outline planning application for 44 dwellings to the North and West of the site. The live application reference is 2012/1363 and is due to be determined at the July 2013 Planning Committee.
- 1.3 The application site has lain vacant and derelict for a considerable period of time and is a wasted resource of previously developed land. The applicant is therefore seeking a sustainable and viable new use for the site and proposing its redevelopment for residential purposes.
- 1.4 This statement considers the background to the proposals and provides an assessment of the overriding benefits of the development in line with national planning policy, local policy and other material considerations to assist Barnsley Metropolitan Borough Council (Barnsley MBC) in its consideration of the planning application.

2.0 Site Context and History

Site Location

- 2.1 The application site is located within the main built area of Penistone, approximately 10 km to the west of Barnsley town centre. The site is situated to the south of Sheffield Road (B6462) approximately 750m from the edge of Penistone District Centre.
- 2.2 Access to the site is via Laird's Way, off Sheffield Road and also highly accessible by public transport. Penistone Railway Station borders the site, with its entrance located approximately 600m from Laird's Way. The site is within close proximity of a bus stop on Sheffield Road.
- 2.3 The location of the site is bound by a red line and illustrated in Figure 2.1 below:

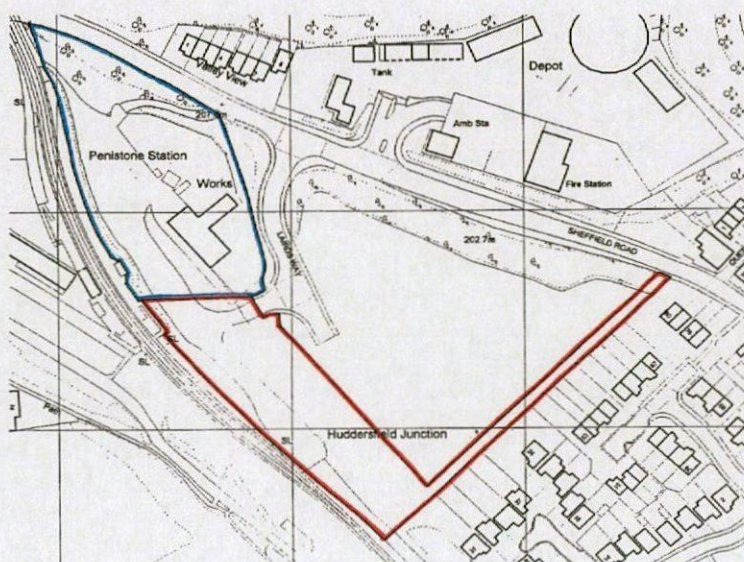


Figure 2.1: Site Location

Site Description

- 2.4 The application site area comprises approximately 0.6 hectares and forms part of a former industrial site (formerly occupied by the former Cammell Laird Foundry) and railway sidings; which have been left unoccupied for some time. The site forms an unusual configuration, with the larger area to the south and a thin elongated strip laying to the east.

- 2.5 The site is bounded by former railway sidings to the west boundary, the railway line to the southern boundary, and a modern residential estate to the eastern boundary that is approximately 4/5 metres below the level of the site.
- 2.6 Of the dwellings located to the eastern boundary of the site, these houses have rear bedrooms directly towards the site boundary which is approximately 4/5 metres above the level of houses in the street – Green Acres. There is open land to the North and beyond this there is a steep wooded bank/stone retaining wall to Sheffield Road, over which are now industrial units.
- 2.7 To the north of the site the land comprises a large flat plateau, defined by a steeply sloping bank to Sheffield Road, and is approximately 5m above the adjacent residential units in Green Acres to the east boundary
- 2.8 Vehicle access and egress of the site is via the existing Lairds Way onto Sheffield Road. This was provided in circa 1995 to facilitate development as a condition of development of the adjacent site for residential uses (see paragraph 2.14). The purpose of the creation of the new access was to assist with the delivery of the employment development aspect of the permission, which has subsequently not occurred.
- 2.9 The site has now been cleared of all buildings and trees and comprises a mixture of hard standing and areas of low grade vegetation.
- 2.9.1 The site does not lie within a conservation area.
- 2.9.2 The site does not lie within a flood zone.
- 2.9.3 Penistone provides around 9% of housing within Barnsley, as referred to within the Barnsley Housing Needs, Markets and Affordability Assessment Update: A Strategic Housing Market Assessment (May 2008), Penistone is considered to demonstrate a buoyant housing market and is identified as the area where housing pressure (i.e. where demand is greater than supply) is most acute. There is an identified requirement for a range of dwelling types and sizes in Penistone, with a particular shortage of smaller dwellings.

