



JohnsonMowat
Planning & Development Consultants

Fenwood

Cudworth Parkway, Cudworth

Residential development of up to 144 dwellings and associated works

Planning, Affordable Housing and Landscape Statement

Johnson Mowat References

Client	Fenwood
Site	Cudworth Parkway, Cudworth
Development	Residential development of up to 144 dwellings and associated works
Local Planning Authority	Barnsley
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Limitations

The assessments and interpretation have been made in line with legislation and guidelines in force at the time of writing, representing best practice at that time.

All of the comments and opinions contained in this report, including any conclusions, are based on the information obtained by Johnson Mowat Planning Limited during our investigations.

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- b) the date on which the final report is delivered.

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1. Introduction

- 1.1 This Planning, Affordable Housing and Landscape Statement is prepared on behalf of Fenwood in relation to land at Cudworth Parkway, Cudworth.

2. Site Location and Characteristics

Location

- 2.1 The Site comprises 5.59 ha, directly to the Northwest of Cudworth. The Site is allocated as HS36 and HS39 in the adopted Local Plan.
- 2.2 Cudworth lies approximately 5.5km to the North of East of the Main Barnsley Urban Area and is identified as a Principal Town in the settlement hierarchy, hence is a generally sustainable location for growth.
- 2.3 The Site is accessible by Cudworth Parkway which provides access to Barnsley Town Centre, the A1 (approximately 12km to the East) and the M1 (approximately 8.5km to the East). The closest railway stations are Barnsley and Fitzwilliam Train Stations, both of which are around 5.6km from the Site.

Characteristics

- 2.4 This Site is allocated in the Local Plan for residential development under site allocation reference HS36 and HS39.
- 2.5 The topography at the site generally falls from the high point at the South to the low point at the North of the Site. The Site is greenfield and surface water is not currently formally controlled.
- 2.6 The Site falls within National Character Area 38 (Nottinghamshire, Derbyshire and Yorkshire Coalfield) and is screened from the wider countryside by existing residential properties to the south of the site and vegetation to the north, east and west.
- 2.7 The north and eastern boundaries are contiguous with the sidings of Cudworth Parkway.

3. Proposed Development

3.1 The Site comprises 5.59 ha, to the Northwest of Cudworth. The Site is allocated for residential development in the Local Plan (HS36 and HS39), therein considerations of environmental impacts have already been considered. It is therefore considered that the locality of the site is not sensitive.

3.2 The proposed development description is:

"Residential development of up to 144 dwellings and associated works."

4. Relevant Policy

Development Plan

- 4.1 The duty in Section 38(6) of The Planning and Compulsory Purchase Act (2004) ("the Act") enshrines in statute the primacy of the Development Plan.
- 4.2 The Act states:
- "If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts the determination must be in accordance with the plan unless material considerations indicate otherwise."***
- 4.3 Further Section 70(2) of the Town and Country Planning Act (1990) states that *"in dealing with such an application the authority shall have regard to the provisions of the development plan, so far as material to the application, and any other material considerations"*.
- 4.4 The Development Plan comprises the BLP. This plan was adopted by the Council on 3 January 2019. The BLP replaced the Barnsley Core Strategy and Unitary Development Plan. The BLP was reviewed by the Council on 24 November 2022. The outcome of the Council's review was that the BLP should be retained in its current format.
- 4.5 The correct approach to determining whether a proposal is in compliance with a development plan includes the following:
- All the relevant policies should be identified, including those most important to the determination of the planning application;
 - An assessment of whether those policies are consistent with the Framework (including whether or not they are 'out of date' as set out in Footnote 8 of the Framework)
 - An assessment should be made as to whether the proposal complies or not with each of those policies and the weight to be given to these and the weight to any conflict with those policies;
 - The development plan must be read as a whole;
 - It must be recognised that separate policies within the same development plan can pull in different directions ; and,
 - A development can conflict with one individual policy and still comply with the development plan as a whole.
- 4.6 In accordance with Paragraph 11 (c) of the Framework decision-taking approving development proposals that accord with an up-to-date development plan without delay;
- 4.7 The reasons for a decision must be intelligible and they must be adequate. They must enable the reader to understand why the matter was decided as it was and what conclusions were reached on the principal issues, disclosing how any issue of law or fact was resolved.
- 4.8 Although a development plan has a legal status and legal effects, it is not analogous in its nature or purpose to a statute or a contract. As is often observed development plans are full of broad statements of policy, many of which are irreconcilable, so that in a particular case one policy must give way to another. In addition, many of the provisions of development plans are framed in language whose application to a given set of facts requires the exercise of judgment.
- 4.9 Section 39 of the Planning and Compulsory Purchase Act (2004) requires decision makers to exercise their functions with the objective of contributing to the achievement of sustainable development.

Barnsley Local Plan

4.10 The following BLP policies are material to the determination of this outline planning application. Each will be discussed in more detail in Chapter 6 of this statement.

4.11 The following BLP policies are material to the determination of this outline planning application. Each will be discussed in more detail in Chapter 6 of this statement.

- Policy HS36:
- Policy HS39:
- Policy SD1: Presumption in favour of Sustainable Development – reflects the presumption in favour of sustainable development contained in the Framework.
- Policy GD1: General Development – states that proposals for development will be approved if there will be no significant adverse effect on living conditions and residential amenity; they are compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land; they will not adversely affect the potential development of a wider area of land; they include landscaping; they minimise and mitigate any adverse impact on the environment, natural resources, waste and pollution; adequate access and internal road layouts are provided; they consider any drains, culverts and other surface water bodies that may cross the site; they provide appropriate landscaped boundaries where sites are adjacent to open countryside; and, existing trees that are to remain on site are considered in the layout to avoid overshadowing.
- Policy LG2: The Location of Growth – states that priority will be given to development in Urban Barnsley and the Principal Towns (including Cudworth) and villages.
- Policy H1: The Number of New Homes to be Built – seeks to achieve the completion of at least 21,546 net additional homes during the period 2014 to 2033 and states that a minimum five-year supply of deliverable sites will be maintained.
- Policy H2: The Distribution of New Homes – states that Cudworth will account for 6% of the overall supply between 2014 and 2033.
- Policy H6: Housing Mix and Efficient Use of Land – expects housing proposals to include a broad mix of house size, type and tenure to help create mixed and balanced communities. Homes must be suitable for different types of households and be capable of being adapted to meet the changing needs of the population. The policy requires a density of 40 dwellings per hectare net in Principal Towns.
- Policy H7: Affordable Housing – requires 10% affordable housing in Rural East unless it can be demonstrated that the required figure would render the scheme unviable.
- Policy T3: New Development and Sustainable Travel – expects new development to: be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists; provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people; provides a transport statement or assessment; and provide a travel plan statement or a travel plan.
- Policy T4: New Development and Transport Safety – expects new development to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement. If a development is not suitably served by the existing highway, the Council will expect developers to take mitigating action or to make a financial contribution to make sure the necessary improvements go ahead.
- Policy D1: High Quality Design and Place Making – expects development to be of high-quality design and respect, take advantage of and reinforce the distinctive, local character

and features of Barnsley. The policy also requires development to contribute to placemaking and be of high quality; provide an accessible and inclusive environment; provide clear and obvious connections to the surrounding street and pedestrian network; ensure ease of movement and legibility for all users; promote safe, secure environments and access routes; create clear distinctions between public and private spaces; display architectural quality and make the best use of high quality materials; include a comprehensive high quality landscaping scheme; and provide high quality public realm.

