



JohnsonMowat
Planning & Development Consultants

PLANNING CASE REPORT

**SOUTH WEST YORKSHIRE NHS
FOUNDATION TRUST AND
ORION HOMES**

**MOUNT VERNON HOSPITAL,
MOUNT VERNON ROAD,
WORSBROUGH,
BARNSELY**

LOCAL PLAN HOUSING ALLOCATION HS29

**FULL APPLICATION FOR THE RESIDENTIAL
DEVELOPMENT OF 65NO. DWELLINGS INCLUDING
ASSOCIATED WORKS FOLLOWING DEMOLITION OF THE
VACANT FORMER HOSPITAL**



South West Yorkshire Partnership NHS Foundation Trust
and Orion Homes
Mount Vernon Hospital, Mount Vernon Road, Worsbrough, Barnsley

Planning Case Report

Date: 03 May 2019

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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 Ltd during our investigations.

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1.0 INTRODUCTION

- 1.1 This Planning Case Report has been produced on behalf of the South West Yorkshire Partnership NHS Foundation Trust and Orion Homes. The report is in support of a Full Planning Application for the residential development of 65No. dwellings including associated works following demolition of the vacant former Mount Vernon Hospital, Mount Vernon Road, Worsbrough, Barnsley.
- 1.2 The application site is an allocated housing site HS29 in the newly adopted Barnsley Local Plan (January 2019). The principle of the residential development of the site is therefore considered acceptable by its allocation as a housing site.
- 1.3 The Hospital closed in March 2018 due to a relocation of services and has remained vacant since. The South West Yorkshire Partnership NHS Foundation Trust is therefore in the position in which they require the alternative use of the site to raise the necessary funds to reinvest within the trust to the benefit of local people.
- 1.4 This Planning Case Report demonstrates how the above matters have been addressed and should be read in conjunction with the following reports which form this planning application submission:-
- Plans and Details – Orion Homes;
 - Design and Access Statement – Johnson Mowat;
 - Heritage Statement – Johnson Mowat;
 - Statement of Community Involvement – Johnson Mowat;
 - Preliminary Ecological Appraisal Report – Brooks Ecological;
 - Bat Roost Suitability Assessment – Brooks Ecological;
 - Bat Emergence Survey – Brooks Ecological;
 - Site Inspection Report – Brooks Ecological;
 - Arboricultural Survey – Altofts Tree Services;
 - Energy Statement – JSP Sustainability Ltd;
 - Landscaping Proposals – H2 Landscaping;
 - Flood Risk Assessment – ARP Associates;
 - Gas Monitoring – ARP Associates;
 - Stage 1 Desk Study Report and Stage 2 Site Investigation (including Supplementary Statement) – ARP Associates;



- Rotary Coal Investigation – ARP Associates;
- Transport Assessment – Optima Highways; and
- Topographical Survey – Met Geo.

1.5 This Planning Case Report identifies the characteristics of the site and its location, the planning history of the site, the planning policy context and the planning case in support of the proposed residential scheme.