Planning History

- 2.9.4 An outline application was approved at the site in 1994 (application reference B/94/1449/PU) for development of a business park (of floorspace circa 30,000 sqft) alongside residential. Condition 6 of the outline permission required provision of service access to the business park before occupation of more than 75 dwelling houses.
- 2.9.5 This access road was subsequently created and remains in place as Laird's Way.
- 2.9.6 Whilst reserved matters approval was granted, and subsequently implemented, on the adjacent site for development of 127 dwellings (application reference B/98/1015/PU), no further reserved matters applications were received in respect of the proposed business park. No other planning applications of relevance have come forward on the site.
- 2.9.7 Applications for housing developments to the north of the application site on allocated employment land were granted in 2007 (Valley View) and 2010 (site adjacent to the viaduct). These properties have now been developed and add to the predominantly residential character of the locality.

3 Proposed Development

- 3.1 Given this application relates to outline consent for 14 detached dwellings with all matters reserved, an indicative design layout has not been provided at this stage. All details are to be provided later within the process and with collaboration of the Co-operative; who are the owners of the adjoining site and currently seeking outline consent for a residential development.
- 3.2 The 14 proposed units fall under the threshold for affordable units; as such no affordable homes are to be accommodated within this site.
- 3.3 Access to the site will be taken from the existing access (Laird's Way) which will be extended from the road which the proposed dwellings take their access. Extension to this access road is a matter reserved for detailed stage, as part of a detailed site layout.
- 3.4 Given the sites proximity to the railway line to the south of the site, a buffer zone of approximately 7 metres will be incorporated in between the rear gardens of the dwellings and the railway line. This will mitigate any visual and audible disturbance from the light use railway to an acceptable level.

4 Planning Policy Context

Development Plan

- 4.1 The adopted development plan currently comprises of the Barnsley Local Development Framework Core Strategy and the remaining saved policies of the Barnsley Unitary Development Plan (UDP).

Barnsley UDP

- 4.2 The Barnsley UDP was adopted in 2000 and was only intended to cover the period 1986-2001. Notwithstanding this, a number of policies were saved in 2007 and until further progress is made with the LDF, remain part of the development plan.
- 4.3 The application site is identified in the saved policies Barnsley UDP (RUDP) as part of a wider area allocated for mixed use development under Policies PE1/11 and PE3/3. The supporting text to Policy PE1/11 advises that the priority is to achieve redevelopment of the site for employment uses, but in order to achieve this, a mixed use scheme comprising an element of residential uses will be acceptable. The policy therefore caps residential development to a maximum of 5 hectares, or 125 dwellings, and will be dependent upon the provision of economic development on the remainder of the site to the West, to be controlled by planning condition or legal agreement.
- 4.4 As referred to above, the Barnsley UDP was adopted 12 years ago in 2000, with the policies formulated during the 1990s. The plan-period of the UDP ended in 2001 and whilst some have been saved, its policies were only ever intended to control development within that timeframe, not now. Indeed, as referred to above both the Inspector and the SoS concluded that the plan was prepared under different circumstances to the present day within the North Gawber Colliery appeal decision. It is therefore concluded that the policies of the UDP are indeed out-of-date for the purposes of considering these applications.
- 4.5 Therefore, the proposal is in accordance with the UDP and Residential is permitted; and even if not the Policies are clearly outdated. Consequently, little or no weight should be attached, having regard to the overriding objectives of the NPPF, which requires the proactive delivery of sustainable development.

