



The Planning Inspectorate

Report to Barnsley Metropolitan Borough Council

by Sarah Housden

an Inspector appointed by the Secretary of State

Date: 14 December 2018

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the Barnsley Local Plan

The Plan was submitted for examination on 20 December 2016

The examination hearings were held between 16 May 2017 and 25 April 2018

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Abbreviations used in this report

AA	Appropriate Assessment
AMR	Annual Monitoring Report
AQMA	Air Quality Management Area
CS	Core Strategy
DCLG	Department for Communities and Local Government
DSP	Development Sites and Places Document
DtC	Duty to Cooperate
ELR	Employment Land Report
HMA	Housing Market Area
HRA	Habitats Regulations Assessment
IDP	Infrastructure Delivery Plan
LCR	Leeds City Region
LDS	Local Development Scheme
LP	Local Plan
MM	Main Modification
NP	Neighbourhood Plan
NPPF	National Planning Policy Framework
OAHN	Objective assessment of housing need
OAN	Objective assessment of need
PPG	Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SCI	Statement of Community Involvement
SCR	Sheffield City Region
SCRIF	Sheffield City Region Investment Fund
SNHP	Sub-national household projections
SPA	Special Protection Area
SHELAA	Strategic Housing and Employment Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SPD	Supplementary Planning Document
UDP	Unitary Development Plan
WMS	Written Ministerial Statement

Non-Technical Summary

This report concludes that the Barnsley Local Plan provides an appropriate basis for the planning of the Metropolitan Borough provided that a number of main modifications (**MMs**) are made to it. Barnsley Metropolitan Borough Council (the Council) has specifically requested me to recommend any MMs necessary to enable the plan to be adopted.

The MMs all concern matters that were discussed at the examination hearings. Following the hearings, the Council prepared schedules of the proposed MMs, carried out Sustainability Appraisal of them and updated the Habitats Regulations Assessment. The MMs were subject to public consultation over a six week period. In some cases I have amended their detailed wording and I have recommended their inclusion in the Plan after considering all the representations made in response to consultation on them.

The MMs can be summarised as follows:

- Decreasing the jobs target from 33,000 to 28,840 and the employment land requirement from 307 hectares to 297 hectares;
- Increasing the 2014 – 2033 housing requirement from 20,900 to 21,546 dwellings or 1134 dwellings per year;
- Including villages in the list of locations where new development will be located in Policy LG2;
- Deleting site RSV1 from the plan;
- Deleting site UB16 for employment and allocating it for housing;
- Allocating twelve additional sites for housing development and identifying one additional area for safeguarded land;
- Clarifications and updates to employment, housing and mixed use site policies;
- Updating the housing trajectory to take account of additional allocations, deletions, planning permissions and completions; and
- Revisions to the wording of development management policies for consistency with national guidance, positive preparation and to reflect updated evidence.

Introduction

1. This report contains my assessment of the Barnsley Local Plan ('the plan') in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (the 2004 Act) (as amended). It considers first whether the plan's preparation has complied with the duty to cooperate (DtC). It then considers whether the plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (2012) (NPPF) (paragraph 182) makes it clear that in order to be sound, a Local Plan (LP) should be positively prepared, justified, effective and consistent with national policy.
2. The revised NPPF was published in July 2018. It includes a transitional arrangement in paragraph 214 whereby, for the purpose of examining this plan, the policies in the 2012 NPPF will apply. Unless stated otherwise, references in this report are to the 2012 NPPF. In addition, references to the Planning Practice Guidance (PPG) are to the previous versions of the guidance in place before the revised NPPF.
3. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The basis for the examination is the Publication Consultation version (2016), submitted in December 2016. It is the same document as was published for consultation in August 2016 under Regulation 19 of the 2012 Regulations¹. The Council has supplemented the evidence base of the plan in relation to jobs growth and the assessment of housing need during the course of the examination and has identified additional sites for housing development. However, this has not fundamentally changed the spatial strategy and distribution of development in the plan.
4. The plan provides a development strategy and detailed policies and identifies specific sites to deliver the full objectively assessed need for employment and housing development over the plan period to 2033. The capacity of the plan area to meet those needs has been assessed in relation to environmental factors including the Green Belt and infrastructure capacity including transport. It seeks to provide a comprehensive planning framework and delivery will be supported by Supplementary Planning Documents (SPD).
5. The substantive Local Development Scheme (2007) (LDS) covers earlier planning documents including the Core Strategy (2011) (CS) and Development Sites and Places document (DSP). Updates to the LDS were published in 2015 and 2017 and whilst there has been some slippage in timescale, the scope of the plan accords with those documents.
6. Part of the Borough falls within the Peak District National Park which is covered by the Peak District National Park Core Strategy Development Plan Document (2011). Consequently, references to the plan area in this report relate to that part of the Barnsley Metropolitan Borough which is outside the National Park.

