Briefing Note

NJL CONSULTING | Planning Sustainability Development

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Position Statement – Lee Lane, Royston

1.0 Introduction

1.1 This document has been produced to clarify the current position in terms of planning and housing supply issues for Barnsley Metropolitan Borough Council (BMBC) and is in support of a current 'live' application for up to 200 dwellings and a small retail provision at land off Lee Lane, Royston (Application reference: 2013/0932).

1.2 The issues to be discussed in this note are current housing supply within Barnsley, implications on safeguarded sites, sustainability of the site and densities.

2.0 Housing Supply

2.1 The relevant housing target is set out in the Core Strategy, adopted in September 2011. Policy CSP 9 states that a minimum of 21,500 homes will be delivered over the plan period (2008 to 2026).

2.2 The Barnsley Housing Supply report '5 Year 'Deliverable' Housing Land Supply' concludes that for the five year period (1st April 2012 – 31st March 2017) the authority cannot demonstrate a 'deliverable' five year supply.

2.3 The basic five year net requirement for the 2012/13 to 2016/17 period is 5,432 dwellings net.

2.4 Figure 1 shows that the overall net requirement for the borough for the five year period 2012/13 to 2016/17 is 5,705 net dwellings (1,141 per annum).

Year	Original Core Strategy Trajectory Net Requirement	Adjusted Net Requirement (08/09 – 11/12 Surplus, - 25 dwellings a 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
15/16	1200	1175	59	1234
16/17	1400	1375	69	1444
Total	**5558**	**5432**	**273**	**5705**

Figure 1: Net requirement taking into account an NPPF buffer of 5%

2.5 Figure 2 summarises the 5 year supply situation in Barnsley for 2012/13 to 2016/17.

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

Figure 2: Five year supply

2.6 In summary this leaves Barnsley with a 2.89 year supply of deliverable sites (3,303/1,141).

2.7 BMBC cannot therefore currently demonstrate a supply of specific, deliverable sites sufficient to meet the boroughs housing requirement. In this situation the NPPF is clear, at paragraph 49, the relevant policies for the supply of housing should not be considered up to date.

3.0 Safeguarded Sites

3.1 BMBC 5 year supply note explains that because the Council cannot demonstrate a deliverable 5 year supply, applications for residential planning permission in the borough (including proposals on UDP Safeguarded Land and UDP Urban Land to

Remain Undeveloped allocations), will now be determined in line with the NPPF Presumption in Favour of Sustainable Development (paragraph 14 of the NPPF), relevant development plan policies and any other material considerations where it can be demonstrated that they are in a sustainable location.

3.2 Paragraph 14 stipulates that where the development plan is absent, silent or relevant policies are out-of-date, the Local Authority should grant 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.

3.3 It is therefore apparent that the current scheme, which is located on a historic safeguarded site and on a site that BMBC has put forward as a potential development site through their consultation the Development Sites and Places DPD should be granted permission subject to the site being sustainable.

4.0 Sustainability

4.1 BMBC policy response (Ref: Georgina Whitehouse) assesses the site in relation to the requirements set in Planning Advice Note 30 (PAN30). Of course, PAN30 is a policy for the supply of housing, and is therefore out-of-date as a consequence of the failure to deliver a five-year housing land supply. It was also prepared against the backdrop of Planning Policy Statement 3, and not the NPPF. This is a crucial difference as, for example, PPS3 advocates a sequential approach to development focussing on brownfield land while the NPPF does not.

4.2 In order to consider whether the site is, in fact, sustainable it should be assessed against the requirements of the NPPF. As paragraph 6 of the NPPF observes:

'The policies in paragraphs 18 to 219, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.'

4.3 The information submitted with the application (including the Sustainability Assessment) clearly demonstrates that the site is sustainable.