2.0 LOCATION AND SITE DESCRIPTION

- 2.1 The site is located off Mount Vernon Road, a main route through Worsbrough linking to Sheffield Road and Barnsley Town Centre to the north. The existing hospital buildings comprises a single two storey building of irregular shape, with a number of buildings projecting from the south facing elevation, the majority of which are presumed to be in use as separate wards. The site also contains large areas of hardstanding for parking. To the south/south west of the site is a dense wooded area.
- 2.2 Mount Vernon Hospital closed in March 2018 and has remained vacant since. The South West Yorkshire Partnership NHS Foundation Trust is therefore in the position where they require the alternative use of a now vacant site for residential purposes to ensure the necessary funds can be reinvested within the trust which will benefit people from the Barnsley area.
- 2.3 The site bounds predominately residential properties. To the south are residential properties along Mount Vernon Road, Ridgewalk Way and Brow Close, which contains a mix of semi detached and detached homes. To the north are residential properties along Mount Vernon Road which are predominately detached houses. To the west of the site is Worsbrough Common Primary School and Rising Stars Children's Centre. To the east of the site are open fields and a small number of residential dwellings.
- 2.4 The gross site area covers an area of 2.67 hectares. The application site is designated as an allocated housing site HS29 within the newly adopted Barnsley Local Plan (January 2018).
- 2.5 It should be noted that the open field to the north east of the site (located off Mount Vernon Road) forms a housing allocation HS24 (land between Mount Vernon Road and Upper Sheffield Road) in the Local Plan for 42No. dwellings.
- 2.6 The site is located solely within Flood Zone 1 (lowest risk) according to the Environment Agency (EA) Flood Zone maps for planning.
- 2.7 The site is located within a sustainable location in relation to access to services, facilities, employment opportunities and public transport links. The nearest bus stops are adjacent



to the southern boundary with bus links to Barnsley town centre, Wombwell and Tankersley approximately every 30 minutes and is served by the 67, 67a, 479 and 482a buses.

- 2.8 The site lies within a short walk of a number of facilities including takeaways, Working Mens Club, pharmacy, community centre and convenience store.
- 2.9 In terms of local schools Worsbrough Common Primary School and Rising Stars Daycare is located directly west of the site. Ward Green Primary School is circa 350 meters to the south of the site.
- 2.10 The nearest doctors surgery to the site is the Park Grove Surgery which is located circa 0.5 miles from the site. The Kakoty Practice is 0.6 miles from the site and the Gold Street Surgery is 0.7 miles from the site.



3.0 PLANNING HISTORY

3.1 The site is allocated for housing, under reference, HS29 within the newly adopted Barnsley Local Plan (January 2019).

3.2 In relation to previous planning application relating to the site, these predominately relate to the site's historic use as a hospital.

Pre-Application

3.3 Prior to the submission of the Planning Application, a pre-application submission was made to Barnsley Council on the 20th September 2018 on behalf of the South West Yorkshire NHS Trust and Orion Homes. The submission sought advice in relation to a scheme for 66no. dwellings and likely S106 requirements.

3.4 Following the submission a pre-application meeting was held at Barnsley Council's Offices on 26th October 2018. Attendees on behalf of the Council included Planning, Design and Highways Officers. Attendees on behalf of the applicants included representatives of Johnson Mowat, Orion Homes and the agent acting on behalf of the South West Yorkshire NHS Trust.

3.5 The meeting covered a number of matters relating to a future planning application. General points of agreement included the loss of trees on the site road frontage (outside Tree Protection Order areas). Discussions were also had in relation to the Vacant Building Credit. The Council's Officer did not dispute that the Vacant Building Credit was applicable in this case and verbally agreed that on the basis of the existing floor area of the current buildings only 1no affordable dwelling was required on site (pro rata). Other matters of discussion include drainage, education contributions, Local Plan adoption time, housing mix, open space requirements and design.

3.6 Subsequently a written pre-application response was received on the 19th December 2018. A cover email to the response set out that the Council's position had changed since the Pre-Application informing the Council no longer required the provision of on site open space and requesting a commuted sum.



- 3.7 In relation to the response the Council's response includes a number of topic areas. These points included:-
- the requirement for a tree survey to support a future planning application, to provide clarification on route protection areas particularly on houses close to the TPO trees on the southern/south western area of the site.
 - Design comments including:- separation distances between proposed and adjoining properties; no greater than 4 parking spaces in a row without landscaping; dwelling sizes, garden spaces. These have been included in the latest scheme.
 - Open space was sought as a commuted sum.
 - Education contribution.
 - General highways comments and general agreement to the principle of the proposed access.
 - Requirement for an ecological report, drainage and contamination reports which were to support a future planning application.
 - Request for vehicle charging points.
- 3.8 The pre-application comments have been taken into consideration in formulating the proposals.
- 3.9 Subsequent dialogue has been held with the Council regarding the application of Vacant Building Credit on the site. The Council now accepts it is applicable.