¹ The Town and Country Planning (Local Planning)(England) Regulations 2012

The Examination

7. The examination was carried out in four stages. At Stages 1 and 2 the DtC, legal requirements, soundness of the employment and housing objectively assessed need and land requirements, spatial strategy, Green Belt, transport, the environment and the town centre were covered. In August 2017 my interim findings on the Stage 1 and 2 matters concluded that whilst the DtC had been met, the plan's employment and housing strategies were not aligned. I also found that the plan's approach to the villages was not based on up-to-date evidence and not positively prepared.
8. Following consideration of the options presented to it, the Council decided to proceed with the examination and undertake further work to address the soundness issues identified. Pending the completion of that work, the soundness of the employment and housing site allocations proposed as part the submitted plan were considered at the Stage 3 hearings in December 2017.
9. The Council's further work revised the plan's economic strategy, reducing the jobs target from 33,000 to 28,840 and increasing the housing requirement from 20,900 to 21,546 to align with the revised jobs target. In order to meet the increased figure and address the shortfall in the delivery of some housing sites identified following the Stage 3 hearing sessions, additional housing sites were proposed including in villages. The additional evidence produced on the employment and housing land requirement, additional proposed housing sites and Sustainability Appraisal (SA) were subject to public consultation from 29 January to 12 March 2018 alongside the Matters, Issues and Questions on the remaining Main Matters. The Stage 4 hearing sessions considered all the responses received.

Main Modifications

10. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any main modifications (MMs) necessary to rectify matters that make the plan unsound and thus incapable of being adopted. My report explains why the recommended MMs, all of which relate to matters that were discussed at the examination hearings, are necessary. The MMs are referenced in bold in the report in the form **MM** and are set out in full in the Appendix.
11. Following the examination hearings, the Council prepared a schedule of proposed MMs and carried out SA and Habitats Regulations Assessment (HRA). The MMs schedule was subject to public consultation from 13 July to 28 August 2018. For the avoidance of doubt, the proposed modifications which were referenced as 'MAIN' in the consultation document (MC1) have been referenced as MMs within the Appendix to this report. I have taken account of the consultation responses in my conclusions and in this light I have made some amendments to the detailed wording of the MMs where necessary for consistency or clarity. None of the amendments significantly alters the content of the MMs as published for consultation or undermines the participatory processes and SA that has been undertaken. Where necessary I have highlighted these amendments in the report.

12. The Council has published 'additional modifications' alongside the MMs which are modifications that do not materially affect the policies in the plan². The Council is accountable for these changes and they do not fall within the scope of the examination.

Consultation

13. Consultation leading up to the submission of the plan took place over a number of stages including on the DSP document. The examination has been conducted in stages including a period of consultation on additional evidence and sites. I acknowledge that the process has the potential to be confusing, particularly for those who become engaged in the later stages of the examination.
14. However the Council has taken steps to explain the process, respond to queries and has carried out full and widespread consultation on the plan before its submission, as part of the examination consultation and most recently on the MMs. The scope of the consultation on the work produced in response to my interim findings was necessarily broad and a wide range of representations were received, many of which were followed up through discussion at the Stage 4 hearing sessions. A wide range of representations have been submitted at each stage of consultation and I am satisfied that the consultation processes gave representors adequate opportunities to express their views.
15. It has been contended that in preparing the plan the Council has breached the 'Gunning' principle that consultation should be undertaken at a time at which it can genuinely influence decision making. This is argued primarily in connection with discussions between the Council and the agents/promoters for Site MU1 and the timing of the Green Belt review and submission of bids to the SCRIF for infrastructure funding, in particular for the Claycliffe Road link. I deal with these matters in relation to the specific issues raised later in my report.
16. Overall, I am satisfied that the consultation was undertaken in accordance with the 2012 Regulations and the Council's Statement of Community Involvement (SCI) (2006) and the SCI Update (2015).

Policies Map

17. The Council must maintain an adopted Policies Map which illustrates geographically the application of the policies in the adopted development plan. When submitting a LP for examination, the Council is required to provide a submission Policies Map showing the changes to the adopted Policies Map that would result from the proposals in the submitted LP. The submission plan's Policies Map is the 'Policies Map Publication Draft 2016'.
18. The Policies Map is not defined in statute as a development plan document (DPD) and so I do not have the power to recommend MMs to it. However, a number of the published MMs to the plan's policies require further

² S23(3)(b) of the 2004 Planning & Compulsory Purchase Act

corresponding changes to be made to the Policies Map and its key. Those further changes were published for consultation alongside the MMs.

19. When the plan is adopted, in order to comply with the legislation and give effect to the plan's policies, the Council will need to update the adopted Policies Map to include all the changes in the document entitled 'Policies Map Publication Draft 2016' and the further changes included in the document 'Proposed Main Modifications Policies Map Changes' published alongside the MMs.

Sustainability Appraisal

20. The SA work undertaken is contained in the Local Plan SA Publication (2016), SA Addendum Post Examination Hearings (December 2017), SA Site Assessment Addendum (January 2018) and Proposed Main Modifications SA (July 2018).
21. Throughout the documents, a consistent framework of eighteen objectives which were developed following scoping and consultation have been used to assess the plan. They are appropriate to its circumstances and to the national and local context. SA of the plan's policies and allocations has been undertaken at the same level of detail as that of the reasonable alternatives and the reasons for selecting particular policy approaches and site allocations and rejecting others are clear. Specific representations on the SA work conducted during the examination are dealt with in the relevant sections of this report.
22. Overall, I conclude that the SA work undertaken in connection with the plan is adequate.

