

Joe Jenkinson
Head of Planning & Building Control
Barnsley Metropolitan Borough Council
Westgate Plaza
S70 2DR

BY EMAIL

5 August 2019

Dear Joe,

RE: MU3, LAND OFF SHAW LANE, CARLTON

Further to our recent correspondence and our meeting with Stacey White on 25 July 2019, Spawforths have been instructed by our client Network Space to outline our significant concerns relating to the timescales of production of the Masterplan Framework, in relation to the above site, and the proposal for the construction of a new link road, and the associated impact on site viability and deliverability.

Allocation MU 3 requires that development of the site to be subject to the production of a 'phased Masterplan Framework' that covers the entire site to ensure that development is brought forward in a comprehensive manner. Network Space are and have been supportive of the intentions of the masterplanning process and have been engaging at an early stage with the Council on the scope and requirements for the Masterplan Framework. Version I of the Masterplan for Royston and Carlton was issued in May 2018 and appeared to be progressing in a timely manner. However at our meeting on 25 July 2019, it was indicated that the Council would not be undertaking any further progress on the Carlton Masterplan Framework until late 2019/early 2020, with adoption not being anticipated until December 2020, at the very earliest. Furthermore, the Council maintain that where a Masterplan Framework is sought, the Framework must be approved by the Council prior to the determination of any planning application.

Network Space is deeply concerned with the delay to the production of the Carlton Masterplan Framework. Network Space consider that the delay to the preparation of the Masterplan is out of step with the 'Framework', and the 'presumption in favour of sustainable development' and the objective to 'significantly boost the supply of homes' para 59.

Spawforths

Junction 41 Business Court, East Ardsley, Leeds, West Yorkshire. WF3 2AB
t: 01924 873873, f: 01924 870777, mail@spawforths.co.uk, www.spawforths.co.uk

Allocation MU 3 is located within Urban Barnsley a priority for development (LG 2) where 43% of new development is focused (H2). The strategic allocation at Shaw Lane represents just under 30% of the housing allocated in Urban Barnsley and just under 20% of the total supply to come forward in Urban Barnsley. **The delivery of the site is therefore fundamental to the delivery of the Local Plan.**

Furthermore, the published Five Year Deliverable Housing Supply Report (August 2017) shows Barnsley having a five year supply when tested against the then emerging Local Plan requirement. However, importantly MU3 (then AC12) was expected to contribute 240 dwellings to the supply. Subsequently the housing trajectory has been revised (October 2017) with MU3 forecast to contribute 120 dwellings a year from 21/22. The trajectory was revised again in January 2018 and when applying this trajectory to the next five years, the Shaw Lane site would be expected to contribute 160 dwellings within the next five years. The five year supply has not been revised and published to account for the latest completions and series of revisions to the trajectory. **Given the contribution that MU3 is expected to make to the five year supply, any unnecessary delay undermines the Council's ability to maintain a five year supply and further risks the delivery of the Local Plan.**

Network Space note that the potential for under delivery will be heightened where developments do not come forward at the assumed density / rate of delivery. Indeed, the Inspectors report (para 122) noted that the density on permitted schemes had fallen between 2004 and 2012 from 45 dph to 33 dph, yet there is an assumption that 40 dwellings per hectare will be achieved on sites in Urban Barnsley and the Principal Towns. Furthermore, based on the latest housing supply figures, the headroom between the requirement and total supply is limited. Therefore, there have been a number of representations on sites in higher value areas, which would require green belt removal. **It is therefore essential that the Council do not unnecessarily delay the progress and delivery of sites located within the adopted Local Plan, such as MU3, and those elements which can come forward early, such as the land within the control of Network Space.**

The second concern is in relation to the proposed requirement in the Masterplan Framework (Version 1), which would appear to be proposing the delivery of significant highway infrastructure. The new highway is in the form of a link road, to facilitate development of the allocation site and to ensure connections with neighbouring settlements, including Royston. **The concerns here are threefold:**

- 1. There is no policy requirement for the link road within the Local Plan.**
- 2. The limited evidence to support its inclusion.**

3. The impact on viability and deliverability of the scheme.

The 'Framework' is clear that Plans should set out the contributions expected from development and such policies should not undermine the deliverability of the Plan (paragraph 34). There is no explicit mention of the requirement for a link road under policy MU3, nor is it referred to in the Transport Policy, or evidence that supports the Plan, including the Infrastructure Delivery Programme that sets out infrastructure requirements in Barnsley to 2033, or the Viability Study Submission 2016. The Inspectors Report states that the IDP provides an up to date and comprehensive assessment of existing and future capacity across key items and the Delivery Programme makes clear the requirements in relation to transport. **The link road is therefore not included in the delivery programme and is therefore not required to deliver this scheme.**

A Transport Note by Aecom in September 2016 informed the Infrastructure Delivery Plan December 2016. A number of routes in vicinity of the site were forecast to have increases in traffic growth. The Transport Note identifies two junctions that MU3 (then AC 12) could impact on, this was B6132 Carlton Road/Church Street and South Moor Roundabout within Wakefield. Importantly, the conclusions of the report concentrated on M1 Junction 36, M1 junction 37, and Dearne Valley Parkway and Stairfoot roundabout.