4.0 PROPOSED DEVELOPMENT

- 4.1 The application seeks full planning permission for the erection of 65no dwellings within the site following demolition of the existing hospital. The proposal includes the retention of the trees to the east and south area.
- 4.2 The proposed accommodation schedule is detailed on the supporting site plan and further set out in the Design and Access Statement.
- 4.3 The current scheme seeks to provide 1no affordable dwelling on site. The Council and applicants consider the Vacant Building Credit should be considered applicable. The current floor area of the Hospital buildings are as follows:-

Building Areas	sq m
Catering	314.50
Flats	135.00
Joint Therapy	855.50
Hospital Corridor	932.00
Social Therapy	238.00
Ward 1	594.00
Ward 2	594.00
Ward 3	616.00
Ward 4	750.50
Ward 5	750.50
Ward 6	750.50
Total	6530.50

- 4.4 The current proposed floor area is 7,286m². 10 % affordable housing is applicable on this resultant floor area (75.6m²) and results in 1no dwelling being required.
- 4.5 A landscaping and planting scheme accompany the application which seeks to create a visually pleasing environment with biodiversity benefits.



5.0 PLANNING POLICY

Introduction

- 5.1 At the time of writing the current development plan comprises solely of the newly adopted Barnsley Local Plan (January 2019). The Local Plan covers both the strategic and site specific proposals. The National Planning Policy Framework is a material consideration.

The Development Plan: Weighting

- 5.2 Section 38(6) of the Town and Country Planning and Compulsory Purchase Act 2004 places a statutory duty on local planning authorities to determine planning applications in accordance with the development plan unless material planning considerations indicate otherwise. Section 39 of the Act requires decision makers to exercise their functions with the objective of contributing to the achievement of sustainable development.

National Policy

National Planning Policy Framework

- 5.3 The Government's National Planning Policy Framework (the Framework) now forms the relevant policy guidance at the national level for the determination of all planning applications; this is especially so where the local development plan is either silent, absent or out of date. The Framework is a material consideration which must be taken into account in all planning decisions.
- 5.4 Para 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.”***
- 5.5 There are three objectives (Para 8) of sustainable development comprising the economic, social and environmental roles.
- 5.6 Para 10 sets out that the heart of the framework is a presumption in favour of sustainable development.



5.7 So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. Para 11 of the Framework identifies how this presumption is to be applied in making decisions on individual applications stating:-

“For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay;” (JM underlining).

5.8 It is considered that the proposal complies with the Development Plan which allocates the site for housing.

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

Section 4: Decision Making

5.10 In determining applications, Para 38 states:-

“Local Planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.”

5.11 Para 47 requires that:-

“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.”

Section 5: Delivering a sufficient supply of homes

5.12 In relation to the Vacant Building Credit, Para 63 states:-



“To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount²⁸.”

5.13 Footnote 28 supporting the above text sets out:-

“Equivalent to the existing gross floor space of the existing buildings.”

Section 8: Promoting healthy and safe communities

5.14 Para 91 sets out that planning policies and decisions should aim to achieve healthy, inclusive and safe places.

Section 9: Promoting Sustainable Transport

5.15 Para 103 sets out that:-

“Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.”

5.16 Para 110 sets out development should:-

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;***
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;***
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;***
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and***
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.”***



5.17 Para 111 sets out that:-

“all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.”

Section 11: Making Effective Use of Land

5.18 Para 117 advocates the use of previously developed or brownfield land.

5.19 The Government remains committed to encouraging high density development and the most efficient use of land. Para 118 sets out planning policies and decisions should:-

(d) “promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively”.

5.20 Although the use of minimum density policies is encouraged the Framework does not advocate any national standards for such minimum densities. Para 122 also specifically refers to the need to reflect the type of dwellings needed in an area and respect for the character of that area.