Habitats Regulations Assessment

23. Part of the Peak District Moors Special Protection Area (South Pennine Moors Phase 1) (SPA) and Special Area of Conservation (SAC) are within the Peak District National Park area of the Borough and are therefore outside the plan area. A precautionary approach has been adopted and in consultation with Natural England, a 5km 'buffer zone' was established to ensure that development in proximity to the SPA and SAC would not have an adverse effect on the integrity of these sites.
24. HRA, including appropriate assessment (AA) of the submitted plan, was carried out together with HRA of additional sites and the MMs. Four policies were subject to AA where a likely significant effect on the SPA and SAC could not be ruled out. These effects included increased disturbance from recreation activity and air pollution from traffic associated with new housing distributed in accordance with the spatial strategy in Policy LG2 and the potential loss of habitat for SPA birds from development on three sites in or close to the buffer. The results of the AA are outlined in relation to Policy LG2 and the specific sites.
25. The MMs HRA report does not re-assess the plan as a whole and AA of the MMs has been undertaken only where a likely significant effect could not be ruled out. Overall, and having regard to the mitigation identified and the various MMs recommended, I conclude the plan's policies and proposals taken

forward to AA would not have an adverse effect on the integrity of the SPA and SAC either alone or in combination with other plans and projects. Having taken account of the judgement of the Court of Justice of the European Union issued on 12 April 2018³, I concur with the Council's conclusion that the HRA report is legally compliant.

Assessment of Duty to Co operate

26. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation. The statutory DtC applies where there are 'strategic matters' which would have a significant impact on at least two planning areas.
27. Regular engagement with adjoining local planning authorities and prescribed bodies has taken place on all strategic matters from an early stage in plan preparation, as documented in the Council's DtC Statement and its Addendum. Barnsley is a single Housing Market Area (HMA) and the Council is seeking to provide for all of its own identified housing and other development needs within the plan area. The DtC process has established that adjoining authorities have no scope to accommodate any of Barnsley's housing need. Adjoining authorities are at different stages of plan preparation and in some instances their own development needs have not yet been fully assessed, but at the present time there is no evidence to suggest that they are able to accommodate any part of Barnsley's housing need. In addition, no neighbouring authority has made a formal request to the Council to accommodate any unmet housing need from outside the plan area.
28. Cumulative increases in traffic levels along the A635 which runs between the M1 and A1/(M) is a strategic matter which affects Doncaster Metropolitan Borough, in particular the communities of Hickleton and Marr to the east of Goldthorpe. Co-operation has resulted in mitigation measures being incorporated within specific site allocations and ongoing liaison to co-ordinate funding bids for highway improvements. Co-operation on renewable energy in relation to landscape protection has also resulted in mitigation measures within policies.
29. Barnsley lies within both the Leeds City Region (LCR) and Sheffield City Region (SCR). Regular engagement has taken place resulting in joint commissioning of evidence bases and joint approaches including the SCR Common Approach to the Green Belt Review. Whilst future governance arrangements for the SCR remain unclear this has not undermined the process of cooperation in relation to Barnsley's contribution to the economic strategies of both the LCR and SCR. Overall I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the plan and the DtC has been met.

Assessment of Soundness

30. The plan will replace the saved policies in the UDP and the CS. Together with the Joint Waste Plan (2012), it will form the development plan for the plan

³ Case C323/17 People over Wind, Peter Sweetman v Coillte Teoranta

area. The submitted plan does not explain this or identify the existing policies that will be superseded and **MM3** and **MM127** are necessary to rectify this and to ensure that the plan complies with the 2012 Regulations⁴.

Main Issues

31. Taking account of the representations, the written evidence and the discussions at the hearing sessions, I have identified ten main issues upon which the soundness of the plan depends. Under these headings my report deals with the main matters of soundness and it does not respond to every point raised in representations.

Issue 1 – Is the employment land requirement soundly based and does the plan set out a positively prepared strategy for employment and the economy that is justified, effective and consistent with national policy?

The Functional Economic Area

32. Barnsley lies within the wider functional economic areas of the SCR and LCR. Travel to work patterns demonstrate strong cross boundary movement with 36% of Barnsley residents in employment commuting outside the Borough for work and approximately 23% of jobs being filled by workers from outside the area⁵. Having regard to the plan's objective for more jobs to support improvements to job density, the plan area represents the most appropriate basis to assess the objectively assessed need (OAN) for employment.