- Policy LC1: Landscape Character – requires development to retain and enhance the character and distinctiveness of the individual Landscape Character area in which it is located.
- Policy HE1: The Historic Environment – positively encourages developments which will help in the management, conservation understanding and enjoyment of Barnsley’s historic environment.
- Policy HE2: Heritage Statements and General Application Procedures – requires proposals that are likely to affect known heritage assets or sites to include a description of the heritage significance of the site and its setting.
- Policy HE6: Archaeology – requires an appropriate archaeological assessment for applications for development on sites where archaeological remains may be present.
- Policy GI1: Green Infrastructure – seeks to protect, maintain, enhance and create an integrated network of connected and multi-functional Green Infrastructure assets. The network of 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.
- Policy GS1: Green Space – requires new residential developments to provide or contribute towards green space in line with the standards set out in the Green Space Strategy and in accordance with the requirements of the Infrastructure and Planning Obligations Policy. Where there is a requirement to provide new green space, an assessment will be carried out to determine the most appropriate provision, taking into account site characteristics and constraints.
- Policy BIO1: Biodiversity and Geodiversity – expects development to conserve and enhance the biodiversity and geological features of the borough by improving habitats, species, sites of ecological value and sites of geological value; maximise biodiversity and geodiversity opportunities; conserve and enhance the form, local character and distinctiveness of the boroughs natural assets; follow the national mitigation hierarchy; and encourage provision of biodiversity enhancements.
- Policy GB1: Protection of Green Belt – seeks to protect the defined Green Belt from inappropriate development in accordance with national policy.
- Policy CC1: Climate Change – seeks to reduce the causes of and adapt to the future impacts of climate change.
- Policy CC2: Sustainable Design and Construction – expects development to minimise energy consumption through the inclusion of sustainable design and construction features, where this is technically feasible and viable.
- Policy CC3: Flood Risk – seeks to reduce the extent and impact of flooding by not permitting new development where it would be at an unacceptable risk of flooding from any sources of flooding, or would give rise to flooding elsewhere; requiring site-specific Flood Risk Assessments for proposals over 1ha in Flood Zone 1; expecting proposals over 1000m² floor

space of 0.4ha in Flood Zone 1 to demonstrate how the proposal will make a positive contribution to reducing or managing flood risk; expecting development on greenfield sites to maintain or reduce existing run-off rates requiring development proposals to use SuDs; and using flood resilient design in areas at high risk of flood.

- Policy CC4: Sustainable Drainage Systems (SuDS) – requires all major development to use SuDs to manage surface water drainage.
- Policy CC5: Water Resource Management – seeks to conserve and enhance the Boroughs water resources.
- Policy RE1: Low Carbon and Renewable Energy – requires all developments to seek to incorporate initially appropriate design measures and thereafter decentralised, renewable or low carbon energy sources in order to reduce CO₂ emissions and should at least achieve the appropriate carbon compliance targets as designed in the Building Regulations.
- Policy POLL1: Pollution Control and Protection – expects development to demonstrate that it is not likely to result in pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people and to provide mitigation measures where appropriate.
- Policy I1: Infrastructure and Planning Obligations – requires development to be supported by appropriate infrastructure. Development must contribute as necessary to meet all on and off-site infrastructure requirements to enable development to take place satisfactorily. Where the necessary provision is not made directly by the developer, contributions will be secured through planning obligations.
- Policy CL1: Contaminated & Unstable Land – Where contamination or stability issues are likely to be present, or where contamination may present a risk to the water environment, proposals must be accompanied by a suitable report.

Supplementary Planning Documents (SPD) and Guidance (SPG)

- 4.12 The following SPDs have been adopted by the Council and are relevant to this proposal.
- Biodiversity and Geodiversity (March 2024);
- 4.13 The SPD supplements BLP Policy BIO1 'Biodiversity and Geodiversity', Policy GI1 'Green Infrastructure' and Policy GS1 'Green Space'. It sets out the Council's approach to planning decisions in respect of biodiversity and geodiversity and details how the above policies will be implemented.
- Design of Housing Development (July 2023);
- 4.14 The SPD supplements BLP Policy D1 'High Quality Design and Place Making' and BLP Policy GD1 'General Development' and sets out the design principles that will apply to new housing developments.
- Sustainable Construction and Climate Change Adaptation (July 2023);
- 4.15 The SPD sets out an approach to planning decisions in respect of sustainable construction and adapting to climate change. It sets out what the requirements for development are based on existing BLP policies (notably BLP policies SD1, CC1, CC2, CC3, CC4, CC5 and RE1), existing planning practice guidance and national requirements.
- Sustainable Travel (July 2022);
- 4.16 This SPD primarily supplements BLP Policy T1 'Accessibility Priorities', BLP Policy T3 'New Development and Sustainable Travel' and BLP Policy I1 'Infrastructure and Planning Obligations and

recognises the need for new infrastructure that secures behavioural change to increase public transport usage and active travel.