Section 12: Achieving Well Designed Places

5.21 Para 124 stresses the Government’s commitment to achieving good design, high quality buildings and places.

5.22 Para 127 sets out planning policies and decisions should:-

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;***
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;***
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);***



- d) ***establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;***
- e) ***optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and***
- f) ***create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”***

Section 14: Meeting the challenge of climate change, flooding and costal change

5.23 Para 150 sets out that new development should be planned to:-

- “a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and***
- b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards.”***

5.24 Further at Para 153 it sets out that:-

“In determining planning applications, local planning authorities should expect new development to:

- a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and***
- b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.”***



Section 15: Conserving and enhancing the natural environment

5.25 Para 170 sets out the requirement to contribute to and enhance the natural environment in policies and decisions by:-

- “d) minimising the impacts on and providing net gains for biodiversity....***
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and***
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”***

Annex 1: Implementation

5.26 Para 212 with regard to decision taking:-

“The policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication.”

5.27 The proposals constitute sustainable economic development and under the circumstances, it is clear that significant weight should be attached to this. The proposals wholly conform to the advice in the Framework and it is considered that the applicants are entitled to anticipate presumption inherent being weighed in their favour.

Local Policy

Barnsley Local Plan (January 2019)

5.28 The Barnsley Local Plan was adopted by Full Council on 3rd January 2019. The Local Plan replaces the Barnsley Core Strategy and Unitary Development Plan. The document sets out the strategic policies, development management policies and site specific policies and allocations.



- 5.29 The Local Plan, Section 2 Vision and Objectives sets out that to meet its objectives it will enable the delivery of at least 21,546 homes.
- 5.30 Para 5.4 sets out the spatial strategy for Barnsley and the main focus for development within the area is Urban Barnsley.
- 5.31 Para 5.9 sets out the Settlement Hierarchy and classifies Urban Barnsley as the Sub Regional Town. Worsbrough is contained within the Urban Barnsley area.
- 5.32 Para 5.14 sets out that Urban Barnsley will be the main focus for development.
- 5.33 Policy SD1 sets out the presumption in favour of sustainable development.
- 5.34 Policy GD1 sets out the general approach to development within the authority. The policy details a series of criteria of which development meeting each of the requirements will be approved without delay. Such considerations include impacts on amenities of existing and future occupiers, compatibility with neighbouring uses and environmental impacts. The proposal does not conflict with the requirements of this policy.
- 5.35 Policy LG2 sets out the location of growth in the district. The policy sets out that the priority for development and the highest priority will be in urban Barnsley.
- 5.36 Policy H1 sets out that the Council will seek to achieve the completion of at least 21,536 net additional homes between 2014 and 2033. Para 9.1 sets out a target of 1,134 dwellings per annum.
- 5.37 Policy H2 proposes a total of 9070 new homes between 2014 and 2033 which is 43% of the overall supply for the district. The policy identifies 3258 dwellings through existing planning permissions within Urban Barnsley resulting in the requirements for a further 5812 dwellings.
- 5.38 Policy HS29 Land off Mount Vernon Road, Worsbrough relates to the application site. The policy requires the development to retain and maintain the broadleaf woodland in the south of the site which is being proposed.