Employment OAN and Employment Land Requirement

33. The Jobs and Business Plan 2014 – 2017 (2014) and Employment and Skills Strategy (2016) seek to improve the Borough's economic prosperity. Jobs growth will also contribute to the SCR Strategic Economic Plan which aims to bolster the private sector and create 70,000 new jobs and 6,000 new businesses from 2014 - 2024, of which 7,500 jobs are apportioned to Barnsley. The LCR Strategic Economic Plan (2016) seeks to create an additional 36,000 jobs by 2036. The need for more jobs is supported by a wide range of evidence submitted to the examination.
34. Allied to the plan's objective to increase job density is the need to create more businesses and improve skills and training. Whilst the number of young people not in education, employment or training has diminished significantly, education attainment levels continue to lag behind national and city region averages⁶. The English Indices of Deprivation (2015) ranks Barnsley as being the 39th most deprived local authority (of 326) based on indicators relating to economic activity, health, skills and enterprise activity.
35. The submitted plan's jobs target was for 33,000 new workplace jobs or 27,778 Full Time Equivalent (FTE). This included a 'baseline' figure of 12,555

⁴ Regulation 8(5) of the Town and Country Planning (Local Planning)(England) Regulations 2012

⁵ 2011 Census

⁶ Employment and Skills Strategy: More and Better Jobs (2016)

jobs based on Regional Econometric Modelling (REM) and 17,558 'additional' jobs to be secured through Council and partner interventions with the remainder accounted for by REM assumptions for additionality. In response to my interim findings, the Council re-assessed the jobs target based on the proportion of B1(a)(b)(c), B2 and B8 uses that could reasonably be expected to come forward on the proposed employment sites and the number of jobs created.

36. B1(a) office floorspace comprised 8% of the total take-up of employment floorspace from 2005 to 2015, with the remainder being taken up by other B1, B2 and B8 uses. The availability and proximity of office accommodation in Sheffield and Leeds, the office to residential conversion schemes that have taken place in Barnsley town centre and the trend for home based working indicate that the low take up of office floorspace is likely to continue. In contrast, the demand for industrial floorspace particularly logistics and warehousing in South Yorkshire is more buoyant. Barnsley's strategic location on the M1, the availability of a local labour supply in the Borough and the Council's education and skills strategy represent realistic opportunities to secure a greater proportion of jobs in that sector.
37. Whilst there is an inherent degree of uncertainty in economic forecasting, the proposed reduction in the proportion of B1(a) office use and increase in the proportion of B8 to inform the jobs target and employment land requirement reflects current market conditions and realistic opportunities. It is also consistent with the NPPF's advice that plan preparation should be based on a clear understanding of economic markets operating in and across the area.
38. The Employment Land Review (2016) (ELR) identifies an objectively assessed need for 291 hectares of employment land. Assumptions on plot ratios and job densities for the different employment Use Classes expected to be accommodated on the allocated sites appear reasonable and robust. A 30% allowance for choice and flexibility is justified and comparable with assumptions made in adjoining authorities.
39. The requirement figure also incorporates a replacement allowance of 95 hectares (5 hectares per year) over the plan period. This compares with historical losses of 8 hectares per year lost to housing over the CS period of 2004/05 to 2011/12. This rate declined following the adoption of the CS in 2011 which included greater protection for employment land. Whilst the reduced figure of 5 hectares per year has been criticised for 'inflating' the employment land requirement, there is no evidence before me to substantiate a replacement figure of 2 hectares per year as proposed in representations. The ELR identifies the need for well-located sites that serve the needs of modern industry and many of the existing employment sites do not meet the requirements of the manufacturing and logistics sector which is expected to comprise a significant proportion of the Class B Uses. I conclude that the replacement allowance is justified.
40. Policy E1 of the submitted plan allocated 'around' 300 hectares of employment land whilst Policy E2 identified 307 hectares within the main settlements. The Council's position was that the over-supply against the OAN of 291 hectares was to accommodate Site D1 at Goldthorpe to provide a well distributed portfolio of sites.

41. As submitted, Policies E1 and E2 do not reflect the revised jobs target and are unsound. Based on the assumptions underpinning the land requirement and having regard to the de-allocation of employment site UB16 and reduction in site HOY1, which are dealt with elsewhere in this report, the employment land requirement in Policies E1 and E2 should be 297 hectares. I am satisfied that the marginal over supply compared with the OAN of 291 hectares is justified to support a range of well distributed sites. To reflect the changes to the jobs target and employment land requirement, **MM14**, **MM15** and **MM16** are necessary. I have amended **MM14**, **MM15** and **MM16** to sensibly round down the employment land requirement to a whole figure, 297 hectares.
42. Policy E2 sets out the distribution and amount of allocated employment land by settlement. The overall total should not be viewed as a target or maximum ceiling and **MM16** is also necessary to indicate that the distribution figures are approximate. In the interests of clarity, **MM16** also updates the distribution figures in response to the changes to Sites N1, UB16 and HOY1 which are dealt with in Issue 4 and confirms that the employment use on Site MU1 is included within the provision figure for Urban Barnsley.

Conclusion on Issue 1

43. Subject to the MMs proposed, the plan's strategy for employment and the economy including the employment land requirement is soundly based.

Issue 2 - Is the housing requirement figure soundly based and does the plan set out a positively prepared strategy for housing that is justified, effective and consistent with national policy?

Objectively Assessed Need for Housing (OAHN)

Housing Market Area

44. Household moves display a strong degree of self-containment within the Borough, above the 70% threshold set out in the PPG. On this basis, there is no substantive evidence to challenge the conclusion of the Strategic Housing Market Assessment (2014) (2014 SHMA) that the Borough represents an appropriate basis for assessing housing need. Whilst the 2014 SHMA included those parts of the Borough falling within the National Park, no quantifiable housing needs were identified within that area and the 2014 SHMA represents an accurate assessment of need for the plan area.