Barnsley LDF Core Strategy

4.6 The Core Strategy was adopted in September 2011 and has replaced a number of policies from the Barnsley UDP. Core Strategy policies relevant to the determination of this application are listed below,

- CSP 2 Sustainable Construction;
- CSP 4 Flood Risk;
- CSP 8 The Location of Growth;
- CSP 9 The Number of New Homes to be Built;
- CSP 10 The Distribution of New Homes;
- CSP 14 Housing Mix and Efficient Use of Land
- CSP 25 New Development and Sustainable Travel;
- CSP 29 Design;
- CSP 36 Biodiversity and Geodiversity;
- CSP 39 Contaminated and Unstable Land;
- CSP 40 Pollution Control and Protection; and
- CSP 42 Infrastructure and Planning Obligations

4.7 The proposal is in accordance with Core Strategy and the above Policies

Emerging Policy - LDF Development Sites and Places DPD

4.8 The site is indicated within the Development Sites and Places Consultation Draft (September 2012) as an Employment Land Option (Policy P1) and Urban Fabric, as an existing but undeveloped UDP allocation. Representations have been submitted to this document; which demonstrate that the site does not comprise a realistic, suitable or viable employment site for continued allocation within Barnsley's Local Development Framework in accordance with the National Planning Policy Framework (NPPF), and that residential development provides a more sustainable, suitable and viable use.

4.9 Therefore limited weight can be afforded to this policy, or other policies within the document, in the determination of this application.

The National Planning Policy Framework (March 2012)

4.9.1 The National Planning Policy Framework (NPPF) was published on 27th March 2012 and is a material consideration for planning applications now. Great weight should be attached to the NPPF in relation to this proposal.

Presumption in Favour of Sustainable Development

4.9.2 The cornerstone of the NPPF is to proactively deliver sustainable development to support the Government's economic growth objectives and deliver the development which the country needs. This is particularly pertinent now as we strive to recover from a deep economic recession.

4.9.3 Paragraph 15 of the NPPF is unequivocal:

"...development which is sustainable should be approved without delay." (NLP emphasis)

4.9.4 Paragraph 14 of the NPPF states:

"At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking."

Driving Sustainable Economic Growth

4.9.5 The NPPF also makes it clear that economic development is a core component of delivering sustainable development and growth. Paragraph 9 states that sustainable development involves:

"Positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including, inter alia:

- Making it easier for jobs to be created;*
- Replacing poor design with better design;*
- Improving the conditions in which people live, work, travel and take leisure;*
- Widening the choice of high quality homes."*

Increasing the Supply of Housing

4.9.6 A key and overriding objective of the NPPF, as stated at paragraph 47 is:

“To boost significantly the supply of housing.”

4.9.7 In doing so, Local Authorities are required by the NPPF to:

“Identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their requirements with an additional buffer of 5%...Where there has been a record of persistent under delivery of housing, local authorities should increase the buffer to 20%.”

4.9.8 Paragraph 49 of the NPPF states:

“Housing applications should be considered within the context 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.”

It is noted that Penistone is identified as a Principal Town and the focus for housing within the Barnsley Core Strategy (Policy CSP8).

Prioritising Previously Developed Land and Buildings

4.9.9 Paragraph 111 of the NPPF states:

Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value.

Re-using Unneeded Employment Land

4.9.9.1 Paragraph 22 of the NPPF states that:

“Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no

reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits *having regard to market signals and the relative need for different land uses to support sustainable local communities.*"

4.9.9.2 It is therefore a national planning policy requirement to consider alternative uses, such as housing, for employment land where there is no realistic prospect of it being taken up for its allocated use.

5 Planning Assessment

5.1 The key planning considerations in the determination of this application are as follows:

1. Is Sustainable Development Proposed?
2. Housing land supply
3. Adopted and Emerging Site Allocations
4. Employment Land requirements
5. Housing layout, mix and density
6. Environmental and Technical Considerations

Is Sustainable Development Proposed?