- 5.39 The policy also requires development to respect the historic setting of the listed building at Elmhirst Farmhouse and Cottage opposite by the use of appropriate site layout, sympathetic design that reflects their setting, scaling, massing, details and materials. It should be noted that the application is supported by a Heritage Statement which considers the proposals.
- 5.40 An archaeological assessment is required by the policy and potential further works. The matter is dealt with in the submitted the Heritage Statement.
- 5.41 Policy H6 relates to housing mix and the efficient use of land. The policy seeks an appropriate mix of house type, size and tenure, together with a target density of 40 dwellings per hectare in Urban Barnsley and Principal Towns. The policy does support lower densities where they are necessary for character and appearance, need, viability or sustainable design.
- 5.42 Policy H7 relates to affordable housing and sets out that developments of 15 or more dwellings will be expected to provide affordable housing. It sets out that 10% affordable housing will be expected in Worsbrough.
- 5.43 Policy T3 relates to new development and sustainable travel and 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 set out in the relevant Supplementary Planning Document;
 - Provide a transport statement or assessment in line with guidance set out in the National Planning Policy Framework and guidance including where appropriate having regard for cross boundary local authority liaison; and
 - Provide a travel plan statement or a travel plan in accordance with guidance set out in the National Planning Policy Framework including where appropriate having regard for cross boundary local authority liaison. Travel plans will be secured through a planning obligation or a planning condition.” (JM underlining).
- 5.44 Policy T4 relates new development and transport safety it requires development to be safe and secure access for all road users.



- 5.45 Policy D1 relates to high quality design and place making. The policy sets out the design principles and a checklist of design considerations for development proposal to consider. The proposal does not conflict with the requirements of this policy.
- 5.46 Policy HE1 sets out the Council's approach to the historic environment.
- 5.47 Policy HE2 sets out the requirements for heritage statements (of which the application is supported by).
- 5.48 Policy CC3 sets out sites over 1 hectare in flood zone 1 requires a site specific flood risk assessment. It also requires development of brownfield sites to reduce surface water run off by 30%.
- 5.49 Policy CC4 requires SUDS to manage surface water drainage unless SuDS are inappropriate. The policy sets out that detailed planning applications must be supported by a detailed drainage plan and SuDS design statement.



6.0 THE PLANNING CASE

6.1 This section of the report identifies the main planning considerations and provides an assessment of the planning merits of the case in support of the proposed development.

Principle of Development

6.2 The application site is allocated for housing under reference HS29 within the newly adopted Barnsley Local Plan (January 2019).

6.3 The supporting allocation text for the site sets out that there is an indicative number of dwellings on the site of 74. Clearly the use of the word indicative allows for some flexibility of the number of dwellings proposed on site and is a figure that has no detailed knowledge of on-site constraints (e.g. levels and trees).

6.4 Policy H6 relates to housing mix and the efficient use of land. The policy seeks an appropriate mix of house type, size and tenure together with a target density of 40 dwellings per hectare in Urban Barnsley and Principal Towns. The policy does support lower densities where they are necessary for character and appearance, need, viability or sustainable design.

6.5 It is considered that in this case a reduction in the density is appropriate. The immediate area is characterised by dwellings with large gardens and the topography of the site also has to be considered. The scheme also has been designed to ensure there is no negative impact on the adjacent listed buildings. The need to stand-off substantial trees is a factor.

6.6 In addition, it should be noted that the site formed an additional site which was proposed for allocation during the Local Plan Examination. As part of the Local Plan Examination Process the Council produced a background paper which assessed the capacity of additional sites ("eb186 additional consultation housing site yield calculations additional sites"). In relation to the application to the site, it was assessed with a site area of 2.7 hectares. This figure is considered artificially high and when using the actual site area 2.67 hectares, (when undertaking the same calculation) provides an indicative yield of 68 dwellings, far closer to the 65no dwellings proposed.



6.7 The Inspectors Report for the examination of the Local Plan, the Inspector considers housing density at Paras 122-123. A number of comments the Inspector makes are relevant to the case. At Para 122 the Inspector sets out that:-

“Policy H7 includes a density requirement of 40 dwellings per hectare. The overall net density of permissions granted since adoption of the CS has declined from 45 dwellings per hectare (dph) (2004 to 2012) to 33 dph (2004 – 2012) reflecting the more ‘risk averse’ forms of development proposed since the recession. However, 40 dph reflects the average density achieved over the longer time frame.

6.8 Clearly in this case the Inspector is highlighting the difference between aspirations and implementation. This is clearly an acknowledgement of requiring some flexibility in the policy.