- Affordable Housing (July 2022);
- 4.17 This SPD supplements BLP Local Plan policy H7 Affordable Housing which provides advice on when contributions will be sought for affordable housing and how they will be calculated. It also provides guidance a range of other material issues such as the type and tenure of affordable housing, and when off-site provision is appropriate.
- Parking (November 2019);
- 4.18 Supplements BLP Policy T3 'New Development and Sustainable Travel' by setting out the parking standards that the Council will apply to all new development.
- Planning Obligations (November 2019);
- 4.19 This SPD supplements BLP Policy I1 'Infrastructure and Planning Obligations' and details when contributions will be sought.
- Section 278 Agreements (November 2019);
- 4.20 This SPD provides guidance on the Section 278 agreement process and is linked to BLP Policy T4 in respect of making sure development is carried out safely.
- Section 38 Agreements (November 2019);
- 4.21 This Planning Advice Note provides guidance on the Council's approach to Section 38 agreements. It outlines what Developers and the Council can expect from each other.
- Trees and Hedgerows (May 2019);
- 4.22 This SPD supplements BLP Policy BIO1 'Biodiversity and Geodiversity' and sets out how development proposals are expected to conserve and enhance the biodiversity and geological features of the borough.
- Heritage Impact Assessment (May 2019);
- 4.23 This SPD supplements BLP Policy HE2 'Heritage Statements and General Application Procedures' providing details on how to prepare a heritage impact assessment (HIA).
- Open Space Provision on Housing Developments (May 2019); and,
- 4.24 This SPD supplements BLP Policy GS1 of the Local Plan, which states that in order to improve the quantity, quality and value of green space provision there is a requirement for new residential developments to provide or contribute towards green space in line with the standards set out in the green space strategy and in accordance with the requirements of BLP Policy I1 'Infrastructure and Planning Obligations'.
- Financial Contribution for Schools (May 2019).
- 4.25 This SPD supplements BLP Policy PI1 'Infrastructure and Planning Obligations' and explains how the Council will implement the Framework when considering the availability of pupil places in local schools and how they will assess if contributions are required to ensure those places are in buildings of suitable condition.

National Planning Policy Framework

- 4.26 The Framework, complemented by the National Planning Practice Guidance (the Guidance), forms the relevant policy at the national level for the determination of planning applications. The Framework is a material consideration which must be taken into account in all planning decisions.
- 4.27 Paragraph 2 of the advice states: -

"Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions."

4.28 There are three objectives (Para 8) of sustainable development comprising the **economic, social and environmental** roles.

4.29 Paragraph 10 sets out that at the heart of the framework is a presumption in favour of sustainable development.

4.30 Paragraph 11 of the Framework identifies how this presumption is to be applied in making decisions on individual applications stating:-

4.31 *"For decision-taking this means:*

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance⁷ provides a strong reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination⁹.

8 This includes, for applications involving the provision of housing, situations where: the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. See also paragraph 232.

9 The policies referred to are those in paragraphs 66 and 84 of chapter 5; 91 of chapter 7; 110 and 115 of chapter 9; 129 of chapter 11; and 135 and 139 of chapter 12."

4.32 Beyond Chapter 4 of the Framework there are 13 topic areas (as well as Annexes 1, 2 and 3) which form the Framework document; those topic areas considered of relevance to this planning application are set out below: -

- Chapter 4: Decision Making;
- Chapter 5: Delivering a Sufficient Supply of Homes;
- Chapter 6: Building a Strong, Competitive Economy;
- Chapter 8: Promoting Healthy and Safe Communities;
- Chapter 9: Promoting Sustainable Transport;
- Chapter 11: Making Effective Use of Land;
- Chapter 12: Achieving Well Designed Places;
- Chapter 14: Meeting the Challenge of Climate Change, Flooding and Coastal Change;
- Chapter 15: Conserving and Enhancing the Natural Environment; and,
- Chapter 16: Conserving and Enhancing the Historic Environment.

National Planning Practice Guidance

- 4.33 The Guidance was initially published in March 2014 and has been updated on several occasions over subsequent years. The content of the Guidance provides guidance upon the interpretation of the policy contained in the Framework and is a material consideration for both planning applications and appeals.

Other Material Considerations

Barnsley Local Plan Monitoring Report – 1 April 2022 – 31 March 2023 (March 2024)

- 4.34 Table 4 of the Barnsley Local Plan Monitoring Report confirms that only 69 no. affordable homes were delivered during 2022/23. The Annual Infrastructure Funding Statement (1 April 2022-31st March 2023) confirms that 57 no. of these affordable homes were directly delivered by developers through Section 106 Agreements.
- 4.35 The continued failure to meet affordable housing needs also creates additional pressures on the housing market within Barnsley.

Local Plan Review (November 2022)

- 4.36 The BLP was reviewed by the Council on 24 November 2022 which determined that the BLP remains fit for purpose and is adequately delivering its objectives. A further review will take place in 2027 or earlier if circumstances require it.

Barnsley Five-Year Deliverable Housing Land Supply Report

- 4.37 Under the provisions of paragraph 78 of the Framework, each local authority is expected to identify and annually update a supply of specific deliverable sites to provide a minimum of five years' worth of housing land. The most recent published position from Barnsley Council is set out in the Barnsley Five-Year Deliverable Housing Land Supply ("5YHLS") Report 2024 - 2029 (October 2025). This document represents the Council's most recent assessment of 5YHLS within its administrative area. .
- 4.38 The 2025 5YHLS Report identifies that BMBC considers it has a **2.9-year** supply of deliverable housing land for the period 1 April 2024 – 31 March 2029.
- 4.39 The Applicant acknowledges that the housing land supply position should now be considered for the 2026-2031 period, however the Council have not yet published a position relating to this five-year period.
- 4.40 The most recent position from the Council is that they do not have a 5-year land supply of deliverable housing sites. Consequently, the presumption in favour of sustainable development is triggered.
- 4.41 Delivery of housing at the Site is essential for to Council to maintain their current (albeit deficient) housing land supply. The Site forming part of the Trajectorised housing supply as set out in "Appendix 1: Local Plan Annualised Housing Trajectory (as at April 2024)" of the 2025 5YHLS Report, relevant extract below:

	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32
HS36 - Site at Weetshaw Lane, Shafton	0	0	0	0	45	45	45	9
HS39 - Land west of Three Nooks Lane, Cudworth	0	0	0	20	21	0	0	0

- 4.42 It is therefore considered that NPPF Paragraph 11c applies due to the Site being allocated for residential development in the Local Plan. Further weight is afforded to the delivery of housing on an allocated site by the presumption in favour of sustainable development (NPPF 11.d) having been triggered by the Council failing to demonstrate an adequate 5-Year Housing Land Supply.

5. Affordable Housing

Affordable Housing Delivery

- 5.1 The Council's most recent Strategic Housing Market Assessment (SHMA) was published in June 2021. Amongst other things the document has regard to affordable housing need in the Barnsley authority. Having regard to the identified level of need in the authority, the SHMA identifies that an estimated supply of circa 190 additional affordable dwellings is needed per annum to meet the need.
- 5.2 In the context of the chronic and continued shortfall in overall housing delivery, it is no surprise that affordable housing delivery rates have not achieved 190 units per annum as anticipated by the SHMA. Having regard to the live tables on additional affordable housing completions the affordable housing delivery since 2021 (publication date of the SHMA) is as overleaf.