4.4 The response also considers that little weight can be afforded to the draft Development Sites and Places DPD (DSP). We agree with that assertion. However, what is important to note is that for the site to be proposed to be designated for housing development, it must be the case that the Council consider the location of the site to be sustainable. As the Sustainability Assessment that accompanied the draft DSP stated:

'As such the proposed housing sites are predominantly those which best meet the sustainability criteria of the Housing Site Selection Methodology and the deliver [sic] the priorities of the Core Strategy.'

4.5 The Sustainability Appraisal goes on to state that the Lee Lane Royston Site:

'is more than 0.8km from a local shopping centre but is within walking distance of good public transport provision. The housing site will make a substantial contribution towards the objective of meeting housing needs and is of an appropriate scale to the principal town of Royston and meets the borough's spatial strategy.'

4.6 These two paragraphs support each other and lay the foundation for complying with the core principles of the NPPF.

4.7 The fact that the site is not directly next to a number of local amenities is fairly arbitrary in the wider perspective. Royston has been identified as an area for growth, the site has been identified as a suitable area for development and the NPPF seeks to boost significantly the supply of housing.

4.8 In any case, there are number of appeals that demonstrate that an acceptable walking distance to amenities can be up to 2km's, notwithstanding this, the proposed scheme will include a small retail provision that will provide a range of everyday groceries which contributes to the schemes amenity provision.

4.9 The proposed scheme, has a number of similarities to the recently approved (7th November 2013) appeal decision of Blackpool Road Kirkham (2196027), where the Secretary of State agreed with the findings of the Inspector, in that the site was a

sustainable development even though the town of Kirkham was more than the 0.8km catchment commonly used in amenity comparisons.

'Manual for Streets defined a walkable neighbourhood as being typically characterised by having a range of facilities within 10 minutes or up to about 800m walking distance of residential areas which residents without mobility impairments may access comfortably on foot. However this is not an upper limit and the appellants identify a wide range of facilities with the 2km range…

There are some facilities within a 10 minute isochrone. There is a shop at Ribby Hall Holiday village that is open to all and would provide for many daily requirements including, bread, milk, newspapers and tobacco, as well as ingredients for making meals, ready meals and basic staple items such as breakfast cereals, tea and coffee, cat and dog food…

Most local amenities are in Kirkham town centre. The town centre is more than 800m distant but it would not be much more than that distance from the Bloor site. Furthermore, there would be opportunity for joint trips, even though they would be above the preferred maximum distances…

I conclude that the schemes would comprise sustainable development that would accord with national planning policy.'

4.10 It would therefore be logical to reach a similar conclusion on the proposed site, in that the scheme would comprise a sustainable development that would accord with the NPPF.

5.0 Employment allocation

5.1 This particular part of the Safeguarded Site may have been identified for employment development in the DSP, but the areas to the south and west were identified for housing development. It is been observed that, even if there were scope for that quantum of employment development in Royston, it would be better located on the edge of the settlement in a location where the boundaries with neighbouring residential properties were minimised and where there was scope for expansion in the future. The proposed location, surrounded as it would be by residential development, is not the most appropriate location within the safeguarded

site for employment uses. The scale of the currently proposed development does not prevent those uses being included in future should the Council demonstrate that to be appropriate.

6.0 Core Strategy Policy CSP14: Housing Mix & Efficient Use of Land

6.1 The proposed scheme of 200 dwellings is located on a site totalling 8ha. 6.5ha will be used for residential development, with the remaining areas set aside for public open space and a small retail unit. The density, in terms of dwellings per hectare (dph) equates to 31 (200/6.5) as a minimum.

6.2 Policy CSP14 (Housing Mix and Efficient Use of Land) of the adopted Core Strategy requires residential developments to deliver densities of 40dph. The Policy acknowledges that lower densities will supported where it can be demonstrated that they are necessary for need, viability or sustainable design reasons. The following section will demonstrate this necessity.

Need

6.3 BMBC have acknowledged that their adopted Core Strategy is going to be replaced by a 'new style' local plan that will be in conformity with the NPPF. Evidence to support this new local plan, in the form of the SHLAA (September 2013) and the Economic Strategy (Growing Barnsley's Economy 2012-2033) have raised the issue of needing to provide a selection of lower density developments, primarily to ensure families and professionals stay within the borough and do not out-migrate to neighbouring areas.