6.9 Indeed the Inspector goes on to state that the 40 dph is:-

“It is a realistic figure to work towards and will help secure sustainable patterns of development within Urban Barnsley and the Principal Towns.” (JM underlining)

6.10 The Inspector clearly views the policy as an aspirational target rather than a strict minimum requirement.

6.11 Indeed at Para 123 the Inspector goes on to state that:-

“Policy H7 is not sufficiently flexible to accommodate circumstances where lower densities may be appropriate to reflect form and character nor does it provide any guidance for development in villages”.

6.12 It is therefore clear that the Inspector considered the policy to be too inflexible and therefore required the acknowledgement that flexibility in the policy was required.

Other Material Considerations

6.13 Having regard to the sites suitability in principle for residential development, other material considerations are summarised in detail below (para 6.14 to 6.32). For clarity, further detail can be found within each of the supporting technical reports which accompany the planning application submission.



Vacant Building Credit

- 6.14 Prior to the adoption of the revised National Planning Policy Framework (July 2018) the sole guidance in relation to the Vacant Building Credit was in the Planning Practice Guidance (May 2016). It should be noted that the guidance has not changed since the adoption of the revised NPPF. The PPG sets out that:-

“National policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.” Paragraph: 021 Reference ID: 23b-021-20160519

“Where there is an overall increase in floorspace in the proposed development, the local planning authority should calculate the amount of affordable housing contributions required from the development as set out in their Local Plan. A ‘credit’ should then be applied which is the equivalent of the gross floorspace of any relevant vacant buildings being brought back into use or demolished as part of the scheme and deducted from the overall affordable housing contribution calculation. This will apply in calculating either the number of affordable housing units to be provided within the development or where an equivalent financial contribution is being provided.” Paragraph: 022 Reference ID: 23b-022-20160519

- 6.15 In considering the above, it is important to note, the VBC only applies where the building has not been abandoned. Mount Vernon Hospital has not been abandoned. In addition the buildings were made vacant as part of the relocation and streamlining of NHS services in the area. The Hospital was not made vacant for the sole purposes of re-development. The site is also not covered by an extant or recently expired planning permission for the same or substantially the same development.
- 6.16 As of July 2018 (the Revised NPPF), the VBC has formally become part of the Framework. Paragraph 63 sets out that:-



“To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount²⁸.”

“²⁸ Equivalent to the existing gross floorspace of the existing buildings. This does not apply to vacant buildings which have been abandoned.”

- 6.17 It is clear that National Policy clearly stresses the existence of the VBC and that it should apply. While the Framework does not form part of the adopted Development Plan, it is a significant material consideration and should be considered in this case.
- 6.18 At the pre-application meeting 26th October 2018. The pre-application meeting was held with the Council’s Planning Officer Elaine Ward, the Officer confirmed the acceptance that VBC was applicable on the site. Notwithstanding remarks made in the pre-application response, the Council accepted the VBC would apply in this case and was confirmed in a meeting on 31st January 2019.
- 6.19 Whilst the Council have confirmed they do not dispute VBC, in relation to the Appeal Decision (Ref APP/N1920/W/16/3162337), referred to in the Council’s pre application letter (which predates their current position), the following should also be noted that:-
- (i) The appeal pre-dates the revised NPPF and as such does not fully take into account national policy.
 - (ii) Having reviewed the appeal decision we note that in this case, the appeal followed an extant permission for the same development. The development would be contrary to bullet point 2 of the PPG (Paragraph 23).
- 6.20 It is therefore considered that Patchetts Equestrian Centre Decision (Ref APP/N1920/W/16/3162337) referred to in the Council’s pre-application response is therefore not comparable to the current planning application.
- 6.21 In summary in considering the Vacant Building Credit in relation to this application site we would comment that:-
- (i) The buildings have not been abandoned with on site security remaining.