Table 2: Barnsley Affordable Housing Completions

Year	Affordable Need (SHMA) (dpa)	Affordable Completions ¹	Surplus/ Shortfall	Cumulative Surplus/ Shortfall
2021/22	190	16	-174	-174
2022/23	190	88	-102	-276
2023/24	190	164	-26	-302
Total	570	268	-302	-302

- 5.3 Since the SHMA 2021 identified an affordable housing need of an additional 190 dwellings per annum, the Council have failed to deliver close to this quantum and have accumulated a shortfall of 302 dwellings. Whilst monitoring data is not yet available for the 2024/25 year there is nothing to suggest that the trend would have significantly changed, and it is expected the shortfall will continue to increase.
- 5.4 The applicant (subject to viability) expects to be able to deliver a policy compliant level of affordable housing (10%). Given the chronic affordable housing need and the lack of housing delivery in order to meet this need, the delivery of affordable housing as part of this proposal should be provided very substantial weight in the planning balance.
- 5.5 The Preapplication response from the Council confirmed that a minimum of 14 affordable homes should be delivered; the proposal comprises 14 affordable units in accordance with policy requirement. It is anticipated that the proposed development will include a broad mix of house types, sizes and tenures to help created mixed and balanced communities. Further detail is outlined within the Design and Access Statement.
- 5.6 Thus, it is considered that the outline proposals accord with Policies H6 (Housing Mix and Efficient Use of Land) and H7 (Affordable Housing) of the BLP and the Affordable Housing SPD (2022).

¹ Government Live Table 1008C: Total additional affordable dwellings provided by Local Authority area – Completions <https://www.gov.uk/government/statistical-data-sets/live-tables-on-affordable-housing-supply>

6. Assessment

- 6.1 This section of the report outlines the key planning considerations and evaluates the planning merits to support the proposed development.

Principle of Development

- 6.2 The principle of development at this site is acceptable, the majority of the Site has already been allocated for housing in the Local Plan. A small proportion of the site is allocated as 'Clifford Street Allotments in the Local Plan; it is noted that aerial imagery (google Earth) shows that this area has not been used as an allotment since circa 2002. It is also noted that this area of land is fully privately owned and is inaccessible to the public. Although allocated in the Local Plan, the 'Clifford Street allotments' are not currently listed on the Council's allotments website. The land is currently overgrown and inaccessible therefore its status as an allotment is highly questionable.
- 6.3 The application site is located entirely within the settlement boundary and is partly classified as housing allocation HS36 and HS39 under site specific policies of the BLP. As identified under the Access and Highways heading below, the proposal makes provision for a safe and appropriate access point in this location. The principle of residential development for HS36 and HS39 is established and would not give rise to conflict with the development plan.
- 6.4 The Council are currently unable to demonstrate a five-year housing land supply when measured against the BLP housing requirement. The Council acknowledge this as fact in their most recently published 5 Year Land Supply Report.
- 6.5 Accordingly, the tilted balance, or presumption in favour of sustainable development, as set out in paragraph 11(d) of the Framework is engaged which provides that planning permissions should be granted where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date unless there are policies of the Framework which protect areas or assets of particular importance and provide a strong reason for refusing the development proposed or there are any adverse impacts of doing so which would significantly and demonstrably outweigh the harms.
- 6.6 Notwithstanding the application of the tilted balance, it is considered that the proposed development accords with the Development Plan as a whole and therefore also triggers Paragraph 11 c of the NPPF, which supports "*approving development proposals that accord with an up-to-date development plan without delay.*"
- 6.7 The most important policies for determining the residential planning application in Barnsley are set out below:
- 6.8 Policy HS36 and HS39: Site Specific Policies;
- 6.9 Policy LG2: The Location of Growth;
- 6.10 Policy H1: The Number of New Homes to be built; and,
- 6.11 Policy H2: The Distribution of New Homes.
- 6.12 The principle of residential development is firmly established by the allocation of the majority of the site as HS36 and HS39. The entirety of the Site lies within the Cudworth Settlement boundary.
- 6.13 The application proposals would not affect the application of policies that protect areas or assets of particular importance; it is not a SSSI, designated as Green Belt, a National Landscape, National Park or Heritage Coast. The Site is privately owned, largely inaccessible and does not currently comprise any play assets. The site does not contain any irreplaceable habitats, designated heritage assets or assets of archaeological interest or areas at high risk of flooding.

- 6.14 The commentary below also identifies that there are no adverse impacts of granting planning permission which would significantly and demonstrably outweigh the harms. The principle of development under the tilted balance is therefore accepted.

Economic Role

- 6.15 The economic aspect of sustainable development plays a key role in developing a robust, responsive and competitive economy by ensuring that appropriate land is available in suitable locations and at the right time to support growth and innovation. It also involves identifying and coordinating development needs, including infrastructure provisions.
- 6.16 Whilst the application is in Outline only at this stage, and the true extent of economic benefits will be reflective of the detailed proposals, on the assumption of the delivery of circa 144 dwellings (as assessed by this application) the Home Builders Federation (HBF) housing calculator estimates the following economic benefits².
- 6.17 Construction is a major source of national employment, with construction supporting more jobs compared with investment in many other sectors of the economy. This can improve the long-term competitiveness of the UK economy, including through its significant network of supply chains and contracting relationships. According to the HBF, a proposal of this scale would support the (direct and indirect) employment of 500 people and provide opportunity for circa 6 apprentices, graduates or trainees.
- 6.18 Delivering housing increases the local population which generates additional spend in the local economy. This spend supports jobs in local shops and services close to the development site, and first occupation expenditure is also a significant contributor to the local economy in areas where new housing is being delivered.
- 6.19 According to the HBF, the development would contribute to the generation of approximate £3,840,000 in tax revenue, including circa £289,000 in Council tax revenue.
- 6.20 The economic benefits associated with the creation of employment, supporting existing businesses and generating funds to support existing services and facilitate the creation of new community infrastructure would be significant.
- 6.21 As a result, the proposals would satisfy the economic objective of sustainable development which weighs significantly in the proposals favour.

Social Role

- 6.22 The Framework summarises the social objective of sustainable development as supporting strong, vibrant and healthy communities by providing the residential accommodation required to meet the needs of present and future generations and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural wellbeing.
- 6.23 From a social perspective planning is a vital means of securing the long-term wellbeing of our communities. It enables the efficient use of resources and infrastructure, with multiple benefits to society. England is a geographically small, densely populated nation, with multiple demands on land and the built environment. People should be able to expect homes that they want to live in.