Demographic starting point and adjustments

45. The 2014 SHMA identified a baseline dwelling requirement of 806 dwellings per year based on the 2012 Department of Communities and Local Government (DCLG) sub-national household projections (SNHP).
46. However, the PPG advises local planning authorities to use the most up-to-date data to assess housing need and the submitted plan is not sound in this respect. To remedy this, the SHMA Update (March 2017) (2017 SHMA) was undertaken and in response to my interim findings, a further update to take

account of 2016-Mid Year Estimates and revised economic modelling was supplied in the Demographic Forecasts⁷ report.

47. Informed by the 2014-based DCLG SNHP, the 2017 SHMA identifies a baseline requirement of 880 dwellings per year over the 19 year plan period. In accordance with the advice in the PPG, a number of alternative trend scenarios were developed based on different migration and household formation rate assumptions. The use of a 10 year migration trend from 2005/06 to 2014/15 which takes account of fluctuations in economic cycles and unattributable population change is a robust and appropriate approach. A recovery in household formation rates in the younger age groups (15 – 44) also represents an appropriate adjustment and results in an increase in the baseline demographic need to 1088 dwellings per year. Based on the evidence, this represents an appropriate starting point on which to base any further uplift.

Market signals

48. The 2014 SHMA considered the need for adjustments in response to a range of market signals including house prices, affordability ratios, vacancy rates and overcrowding. These indicate limited pressure on the housing market and no uplift is proposed in response to those factors. This is a reasonable approach to take where an uplift for jobs growth increases the OAHN above the demographic requirement as detailed below.

Affordable housing

49. In accordance with the PPG, the 2017 SHMA considers whether an increase in the housing requirement could help to deliver the number of affordable homes required. Taking account of newly arising needs and the existing backlog it identifies an annual net shortfall of 292 affordable dwellings per year if the backlog of need is cleared over 10 years.
50. Based on the contribution that could be expected from outstanding permissions and proposed plan allocations and the percentage requirements set out in Policy H8, the overall supply of affordable dwellings would be approximately 2584 or 136 dwellings per year. This represents a shortfall of 156 dwellings per year against the 292 requirement. However, if the backlog is addressed over the plan period, the requirement would be 82 dwellings per year.
51. I consider that an uplift to the OAHN to support increased delivery of affordable housing as a proportion of open market schemes and enabling the need to be addressed over a shorter time frame is not justified for two principal reasons. Firstly, the Council is taking proactive steps to secure the delivery of affordable homes through a number of initiatives including direct delivery using the Homes England Grant, its own direct delivery arm Met Barnsley and partnership working with registered providers. These demonstrate a realistic prospect for supplementing the provision secured as a percentage of open market development through Policy H8. Secondly, the

⁷ Barnsley Demographic Forecasts (October 2017) Edge Analytics

uplift required would also necessitate delivery of around 1400 dwellings per year, compared with an annual average of 893 over the 10 year period 2004/05 to 2013/14. This would not be realistic as an annual average delivery rate to be achieved over the entire plan period and would therefore not be deliverable.

Jobs growth

52. The plan's revised jobs target of 28,840 should feature within the OAHN. The 'Demographic Forecasts' report models three scenarios against different assumptions on commuting ratios and economic activity rates to establish the number of workers required to support the 28,840 jobs. The 'Policy On' scenario⁸ results in an OAHN for the Borough of 1134 dwellings per year, marginally above the housing requirement figure of 1100 in the submitted plan. I consider that the figure of 1134 dwellings per year is robust and justified for two main reasons.
53. Firstly, it assumes that the commuting ratio of 1.25 based on the 2011 Census would continue throughout the plan period rather than fall to the previous assumption of 1.19 made in the 2014 SHMA. Whilst this does create some tension with one of the plan's economic aims for greater self-containment, it does reflect the reality that initiatives for improved transport connections, particularly rail, could support existing rates of commuting to adjoining areas for work, particularly to the SCR and LCR.
54. Secondly, based on Experian economic activity rates used in the REM forecasting model, it assumes an improvement in the aggregate economic activity rate in the 16 – 89 age group from 61% (2016) to 66.2% by 2033. This has been challenged by representors who consider the Office for Budget Responsibility (OBR) economic activity rates to represent a more realistic forecast, leading to a higher level of population growth and housing need to support the planned jobs.
55. I note that 'blended' OBR and Experian rates have been applied to assess OAHN for Leeds. However, the combination of planned jobs growth, the Council's employment and skills strategy and wider public policy initiatives including changes to the state pension age and more flexible working arrangements lead me to conclude that there is a realistic prospect of improvements to economic participation rates by the working age population. In short, the use of the REM Experian based model is appropriate to the circumstances of Barnsley.
56. I have had regard to arguments that the OAHN should be higher and lower than 21,546 but I consider that the figure is based on robust evidence and a reasonable set of assumptions in accordance with the PPG and is justified having regard to the circumstances of the Borough.