- (ii) The buildings were not made vacant for the sole purpose of redevelopment and were made vacant in March 2018 as part of the relocation of services from the site.
- (iii) The site has no extant or expired permission for residential development.
- (iv) The money raised from the development sale of the site to Orion Homes will go directly back into the NHS trust and will be reinvested to benefit the people of Barnsley. The greater the amount of money raised from the sale the more funding can be reinvested in local healthcare.
- (v) The Vacant Building Credit now forms part of the NPPF (Paragraph 63 and footnote 28).
- (vi) The Barnsley District has a relatively low affordability ratio with houses prices being under the national average. The need is therefore less than in parts of the country where house prices are higher.

6.22 In considering the Vacant Building Credit. The current floor area of the Hospital buildings are as follows:-

Building Areas	sq m
Catering	314.50
Flats	135.00
Joint Therapy	855.50
Hospital Corridor	932.00
Social Therapy	238.00
Ward 1	594.00
Ward 2	594.00
Ward 3	616.00
Ward 4	750.50
Ward 5	750.50
Ward 6	750.50
Total	6530.50

6.23 The current proposed floor area is 7,286m². 10 % affordable housing is applicable on this resultant floor area (75.6m²) and results in 1no dwelling being required.

Design & Sustainability



- 6.24 The development would form the suitable reuse of the now vacant former Mount Vernon Hospital (a brownfield site) within Barnsley. The design rationale is located within the supporting Design and Access Statement and further full details of the proposed scheme are set out on the supporting plans.
- 6.25 The scheme would propose a mix of detached, semi-detached and terraced properties that would deliver choice and meet local needs within this area of Barnsley.
- 6.26 Consideration has also been given to CABA Building for Life 12 (2012) and the Design & Access Statement supporting the application.
- 6.27 With respect to the amenities of future occupiers, the South Yorkshire Residential Design Guide (2011) has been adopted by the Council as a best practice guide for appraising the quality of new housing proposals. The guide is intended to compliment the Building for Life Scoring criteria and amongst other design principles, sets out recommended minimal internal space standards and rear garden spaces for new build residential accommodation. An extract from the technical guidance is detailed within Tables 6.1 and 6.2 below:-

Table 6.1 – Recommended Minimum Internal Space Standards (South Yorkshire Residential Design Guide)

Dwelling Size	Recommended Internal Floor Space (Minimum)
3 Bed / 4 Person Dwelling	77m ²
4 Bed / 5 Person Dwelling or More	93m ²

Table 6.2 – Recommended Minimum Amenity Space Standards for Rear Garden Areas (South Yorkshire Residential Design Guide)

Dwelling Size	Recommended Amenity Space (Minimum)
3 Bed Dwelling or More	60m ²

- 6.28 As detailed earlier in this document and the site is highly sustainable given its location on the edge of Worsbrough. The site has excellent links with nearby services, facilities and local schools as set out in the site description.



Heritage

6.29 The application is supported by a Heritage Statement. The report has been produced in the context of the Local Plan policy requirement in relation to the setting of the nearby Listed Elmhirst Farmhouse and Cottage and potential archaeological remains. The Statement should be reviewed alongside this report.

6.30 In concluding in relation to heritage assets it sets out that:-

“The Grade II listed building, Elmhirst Farmhouse and Cottage, is in relatively close proximity to the east of the site. Whilst some development sensitivity can be identified it is considered that, subject to the retention of boundary walling and woodland to the south of the site, overall impacts will be neutral. As such no harm is identified to currently designated heritage assets, or their setting, within the vicinity of the site.”

6.31 In concluding in relation to archaeology it sets out that:-

“As regards the archaeological potential of the site. The site has been subject to various phases of re-development, the most destructive being the demolition of Mount Vernon and removal of the majority of associated buildings and structures dating to the 18th and 19th centuries, during the late 1950s/early 1960s. This demolition was for the remodelling of the site to accommodate a modern hospital. The proposed development will respect the historic boundaries of the site and will retain significant areas of woodland within Highstone Plantation. Construction will be undertaken over the footprint of the former hospital site.