Housing Delivery

- 6.24 Policy H1 of the BLP identifies that the Council will seek to deliver at least 21,546 net additional homes between 2014 and 2033. The BLP identifies (para 9.1) a target of at least 1,134 dwellings per

² HBF Calculator - <https://www.hbf.co.uk/research-insight/hbf-housing-calculator/>

annum. The policy confirms that the Council will maintain a minimum of five-years' worth of deliverable housing sites.

- 6.25 It is already established that the Council cannot demonstrate a five-year housing land supply with the Council's five-year housing land supply assessment identifying just 2.9 years' worth of supply in the Barnsley borough.
- 6.26 The most recent housing delivery test score (2023 Measurement) for Barnsley was 84%, therefore triggering application of a 20% buffer to be added the housing supply requirement. Although this 20% buffer has been included in the Council 5-year Land Supply assessment, it nonetheless emphasises the point the Housing has been underdelivered in the Barnsley area.
- 6.27 The Principle of Development Section of this Statement sets out the importance of delivering housing at this allocated Site, particularly in the context of the current lack of housing land supply in Barnsley.
- 6.28 The Secretary of State (SoS) has consistently found that where an LPA is unable to demonstrate a five-year supply of deliverable housing sites, either substantial, very significant or very substantial weight should be given to the delivery of housing by the decision-maker. Indeed, even where authorities have been able to demonstrate a sufficient supply of land for housing, inspectors have apportioned either substantial, very significant or very substantial weight. Given the acute and chronic under-supply of new homes within Barnsley, the supply of new housing should be provided very substantial weight. This is particularly relevant under the current Government who have consulted upon changes to the NPPF which further emphasise the ways in which the national Housing Crisis can begin to be rectified.

Affordable Housing

- 6.29 The Council's most recent Strategic Housing Market Assessment (SHMA) was published in June 2021. Amongst other things the document has regard to affordable housing need in the Barnsley authority. Having regard to the identified level of need in the authority, the SHMA identifies that an estimate supply of circa 190 additional affordable dwellings is needed per annum to meet the need.
- 6.30 In the context of the chronic and continued shortfall in overall housing delivery, it is no surprise that affordable housing delivery rates have not achieved 190 units per annum as anticipated by the SHMA. The most recent cumulative shortfall position (as at 2021) is -302 affordable dwellings.
- 6.31 10% of the proposed houses are required to be Affordable Homes. Provision of 14 Affordable dwellings on the Site is proposed, and this provision was confirmed to be acceptable in the Preapplication Enquiry response from the Council. It is therefore considered that the proposed development accords with Policy H7.

House Type , Mix and density

- 6.32 The house types within the proposed development are set out in detail within the submitted Design and Access Statement.
- 6.33 The proposed house type composition is summarised below:

House type	Number of dwellings	Percentage of Site
2-Bed Dwelling	52 no. units	36.1%
3-Bed Dwelling	67 no. units	46.5%
4-Bed Dwelling	25 no. units	17.4%

- 6.34 It is considered that the proposed development comprises a suitable mixture of 2-bed, 3-bed, and 4-bed dwellings in accordance with the most recent SHMA (2021), as required by Policy H6.

- 6.35 Barnsley Council's Supplementary Planning Document 'Design of Housing Development' provides clarity on these requirements:
- 26% of all new dwellings should be built to the M4(2) accessible and adaptable standard.
 - 6% should be built to the M4(3)(2)(b) wheelchair accessible standard.
- 6.36 The proposed design exceeds the M4(2) requirement by delivering 44 (63%) M4(2)-compliant adaptable dwellings. This is a thus significant planning benefit weighing in favour of the scheme.
- 6.37 The M4(3)(2)(b) requirement refers specifically to wheelchair accessible homes, rather than the adaptable variant. This is understood to mean that such homes must be fully accessible upon completion, including the installation of lifts where necessary. To meet this requirement, all M4(3) dwellings are proposed as single-storey units, ensuring full accessibility. A total of eight homes are proposed to satisfy the 6% M4(3)(2)(b) requirement.

Proposed Layout

- 6.38 The proposed layout has been prepared cognisant of Planning Policy requirements, the detail behind the design rationale is set out in the submitted Design and Access Statement.
- 6.39 Up to 144 dwellings are proposed to be delivered on the Site; this is 41 units less than the combined allocated numbers on HS36 (144) and HS39 (41). This is not considered to be an issue as the allocation is an indicative capacity that is not mandatory. The proposed net developable area will be 5.05 hectares, as detailed on the masterplan, which will result in density of 28.5 Dwellings Per Hectare. It is noted that the site shape is unconventional (being an elongated semicircle) thus is not conducive to higher density development. Policy H6 acknowledges that individual site considerations will be factored into the consideration of density. It is considered that a higher density of development may result in a lower standard of design. The proposed masterplan illustrates how the mixture of houses would be distributed across the site to improve legibility and promote balanced communities. The proposed layout has been informed by local character, as described in the DAS.
- 6.40 It is recognised that the application site does not propose residential development on the whole of the housing allocation, HS36 and HS39. A part of the Site at the eastern edge comprises existing vegetation which is generally proposed to be retained following development, this is not counted in the net developable area but does reduce the potential overall capacity of the Gross Site. Three Nooks Lane also traverses the Site and reduces potential development area from both HS36 and HS39; neither allocation refers to the presence of the PROW/Road. These matters were not considered in either of the Site Allocations, this therefore justifies the reduced density and overall quantum of development.
- 6.41 No significant harm would arise in the delivery of the Site in the manner illustrated within the submitted plans. Bringing forward the housing allocations has been considered in a comprehensive manner and the application site would deliver much needed housing in the area.
- 6.42 The landscape led scheme incorporates areas of open space, green infrastructure, proposed dedicated BNG land, as well as landscape buffers, frontages and new planting. The green spaces break up the mass of the overall built form of the development and provides a soft edge to the Site's boundaries creating a transition between the built-up area of Cudworth and the countryside. Comments were received in response to the community consultation leaflet raising concerns about access to green space; it is noted that the site currently does not comprise any publicly accessible formal greenspace therefore the proposal would represent an improvement to the local offering.
- 6.43 The proposed play provision at the Site comprises Natural Play, as detailed within the submitted Landscape Scheme prepared by Encon Associates, which will encourage imaginative and active play in a landscape setting. The design utilises landform and natural materials to create an engaging environment, including:

- Rolling grass mounds
- Timber logs and balancing features
- Natural stone elements for seating and play
- Tunnels and sculpted earth forms for exploration

This approach obviates the need for formal play equipment; instead fostering creativity, physical activity, and interaction with nature.