⁸ As referred to in 'Updating the Demographic Evidence' (March 2017) and 'Demographic Forecasts' (October 2017) reports Edge Analytics

Housing requirement

57. The plan seeks to meet the OAHN in full subject to consideration of environmental capacity including the Green Belt which I deal with elsewhere in my report. This accords with the NPPF which indicates that LPs should use their evidence base to ensure that the plan meets the full, objectively assessed needs for market and affordable housing in the HMA as far as is consistent with the NPPF's policies.
58. Policy H1 of the submitted plan sets out a housing requirement of 20,900 dwellings or 1100 per year. Informed by the SA Addendum of different growth options, the OAHN is 21,546 dwellings or 1134 dwellings per year. Policy H1 of the submitted plan is therefore unsound. A number of changes are necessary to ensure that the housing requirement reflects the updated OAHN of 21,546 dwellings, an increase of 646 dwellings over the plan period. To ensure that the plan has been positively prepared to meet OAHN in full and that the housing requirement is justified, **MM31** is necessary.
59. The revised NPPF states that, other than in exceptional circumstances, a new standard methodology should be used to determine local housing needs. For Barnsley the local housing need figure is 898 dwellings per year for the period 2016 - 2026, lower than the 1134 figure on which the plan is based. However, the plan is being examined against the 2012 NPPF. As set out in the PPG, the standard figure provides the minimum starting point for assessing the number of homes needed in an area. Changing economic conditions which would include the jobs growth envisaged in the plan are a circumstance where a higher figure than the standard method should be considered.

Housing mix, choice and windfall development

60. The 2014 SHMA assesses the need for specialist forms of housing including families, older people, people with support needs, homeless and minority ethnic households. Provision, including for adaptable homes, will be secured through Policy H7 and whilst no specific 'quotas' are identified in the policy, the supporting text makes clear that development proposals should be informed by needs identified in the SHMA. Policy D1 (Design) will also contribute to delivering accessible and adaptable homes.
61. Based on the current low demand for self build and custom homes, the plan does not make specific provision for this within the site policies or within the housing policies.
62. Development on unallocated 'windfall' sites is covered by Policies H5 and H6. Policy H6 which deals with proposals on large sites (more than 0.4 hectares) does not make provision for the development of sites in villages and restricts windfall sites to previously developed land only. To ensure consistency with the approach to villages as proposed to be modified in **MM13** and to replace the reference to 'previously developed land' with 'part previously developed land', **MM76** is required. Whilst it has been argued that this approach is unnecessarily restrictive, the priority given to development on brownfield sites accords with the NPPF which indicates that policies should seek to make

effective use of land including through the re-use of previously developed land.

Affordable housing

63. Policy H8 sets out the requirement for the delivery of affordable housing as a proportion of open market development on sites of 15 or more dwellings. Different percentages of 10%, 20% and 30% apply according to geographical location and reflecting the broad differences in the viability of development across the Borough identified in two viability studies. These were undertaken to establish whether a CIL charge would be viable but demonstrated that the percentages set out in Policy H8 would support a reasonable rate of return to a willing landowner. As such, the percentages sought are justified and the policy is sufficiently flexible to deal with individual scheme viability.
64. Policy H8 also supports exception sites for affordable housing. As submitted, the wording of the policy would preclude schemes from coming forward within the built up area of villages that are inset from the Green Belt which is unnecessarily restrictive. In order to ensure that Policy H8 is positively prepared and sets out suitable mitigation measures, **MM78** is necessary. For consistency with national policy, **MM78** also ensures that Policy H8 includes reference to providing some market housing where it will facilitate the provision of additional affordable housing by improving scheme viability.
65. There are pockets of low market demand within the plan area and Policy H9 supports housing regeneration within those areas. So that the policy has been positively prepared, it is necessary to clarify the geographical areas included and **MM79** secures that together with minor wording changes.

Gypsies and travellers

66. The Barnsley Gypsy and Traveller and Travelling Showpersons' Accommodation Assessment (GTAA) (2015) identified an overall need for 33 pitches to 2034, 15 of which would be required in the five year period 2014/15 to 2018/19. The GTAA did not identify any need for travelling showpersons' accommodation.
67. In order to meet the five year requirement, the submitted plan allocated 10 new pitches on site TRAV013A and 8 pitches as an extension to an existing site at Brierley (site AC46). A robust assessment of alternative sites was carried out to inform site selection. Since the GTAA was published, planning permission has been granted for three permanent pitches and five pitches have been brought back into use at the Ings site following flood alleviation works, reducing the overall requirement within the five year period to seven.
68. The Planning Policy for Traveller Sites (PPTS) indicates that traveller sites are inappropriate development in the Green Belt and should not be approved except in very special circumstances. Site AC46 is a permanent Gypsy and Traveller site washed over by the Green Belt and as a former walled garden it is already enclosed from the wider countryside. The additional eight pitches proposed in the plan would be contained within the existing site boundaries and would not diminish the openness of the wider Green Belt. The site would remain washed over by Green Belt as shown on the Policies Map. Having regard to the overall need for gypsy and traveller sites identified in the GTAA

and that the proposal is for an extension to an existing site, I conclude that the proposed site allocation is justified and soundly based.