- 5.2 Economic Benefits - the proposed development will assist in building a strong and competitive economy. This is particularly important in the context of the unviable nature of the site for employment purposes in the foreseeable future.
- 5.3 Social Benefits – The development would provide an opportunity to provide high quality modern family housing with an appropriate housing mix to reflect local need and demand thereby promoting strong, inclusive and secure communities.
- 5.4 Environmental Benefits – The development would provide for efficient and effective reuse of previously developed and contaminated land within the built-up area which has lain vacant and derelict for a considerable period of time. The proposed housing would be in a sustainable location close to public transport, local facilities and services thereby reducing the need to travel by private car.

Housing Land Supply

- 5.5 The Barnsley MBC Core Strategy identifies an overall requirement for 21,500 net additional new dwellings to be built during the plan period to 2026. Penistone is identified by Policy CSP8 as a Principal Town and as such is identified as an appropriate location for housing and economic growth, with Policy CSP10, which deals with the distribution of the overall housing requirement, identifying that 1,100 new dwellings need to be accommodated in Penistone.

- 5.6 Against this wider context, it is important to recognise that paragraph 49 of the NPPF states 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.”*
- 5.7 The current position on housing land supply was recently (January 2012) considered by the Secretary of State in the determination of the appeal against Barnsley MBC’s refusal to grant planning permission for residential development on land at the former Gawber Colliery and Coswo Sports Pitch in Mapplewell. In this case, the Secretary of State agreed with his Inspector that Barnsley does not have a five year supply of deliverable sites
- 5.8 On this basis, Laird’s Way represents a sustainable and deliverable previously developed site

Adopted and Emerging Site Allocations

- 5.9 As highlighted in the review of Planning Policy, the site has been allocated for mixed use development since 2000 (with the policy being initially drafted in the 1990s), when the site formed part of a wider 7 hectare allocation (covered by saved UDP Policies PE1/11 and PE3/3), across the former Cammell Laird Foundry site. Whilst the allocation allows for a mixture of employment and residential uses, it seeks to cap the residential element at a maximum of 5 hectares / 125 dwellings, all of which have been delivered within the wider site allocation, as part of an outline planning permission granted in 1995. In light of this previous development, a view could be taken that the allocation as it stands is therefore only permissive of employment uses across the balance of the site, including all of the land covered by this planning application.
- 5.9.1 The NPPF establishes a clear policy requirement to consider alternative uses where there is no reasonable prospect of an employment allocation being taking forward for that use. Given this position, it is considered that no weight should be attached to the existing employment allocation.

Protection of an 'existing' Employment Site

5.9.2 Barnsley has sufficient available and deliverable housing land to meet its requirements in the short term. Accordingly, in the context of the advice contained in paragraph 22 of the NPPF discussed above, it is considered that Barnsley should therefore be seeking to be supportive of appropriate proposals to boost their housing land supply, through the redevelopment of redundant and surplus employment land.

5.9.3 The overall principle of the loss of the site to employment uses is acceptable and that the proposal represents a sustainable development, it therefore follows that in accordance with the advice contained at paragraph 14 of the NPPF, there should be a presumption in favour of development.

Housing Layout, Dwelling Mix and Density

5.9.4 The planning application is submitted in outline form, with all matters reserved. As such, issues relating to the layout of the site, dwelling mix and density are not relevant matters in the consideration of this application.

Environmental and Technical Considerations

5.9.5 The planning application is accompanied by a full range of technical studies which assess in detail the impact of the proposed development on the environment.

6 Conclusions

- 6.1 The application provides a unique opportunity to secure the development of vacant and derelict brownfield land which is currently a wasted resource in a sustainable location in a central area within Penistone. The application will achieve high quality residential development in keeping with the surrounding, predominantly residential, character and will vastly improve and regenerate a currently unsightly and underutilised piece of derelict land.
- 6.2 Furthermore, The scheme accords with the requirements of the NPPF and the directions outlined in Barnsley MBC's UDP, Adopted Core Strategy (2011) and Local Development Framework (2012..