- 6.44 Active surveillance will be provided from houses to the west which assists in designing out crime. Natural surveillance is also a principle that has been incorporated to pedestrian routes around the Site.
- 6.45 A SuDS basin is proposed in the western part of the site, within the proposed BNG land, which will manage surface water drainage whilst also providing a habitat for wildlife and contribute to the greening of the site.
- 6.46 The layout is highly permeable, with proposed non-vehicular connection points connecting to Cudworth Parkway close at the site's northern boundary. Connections to the existing walking route that runs along Three Nooks Lane along adjacent to the site's northern boundary are proposed at the Site's eastern and southern boundaries. Further pedestrian routes are proposed through areas of public open space.
- 6.47 Due consideration has been afforded the residential amenity of surrounding existing properties, avoiding overbearing, overlooking or overshadowing. It is noted that the proposed site levels will be lower than the existing neighbouring properties therefore the likelihood of any of these issues is negligible.
- 6.48 Thus, the outline proposal accords with Policy GD1 (General Development), H6 (Housing Mix and Efficient Use of Land), Policy D1 (High Quality Design and Place Making), Policy GI1 (Green Infrastructure), Policy CC4 (Sustainable Drainage Systems), the Design of Housing Development SPD (2023) and Chapters 8, 9, 11, 12, 14 and 15 of the Framework (2024).

Open Space

- 6.49 Whilst only at Outline Planning stage, it is anticipated that the scheme could deliver 0.59ha of Public Open Space, which forms part of the overall 1.27 ha of Green Infrastructure which equates to circa 23% of the total site area. The informal open spaces will provide leisure opportunities to those who reside within the development and the wider community.
- 6.50 The location of the proposed development immediately adjacent to existing green infrastructure facilities (namely the Albert Street allotments). The Clifford Street Allotments are not listed on the Council's 'Allotments Locations' website and are not currently publicly accessible; in the context of the need for housing in Barnsley, it is not considered that residential development on the area of land allocated for allotments in the Local Plan would constitute unsustainable development and therefore the principle of development is not undermined. If deemed necessary and properly justified, the Applicant would be willing to accept a financial contribution to provide or enhance facilities off site should this be required.
- 6.51 Thus, the outline proposals accord with Policy GS1 (Green Space) and Policy I1 (Infrastructure and Planning Obligations) of the BLP, the Open Space Provision on New Housing Developments SPD (2019) and Chapter 8 of the Framework (2024).

Summary on Social Role

- 6.52 The delivery of much needed homes will help to support strong, vibrant and healthy communities. This would result in a boost to supply and an enhanced choice of new housing for local people.

Furthermore, the new homes will be delivered within the Principal Town of Cudworth, which is a highly sustainable settlement with facilities and services to meet the day to day need of residents.

- 6.53 It is anticipated that the proposals will provide a number of social benefits, including:
- Provision of a well-designed scheme which surrounds positively to its surrounding context;
 - Provision of a good mix of homes to meet the needs of current and future generations;
 - Delivery of new homes in a highly sustainable location, with good access to services, facilities and public open space;
 - Provision of a Play within walking distance of homes;
 - Delivery of high-quality active travel routes;
 - Provision of high quality publicly accessible and useable open space;
 - Creation of jobs for local people, which will help to indirectly improve health, social and cultural wellbeing.
- 6.54 Thus, it is considered that the proposals would satisfy the social objective of sustainable development which weighs significantly in the proposals favour.

Environmental Role

- 6.55 The Framework explains that the environmental objective of sustainable development is to contribute to protecting and enhancing the natural, built and historic environment, including making effective use of land, helping improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving towards a low carbon economy. The proposal will support this objective by ensuring that development is located in a highly sustainable location and new homes will be built to comply with modern building regulations.
- 6.56 The Site is not at risk of flooding and would not increase the risk of flooding of any description elsewhere.
- 6.57 The site is located within easy reach of sustainable modes of public transport and is accessible by foot and bicycle, thus reducing reliance on the private car. There is also significant opportunity to create new walking and cycling routes through the site.
- 6.58 The layout of the scheme is landscape led and prioritises natural spaces, with the potential to include a variety of planting to assist in achieving biodiversity net gain in areas of the site.
- 6.59 The application sets out the intention to prioritise energy efficiency, water conservation and the use of sustainable materials to reduce the environmental impact of the new housing.
- 6.60 Thus, it is considered that the proposals would satisfy the social objective of sustainable development which provides significant weight in favour of the proposals.

Landscape Visual Assessment

- 6.61 A Landscape Visual Assessment has been prepared in support of the application. The appraisal considers the landscape and visual setting of the site; the nature of the development proposals; and the likely landscape effects arising from the proposal.
- 6.62 The starting point is that the Site is allocated for housing the Local Plan, which considered the landscape impacts of locations for development. The principle of residential development in this location has therefore been generally established in landscape terms.
- 6.63 The Assessment confirms that the site is not covered by any landscape designation that would suggest an increase value or sensitivity to change and is not covered by any statutory or non-statutory designation that would prohibit its development for residential purposes

- 6.64 The site lies within National Character Area: 38 - Nottinghamshire, Derbyshire and Yorkshire Coalfield. Nottinghamshire, Derbyshire and Yorkshire Coalfield is a large area which embraces major industrial towns and cities as well as villages and wider tracts of countryside. It is dominated in the north and central part, and less so in the south, by extensive urban influences and industry. There has been constant change and development since the Industrial Revolution, when there was rapid expansion of housing, workshops, large factories and transport networks. The result is a complex intermingling of rural and urban, of modern commerce with occasional industrial dereliction, the whole creating a mosaic of disparate land uses with fragmented semi-natural habitats dispersed throughout.
- 6.65 The site and study area are located within LCA D1: D1 North East Barnsley Settled Arable Slopes, which the Barnsley Borough Landscape Character Assessment identifies as being of medium landscape sensitivity with a medium capacity to accommodate new development. Albeit the land is allocated for housing in the Local Plan, which inherently confirms that the principle of residential development is not likely to result in significant harm to the local landscape. The site lies to the south of Cudworth Parkway, which is a dominant feature in the locality that divides the settlement of Cudworth from the wider Countryside.
- 6.66 The D1 Area has been assessed has a moderate strength of character. It is noted that the site falls entirely within the settlement limits and that the majority of the site is allocated for housing the Local Plan. Whilst the site is noted as having moderate capacity and sensitivity, it is acknowledged that the Barnsley Borough Landscape Character Assessment (dated 2002) significantly predates the Local Plan (adopted by Full Council on 3 January 2019, and reviewed 24 November 2022) and also predates the introduction of the Cudworth Parkway Bypass (circa 2010). The landscape context in which the site sits has therefore significantly changed and the most up to date evidence base comprises the Local Plan, wherein the Site is allocated for housing.
- 6.67 Therefore, the proposals are in accordance with Policies GD1, D1, LC1 and G11 of the Barnsley Local Plan and Chapter 15 of the Framework (2024).