69. Due to uncertainty about the deliverability of Site AC46 during the course of the examination, an increase in the pitch numbers at site TRAV013A from 10 to 11 was proposed by the Council. Notwithstanding that the site owner has confirmed the availability of Site AC46, one additional pitch at Site TRAV013A would provide additional choice and flexibility in supply and **MM81** is necessary to increase the number of pitches from 10 to 11.
70. Policy GT1 provides appropriate and comprehensive criteria to assess planning applications for gypsy, traveller and travelling showpersons' pitches and transit sites that may come forward in the plan period. Some minor wording clarifications and updates are necessary to ensure that Policy GT1 is positively prepared and consistent with national policy and these would be secured through **MM80**.
71. Overall, I am satisfied that the plan's housing policies as proposed to be modified will support a mix and choice of housing on both allocated and windfall sites and would not preclude consideration of executive housing through the planning application process. No further modifications are necessary for soundness in this regard.

Conclusion on Issue 2

72. Overall and subject to the MMs proposed, the plan's strategy for housing including the OAHN, housing requirement and delivering an appropriate choice and mix of homes is based on a robust and objective assessment of needs and is soundly based.

Issue 3 – Are the plan's vision and objectives appropriate and would the settlement hierarchy, spatial strategy and distribution of development be soundly based?

Vision and objectives

73. The plan's vision and objectives seek to improve economic prosperity and the quality of life of residents, reflecting the aims of the Council's adopted economic, housing and other strategies. Whilst the target for jobs growth in the 'Jobs and Business Plan 2014 - 2017' has been reviewed during the course of the examination, the plan's objectives remain relevant to addressing the economic, social and environmental challenges facing the Borough. To be consistent with the NPPF's core principle to conserve and enhance the natural environment, the objectives should seek to achieve wider environmental outcomes in addition to achieving net gains in biodiversity and **MM1** and **MM2** will ensure that the plan's objectives are consistent with the NPPF in this regard and reflect the updated jobs target and housing requirement.
74. Whilst Policy SD1 reflects a positive approach to achieving sustainable development, the policy as submitted is inconsistent with the NPPF and **MM8** is necessary. I have amended **MM8** to delete the text that duplicates NPPF paragraph 14.

Settlement hierarchy

75. The identification of Urban Barnsley as a single category within the settlement hierarchy is a logical and coherent approach. Whilst it encompasses different settlements and communities with distinct identities, it constitutes the main built up area around the town centre with opportunities to accommodate development in sustainable locations. For clarity, the main settlements in Urban Barnsley should be listed in the hierarchy and **MM4** achieves that. The larger settlements are included and there is no justification to add smaller locations including Redbrook and Lower Barugh.
76. The Principal Towns include separate settlements with their own identity and characteristics. However, in recognition of the links between them and to support existing services and facilities, their inclusion within the Principal Towns is appropriate and justified. Hence the inclusion of Hoyland Common within Hoyland Principal Town is soundly based as is the inclusion of Darfield within Wombwell and there is no justification for them to be listed as separate locations within the settlement hierarchy.
77. Hunshelf is not identified as a village within the updated Settlement Assessment nor is Dunford Bridge which straddles the National Park boundary. For clarity, they should be deleted from the settlement hierarchy for which **MM4** is necessary.

Spatial strategy

78. The plan's spatial strategy is articulated through Policy LG2 and the settlement hierarchy which gives priority to new development in Urban Barnsley and the Principal Towns of Cudworth, Wombwell, Hoyland, Goldthorpe, Penistone and Royston reflecting their size, wide range of services and accessibility by a range of transport modes.
79. As submitted, Policy LG2 did not identify villages as locations for new development unless consistent with Green Belt policy or if necessary for the viability of the settlement and to meet a local need. However, the definition of 'local need' and the mechanism for assessing viability at a settlement level are not specified. The Settlement Assessments underpinning the approach dated from 2003 and 2007. My interim findings concluded that the submitted plan had not been positively prepared in relation to villages and that the approach as set out in Policy LG2 was unsound.
80. To address this, the Council updated the Settlement Assessments with some alterations to the criteria and scoring process to reflect up-to-date circumstances. The update has been criticised in representations, in particular the scores attributed to some village facilities and the connections to Barnsley town centre. Planning judgements have to be made in an exercise of this nature but overall I am satisfied that the assessment is based on a reasonable set of criteria and consistent scoring process and provides a more robust evidence base on which to base the plan's approach to villages.
81. Based on the findings of the Settlement Assessment, ten additional housing sites were proposed in villages which were identified to have a wider range of services and facilities with the potential to contribute to sustainable patterns of development. My conclusions on the soundness of those proposed

additional housing allocations are outlined in Issue 5 but in summary, seven of the sites in villages have been taken forward as MMs to the plan.