The subsequent Infrastructure Delivery Plan December 2016, summarises the Aecom Modelling work and considers the key area to be : Adjacent to the M1 junction 36, Adjacent to M1 Junction 37, Dearne Valley Parkway (A635 at Cathill Roundabout) and A635/A633 Stairfoot roundabout. It goes on to suggest that a number of cross boundary routes may require further assessment. The nearest to MU 3 being the A61 Wakefield. Importantly, it is noted that individual models have been run to consider the impact of improvement works and proposed development at a number of locations. This includes the potential impact of allocation MU 3(formerly AC12). Full details are not provided but the report summarises that some local highway works are required at Royston Crossroads and Cundy Cross roundabout. These improvement are relatively modest and in the case at Cundy Cross is already designed and in capital programme.

The Updated Delivery Plan also considers that mitigation measures will be required at junctions in the Carlton Area, including A628 Cudworth Parkway/Weetshaw Lane roundabout, Carlton Road Laithes Lane, Cudworth parkway/Burton Road and possibly Shaw Lane/Fish Dam/ Church Street. The associated Infrastructure Delivery Programme does not go on to identify works within the list of Infrastructure requirements.

The Viability Study Submission 2016 refers to the Masterplans as being a means of identifying cumulative infrastructure requirements and localised off site enhancements. No specific enhancements are mentioned in relation to MU 3.

Subsequently, the site specific requirement for MU3 in the Local Plan simply states 'provide off site highway works'. This is in contrast to an allocation where a link road has been considered necessary to support the delivery of an allocation. Such as MU 1 which states '*provide off site highway infrastructure works including a link road and improvements at Junction 37*'. It would be unreasonable in this context to conclude that a link road was a requirement of the Local Plan. **To specify a link road through a masterplan without a comprehensive assessment of impacts of the allocated site and investigation into reasonable alternatives would not be compliant with the Framework.**

Notwithstanding the fact that the proposal for a link road was not identified in the Local Plan, the Council are proposing a contribution to support the delivery of the road, ranging between £20,000 to £40,000 per dwelling. This is in an area in which the Viability Study (2016) concludes would not be viable to have CIL. The latest viability work raises questions over the viability of a significant contribution and further work is required to establish appropriate land values, build costs and benchmark land values. **This raises a significant risk that such a requirement would undermine the deliverability of the site, which is a significant component of the Local Plan and would thus risk undermining the deliverability of the Plan, contrary to the Framework.**

Whilst the Masterplan Framework produced by Aecom considers a link road is required to ensure that junctions within the study area operate at capacity, the report is clear that some junctions will operate within capacity without a link road. Significantly, the report does not indicate what other mitigation measures have been explored. No details in relation to TRICs outputs, survey data, and distribution data have been provided. Nor have details of any do minimum scenario been provided. Therefore, it is not possible to assess whether the significant infrastructure improvements in the form of a link road is necessary for the delivery of the allocation, or indeed the extent that the link road in the proposed location mitigates / creates additional capacity at the junctions in the study area, nor can we make judgements in terms of timing of impact and what development can come forward in advance of any mitigation measures. **There is therefore no evidence to justify the requirement for the link road above any other localised junction improvements.** The requirement cannot therefore be considered to be consistent with the Framework or legislation relating to Planning Obligations, which must only be sought where they are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind (para 56).

Furthermore evidence is required to demonstrate that that the link road is necessary, that the resulting development will be viable and can be delivered.

Furthermore, the mechanism of utilising a Masterplan Framework, which is to be adopted as a Supplementary Planning Document is concerning. An SPD must be subservient to the Local Plan and not identify and allocate new infrastructure, especially through the Green Belt. Therefore, the Masterplan Framework SPD would not be in accordance with the Local Plan.

On the basis of the above, Network Space consider that it is unreasonable to prevent development coming forward on an allocated site, in advance of a Masterplan Framework, that is being unacceptably delayed. Network Space consider that the request for a link road would not be consistent with the requirements of the Framework and is not robustly justified. **The delays to the masterplan process and request for the link road pose significant risk to the delivery of the site, and the ability for the Council to demonstrate a five year supply and risks undermining the delivery of the Local Plan given the importance of this allocation to the overall strategy.**

Yours sincerely

Hannah Richardson

Associate: Town Planner

hannah.richardson@spawforths.co.uk