Highways

- 6.68 Paragon Consultants have prepared a Transport Assessment and Travel Plan in support of the application.
- 6.69 A review of personal injury collision data has shown that there are no specific safety concerns that the proposed development would exacerbate.
- 6.70 The report confirms that the site is located in a sustainable location that is accessible with appropriate public transport and pedestrian links. This provision will provide future residents with opportunities to travel via alternative modes of transport and minimise trips by the private car.
- 6.71 Junction capacity assessments have been undertaken and demonstrate that the proposed development will not result in either a material or severe residual cumulative impact on the safe and efficient operation of the local highway network.
- 6.72 The Assessment concludes that the safe and suitable access to the proposed development can be achieved for all users and that there will be no unacceptable impacts from the development on the transport or on highway safety during either construction or operational phases.
- 6.73 The Travel Plan provides details of the measures to be incorporated into the overall design of the development and outlines the obligations on the developer to encourage residents to use sustainable modes of transport.
- 6.74 Thus, the proposals are in accordance with Policies GD1, T3 and T4 of the Local Plan, the Sustainable Travel SPD (2022) and Chapter 9 of the Framework (2024).

Flood Risk and Drainage

- 6.75 Bright Young Engineers have prepared a Flood Risk Assessment in support of the application for Outline Planning.
- 6.76 The flood map for planning indicates that the site is location largely in Flood Zone 1. This zone comprises land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%).
- 6.77 No development that would be vulnerable to flood risk would be located on any land outside of Flood Zone 1, flood risk is therefore not a significant concern with regard to the proposed development.
- 6.78 The flood risk assessment has reviewed all other sources of flood risk to both the proposed development and surrounding area including tidal, pluvial, groundwater, sewers and flooding from artificial sources. This report demonstrates that the development site is not at significant risk of flooding, nor does it increase flood risk off-site.
- 6.79 The development is always accessible for emergency access and egress as the flood plain does not extend into the area proposed for development.
- 6.80 In order to accommodate the possibilities of flood from a catastrophic storm or blockage of the existing watercourse/ sewer or proposed drainage system, a number of precautionary flood mitigation measures have been recommended. The Applicant will satisfy any reasonable conditions imposed by the Local Planning Authority relating to this matter.
- 6.81 This Flood Risk Assessment is considered to be commensurate with the development proposals and in summary, the development can be considered appropriate in accordance with the NPPF.
- 6.82 Surface water runoff from the site is to be drained primarily by below ground gravity pipework which will convey run-off generated by roofs and areas of hardstanding to the north of the site where it is able to infiltrate at the lowest topographical point.
- 6.83 Soakaway testing has been undertaken to confirm the sites infiltration potential. The results from the testing varied, ranging from 2.01×10^{-5} m/s to 4.06×10^{-4} m/s which is considered suitable for soakaway-based drainage solutions.
- 6.84 To achieve the volume of storage required, it is proposed that geocellular tanks will be used as the primary method of attenuation which will infiltrate into the underlying subgrade. These will be constructed below a series of detention basins which will provide additional exceedance storage at surface level for larger storm events.
- 6.85 A 10% allowance for urban creep has been included in the site catchment areas in accordance with the South Yorkshire Interim Local Guidance for SuDS.
- 6.86 Climate change has been considered within the preliminary surface water drainage design for the 3.33% and 1% AEP storm events.
- 6.87 It is therefore considered that surface water can be suitably accommodated within the Site.

Foul Water Drainage

- 6.88 A new foul water drainage system is proposed, which will convey flows from the development site to an existing public combined sewer in Queens Drive to the southeast of the site. Foul flow rates have been calculated as 6.66 l/s based on Appendix C of the Sewerage Sector Guidance.
- 6.89 Due to topography, a foul water pumping station will be required. It is intended that around 46 of the units to the south of the site will be able to drain by gravity to the outfall, with the remaining 98 being pumped from the north.

- 6.90 The rising main will discharge to this same system on site so that a single gravity outfall to the public sewer is provided.
- 6.91 Yorkshire Water are to be consulted with via the pre-development enquiry process with respect to the proposed foul water connection. Details of that response will be included in a future revision of this report when received.
- 6.92 Under the Water Industry Act, developers have an absolute right of connection to the public sewer network which cannot be refused on grounds of capacity. Yorkshire Water can request alternative connection points to suit local network requirements under Section 112 of the WIA 1991, however any additional cost in doing so must be met by them.

Ecology and BNG

- 6.93 Encon Associates have prepared a 'Preliminary Ecological Appraisal & Biodiversity Net Gain Report', and Statutory Biodiversity Metric in support of the application.
- 6.94 Based on the current landscaping, the BNG calculation shows a net on-site loss in the biodiversity value of 16.25 habitat units (-72.69%) and 2.28 hedgerow units (-61.46%). The trading rules are also not satisfied. To achieve the +10% net gain and satisfy the trading rules, 18.49 habitat units and 2.66 hedgerow units would be required. These units can be obtained via applying the recommendations provided in this report and utilising offsite measures.
- 6.95 It is considered unfeasible for the mandatory +10% BNG to be achieved via onsite measures alone. Therefore, offsite measures for achieving the mandatory BNG +10% include enhancing an offsite habitat parcel for BNG purposes or purchasing habitat and hedgerow units via a BNG Habitat Bank.
- 6.96 Provided the recommended ecological enhancement measures are implemented, the development would comply with all relevant nature conservation legislation and planning policy regarding ecological protection and enhancement. Thus, the proposals accord with Policy BIO1 of the Local Plan, the Biodiversity and Geodiversity SPD (March 2024) and Chapter 15 of the Framework (2024).

Trees

- 6.97 Encon have prepared the submitted "BS5837:2012 Tree Survey Report" (Arboricultural Report) in support of the application. This report also includes an Arboricultural Impact Assessment.
- 6.98 The Council online mapping confirms there are no trees on site that are protected by a Tree Preservation Order and that the site is not within a Conservation Area.
- 6.99 The report includes a survey of 18 individual trees and 20 groups of trees, the majority located within the red line boundary and a small number just beyond the boundary of the site.
- 6.100 In accordance with BS5857 cascade chart for tree quality assessment, the 18 individual trees have been categorised as follows: 17 trees as B2 "trees of moderate quality"; 1 as C2 – "tree of low quality".
- 6.101 The 20 groups of trees have been categorised as follows: 5 as B2 "trees of moderate quality"; 15 as C2 – "trees of low quality".
- 6.102 The new layout and drainage strategy require the removal of 6 individual trees with 12 trees being retained. 7 groups of trees can be retained in full, 3 require partial removal and 10 require entire removal.
- 6.103 Recommendations have been made within the report to safeguard the retained trees and protect them from any damage from construction work including erection of protective fencing to separate from the construction activities.