In light of the paucity of evidence for pre-historic, Roman and early medieval activity, and the cartographic evidence to suggest that a large part of the site has been quarried, it is considered that there is low potential for the site to contain archaeological features and that any such features will have been destroyed by the construction of the hospital and quarrying activity. Plans obtained from the Barnsley archives (Appendix 2) present a detailed layout of the site, landscape and building arrangements associated with Mount Vernon. In light of this, and the detailed information obtained regarding the history of the site, it is considered that no further work is required.”



Other Supporting Technical Documents

6.32 Other supporting technical documents support the application are set out above at para 1.4. It is considered that there are no technical reasons for refusal and any further recommendation can be dealt with via condition.

Planning Balance

6.33 The site is an allocated brownfield residential site located in Urban Barnsley, in the newly adopted Local Plan. The site is within a highly sustainable location, with excellent access to social and physical infrastructure locally present in this area of Urban Barnsley.

6.34 The development can contribute toward the planned growth and residual requirement for Urban Barnsley and is therefore fully aligned with the spatial strategy's approach for development to be focussed in Urban Barnsley.

6.35 The site is an area of land free of any statutory designations.

6.36 The site is subject to no significant environmental constraints and the various technical reports produced to accompany this application submission demonstrate that there will be no adverse impacts as a result of granting planning permission.

6.37 The site is not of high environmental quality and there are no technical reasons for refusal.

6.38 The proposed development will be in keeping with the local characteristics and proposes a mix of property types without detriment to neighbouring amenities. The settlement characteristics and the site's opportunities and constraints have been assessed in the supporting Design and Access Statement.

6.39 The South West Yorkshire NHS Trust are joint applicants. The sale of the site for residential purposes will ensure further investment is made in healthcare in the local area and will benefit the people of Barnsley.

6.40 Other benefits include:-

- the provision of a range of new house types to provide increased housing choice.



- the development would generate a significant amount of investment to the area in terms of the construction value and associated spend during the construction period.
- Full-time direct on-site jobs during the construction phase.
- Planning Gain Package.
- Council tax revenue.
- Indirect “spin-off” jobs in services and other business from the wage spending of construction workers and supplier sourcing and additional resident expenditure as a result of new homes in the town.

6.41 Having regard to all of the above, it is clear that there is a significant presumption in favour of the development. The proposal is fully policy compliant and has demonstrated there to be technical issues which would prevent the grant of planning permission.



7.0 SUMMARY AND CONCLUSIONS

- 7.1 Section 38(6) of the 2004 Act provides for a determination other than in accordance with a development plan if material considerations indicate it is appropriate.
- 7.2 This planning application on an allocated housing site is made in the context of the Government's requirement to significantly boost housing land supply, the presumption in favour of sustainable development and the Development Plan.
- 7.3 The development proposed constitutes sustainable development having access to a wide range of local facilities. The site is a housing allocation and its development will assist the Council in meeting its aspirations for Barnsley together with a significant number of economic and social benefits including the reinvestment of the funds from the sale of site by the South West Yorkshire NHS Trust in the care for the local area.
- 7.4 The site would make for a compatible use and the technical reports accompanying the application detail how the development will not give rise to any adverse impact upon matters of transport, drainage, trees or ecology or the amenities of present and future occupiers.
- 7.5 The Vacant Building Credit is applicable in this case for the reasons set out in this report and as required by National Planning Policy. The Council should also consider that the application of the Vacant Building Credit will allow for a greater capital receipt for the South West Yorkshire NHS Trust to invest in healthcare within the local area.
- 7.6 Therefore taking account of all of the above factors including all merits of the scheme taken as a whole, this report has demonstrated that proposal clearly constitutes 'sustainable development'. There are significant material considerations that weigh heavily in its favour. The scheme is in accordance with the Local Plan and the application should be approved without delay.