6.4 As part of the Local Economic Assessment (LEA) (which acted as part of the evidence base for the Economic Strategy), an economic analysis was undertaken by Barnsley Development Agency (BDA). One of the key challenges identified in the analysis was that the '*supply of lower density housing needs to be increased within the Borough to both support and facilitate economic growth'*.

6.5 One of the key priorities identified in the Economic Strategy also specifically refers to the need to '*increase the supply of low density housing'*. To do this the Council need to support schemes that can deliver this requirement. Table 3 identifies the density that the SHLAA (September 2013) uses to work out site densities (in terms

of calculating their housing supply). The densities have come from local agents, developers and other actors in the local property market and reflect current industry norms and likely achievable densities in the Borough for the types of development stated. The average density of Figure 3 is 25dph.

Site Location Characteristics	Density (dwellings per hectare net)
Identified as appropriate for mainstream housing	35
Identified as appropriate for executive housing	25
Identified as appropriate for high-end executive housing	15

Figure 3: Density Rates Used in the Barnsley SHLAA

6.6 The SHLAA does comment that actual densities have been historically higher, but this is down to HCA funding and in less marketable areas. HCA funding is suitable for a selection of sites, but has been cut over the past few years and is not a driver of executive homes. The Green Corridor Project is an example of regeneration funding that ceased in 2011.

6.7 The proposed scheme is seeking to bring forward a development at a density that includes predominantly 'mainstream housing' as defined in the SHLAA, but with areas of lower density 'executive housing.' This balance of housing types therefore more appropriately meets the housing need of the Borough.

Viability

6.8 As a consequence of the current economic climate, apartment development is no longer viable. This is, in large part, due to the exit of private investors from the residential market.

6.9 In attempting to deliver areas of lower density housing, it is therefore not possible to off-set this with areas of higher density housing which would bring the average density of development to 50dph.

Sustainability

6.10 The justification of Policy CSP14 states that the housing mix should be appropriate to the '*scale and context'* of the area. The context of the area presents a low density residential area to the east, in Applehaigh View and the surrounding properties. The design of the layout needs to reflect this. To the west, the

proposed scheme would transition to an area of green fields. In line with design best practice, a lower density of development is appropriate in these areas to 'soften' the transition and avoid a hard, urban edge.

6.11 The features of ecological merit (such as hedgerows) on the site are to be maintained, resulting in a slightly more inefficient design, but to the benefit of biodiversity. The incorporation of SUDs to the eastern boundary (including the brook) also push densities downwards.

6.12 The NPPF attaches great importance to the design of the built environment. Stating that '*Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'*. Delivering a high density development on the proposed location would be counterproductive to the NPPF's high design requirements. The importance of design has been raised recently (26th November 2013) with an appeal at Colne (2195745) where the Secretary of State refused an application on design grounds:

'The Secretary of State therefore also agrees with the Inspector (IR188) that the scheme falls significantly short of the expectation for high quality design (as required by LP policy 13) and so fails to comply with the development plan. He also considers that it falls short of the high quality and inclusive design expected by the Framework.'

6.13 It is therefore of paramount importance that the right scheme is delivered on the proposed site, with design and integration (to neighbouring land uses) driving the densities.

7.0 Summary

7.1 This Position Statement has shown that BMBC cannot currently demonstrate a deliverable five-year housing supply. Subsequently relevant policies for the supply of housing (such as CSP14) should not be considered up-to-date.

7.2 The site is shown to be in a sustainable location and this has been confirmed through the sustainability appraisal undertaken as part of the evidence base that supported the Development Sites and Places DPD.

7.3 Despite Policy CSP 14 being out-of-date, the application nonetheless meets its requirements. The Policy does allow for lower densities to be delivered as a consequence of housing need, viability or sustainability. This Statement has shown that each of those situations applies in this case.