- 6.104 There is an opportunity to introduce new tree planting to increase the diversity of tree species in the area and increase the biodiversity net gain of the site. Landscape proposals for the development have been prepared which include the extensive planting of new trees that will mitigate any harm that would otherwise arise as a result of the proposed development.
- 6.105 The development will be subject to reasonable suitably worded conditions that will mitigate any harm, and, on this basis, it is considered that the proposals accord with the Trees and Hedgerow SPD (2019) and Chapter 15 of the Framework (2024).

Heritage and Archaeology

- 6.106 A Geophysical Survey Report and an Archaeology & Heritage Desk Based Assessment has been prepared by Curra Terrae support of the application. The Assessment evaluates the archaeological and historical background of the site and assesses the potential impact of the construction.
- 6.107 The potential for prehistoric and Romano-British remains is considered low. Any remains of this period are likely to represent features related to field systems and agricultural settlement, similar to features recorded to the north and west of the Site. The potential for early medieval and medieval remains is considered negligible due to the limited evidence of activity within the study area. The potential for post-medieval and twentieth century remains is considered low. Any remains of this period are likely to represent previous quarrying within the site and foundations of buildings within the Site. Remains would be of low significance. Later disturbance including postmedieval quarrying, the construction and demolition of previous structures from the postmedieval period, and the construction of the Cudworth Parkway, including the compound, would have impacted any surviving remains.
- 6.108 Following an assessment of the significance of the designated heritage assets within the study area in accordance with the NPPF, the proposed development will cause no harm.
- 6.109 The information presented within this document is considered to be proportionate and sufficient to enable an informed conclusion on the likelihood of encountering archaeological remains and their associated significance. Based on the information above, no further archaeological investigation is considered necessary.
- 6.110 With regard to heritage, the report concludes that any development within the site boundary would have a negligible impact on the setting and significance of all known nearby heritage assets.
- 6.111 Thus, the proposals accord with Policies HE1, HE2 and HE6 of the Barnsley Local Plan, the Heritage Impact Assessment SPD (2019) and Chapter 16 of the Framework (2024).

Geoenvironmental

- 6.112 A Geoenvironmental Appraisal has been prepared by Lithos in support of the application, which concluded that the site can be divided into 3 broad areas based on site history and ground conditions (see Drawing 4674/10):
- Area A (west) – greenfield and no significant made ground
 - Area B (centre & northeast) – former allotments with localised made ground
 - Area C (east) – former quarry and subsequent landfill with deep made ground
- 6.113 Ground in Area A typically comprises Topsoil over Cohesive Residual Soil (firm/stiff clay) and Granular Residual Soil (sand/gravel). Sandstone bedrock is present across the area at shallow depth (<2.5m).
- 6.114 Ground conditions in Area B are similar although the Made Ground Topsoil is not considered suitable for re-use at shallow depth in proposed gardens. Additionally, localised areas of made ground are present likely associated with past use (allotments, former terraced housing, adjacent quarry, etc).

- 6.115 Made ground is present across the majority of Area C predominantly comprising Cohesive and Granular Made Ground (clay/gravel of mixed lithologies with cobbles and boulders) with lesser amounts of Ash & Clinker, Quarry Waste and Landfill Material. The base of the quarry has been identified at between 1.6m and 5.2m depth (average 3.1m).
- 6.116 Whilst the site lies within a Coal Authority Low Risk area, no significant risks have been identified, and an intrusive mining investigation will not be required.
- 6.117 A former sandstone quarry is recorded in the east of the site which was shown to be disused in 1962. It appears the quarry mainly extracted the residual soil (sand/gravel) with only the uppermost c. 1m of sandstone removed. The quarry was subsequently used as a landfill accepting waste until 1984.
- 6.118 The site is in an area where less between 1% and 3% of homes are estimated to be above the radon action level. Therefore, no radon specific protection measures are required in new dwellings.
- 6.119 Some contamination has been identified within Lithos' report however this report recommends measures to mitigate and remove any potential for harm arising as a result of the proposed development. It is considered that, subject to planning conditions, no harm would arise as a result of the proposed development with regards to land contamination.
- 6.120 Thus, the proposals are in accordance with Policy CL1 of the Barnsley Local Plan and Chapter 15 of the Framework (2024).

7. Planning Balance

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission should be determined in accordance with the development plan unless material considerations indicated otherwise.
- 7.2 This Statement assesses that the proposed development is in accordance with the Development Plan as a whole, hence triggering Paragraph 11(c) of the NPPF.
- 7.3 It is noted that BMBC cannot currently demonstrate a 5 Year Housing Land Supply.
- 7.4 It is identified that the site is designated as a housing land site intended to meet the housing requirement in Barnsley, as trajectorised in the Local Plan. As reflected by its allocated status in the Local Plan, the application is well located to the existing built form and is in an accessible location within walking and cycling distance of a range of key services and facilities. The proposal would result in a highly sustainable form of development.
- 7.5 It is the Appellant's case that the titled balance is engaged.
- 7.6 This Statement has identified a number of benefits associated with the proposal. The list below summaries the benefits identified and attributes weight to each matter.
- 7.7 Very substantial weight to delivery of housing in the context of no five year-housing land supply on a site which is in a highly sustainable location.

8. Summary and Conclusion

- 8.1 This Planning Statement incorporating an Affordable Housing Statement, has been prepared on behalf of Fenwood in relation to Land at Cudworth Parkway, Cudworth.
- 8.2 It is submitted to support an application for residential development comprising up to 144 dwellings and associated works.
- 8.3 This Planning Statement has demonstrated that the principle of development is acceptable and that there are no insurmountable technical issues that would prevent the site coming forward for residential development and delivering much needed homes in the Barnsley district.
- 8.4 The scheme would provide a number of economic, social and environmental benefits which all contribute towards achieving sustainable development, in accordance with local and national planning policies.
- 8.5 This Statement, together with the accompanying plans and technical documents demonstrate that the proposal is compliant with the relevant policies contained within the Barnsley Local Plan (when read as a whole). Thus, in accordance with Paragraph 11c of the Framework, planning permission should be approved without delay.