82. In accordance with the spatial strategy in Policy LG2, the priority for new development will continue to be Urban Barnsley and the Principal Towns, with 5% of the housing requirement directed to villages. This would be achieved through site allocations in addition to windfall sites which would be assessed against Policies H5 and H6. So that the plan has been positively prepared, Policy LG2 should include villages in the list of locations where new development will be permitted and **MM13** is necessary. Updates to the supporting text to Policy LG2 and the key diagram are also required to explain the more positive approach to villages and would be achieved by **MM6** and **MM7**.
83. For clarity and consistency with the settlement hierarchy, the separate settlements within Goldthorpe Principal Town should be named in Policy LG2 and **MM13** achieves that. For the avoidance of doubt, further references to Goldthorpe in this report include the Dearne towns of Thurnscoe and Bolton upon Dearne. Hoyland Principal Town includes Elsecar and **MM5** will ensure that its historical significance is highlighted in the spatial strategy.
84. Whilst representations support a higher proportion of new housing development being directed to the villages, the MMs represent a proportionate response to the interim findings. The development identified for the villages will ensure a more even distribution of development across the plan area including in strong market locations. The delivery of affordable housing will be supported through other mechanisms including through exception sites and Neighbourhood Plans, in addition to being delivered as a proportion of open market housing through the application of Policy H8 (Affordable Housing).
85. The SA of the submitted plan tested reasonable alternatives for the spatial strategy against the SA objectives, including options for dispersing new development more widely across the Borough and a new settlement. The settlement pattern within the Borough, the location of rail and road networks, public transport and environmental constraints all limit the number of reasonable alternative strategies. Based on the assessment of these alternatives and the need for a more positive approach to the villages which would not significantly alter the overall spatial strategy, Policy LG2 as proposed to be modified in **MM13** is justified.
86. The spatial strategy in Policy LG2 also provides an appropriate framework for the preparation of Neighbourhood Plans, including those underway for Oxspring and Penistone.

Distribution of development

87. Policy H2 sets out the distribution of new housing development broadly reflecting the spatial strategy in Policy LG2. So that the plan has been positively prepared and is justified, Policy H2 should reflect the approach to the villages as proposed to be modified in **MM13**, the latest position with regard to the yield from proposed site allocations and the most recent information on planning permissions and **MM32** secures the necessary

changes. I have corrected a typo in paragraph 9.5 to delete Policy LG1 and insert Policy LG2.

88. The distribution of new housing is expressed as definitive percentages within Policy H2. This would be unnecessarily restrictive and the policy is unsound in this regard. To ensure that Policy H2 has been positively prepared, **MM32** is required so that the distribution is expressed as an approximate percentage rather than a target or maximum ceiling.
89. Through the HRA, Policies LG2 and H2 were screened as having a likelihood of a significant effect due to a small indirect risk from increased recreational pressure on adjacent open areas including SPA/SAC sites. A range of mitigation measures were identified through Appropriate Assessment to ensure that development in proximity to the SPA/SAC would not result in an adverse effect on the integrity of protected sites, including the application of plan policies to safeguard biodiversity, provision of greenspace within new development and managing recreation activity at visitor destinations through the Peak District National Park Management Plan and the Rights of Way Improvement Plan⁹.

Conclusion on Issue 3

90. Subject to the MMs identified, the plan's vision and objectives are justified and appropriate to the circumstances of the plan area and the spatial strategy, settlement hierarchy and distribution of development are soundly based.

Issue 4 – Whether or not there is a need in principle to release land from the Green Belt to meet development needs and whether or not exceptional circumstances exist to add land to the Green Belt?

Overview

91. Currently, approximately 77% of the Borough is within the South Yorkshire Green Belt. Its functions include maintaining the separation between settlements within Urban Barnsley and between the town and surrounding Principal Towns, protecting the Borough's wider countryside and focusing development within more sustainable locations. However, the current boundary is tightly drawn around the existing settlements which are identified as a priority for development in Policy LG2. Together with the overall extent of the Green Belt within the Borough, this means that the supply and suitability of land to meet longer term development needs outside the Green Belt is restricted.
92. Policy CSP34 of the CS made provision for a localised Green Belt review with small adjustments to the boundary to be included within the DSP document. However, the need for more significant changes to meet employment needs was also referenced in the CS. The plan has been prepared in the context of the 2012 NPPF which indicates that every effort should be made objectively to identify and then meet the housing, business and other development needs of

⁹ Rights of Way Improvement Plan for Derbyshire 2007 – 2012 Derbyshire County Council

an area and respond positively to wider opportunities for growth. Significant changes to the Green Belt boundaries are proposed in the plan together with the removal of approximately 654 hectares of land for employment and housing development, greenspace and for safeguarded land. This is approximately 2.2% of the Borough's Green Belt.

93. The decision to undertake a Green Belt review was informed by a wide range of evidence including SA and the 2013 Strategic Housing and Land Availability Assessment (SHLAA) which was updated by the 2016 Strategic Housing and Employment Land Availability Assessment (SHELAA). The potential capacity of non-Green Belt housing sites within Urban Barnsley and the Principal Towns which are the principal locations for new development was assessed as 6100 dwellings with planning permission and 8994 on sites identified in the plan outside the Green Belt. The shortfall of approximately 6000 dwellings established that there was an insufficient supply of housing sites to meet objectively assessed need for housing without development of Green Belt land.
94. One of the Green Belt purposes set out in the NPPF is to assist urban regeneration by encouraging the recycling of derelict and urban land. The supply of previously developed land has diminished as former colliery and associated sites have been progressively restored and redeveloped. Approximately 12% of the housing sites and 9.5% of employment sites are on previously developed land and the site selection methodologies prioritise the use of previously developed land over greenfield. The Council published its Brownfield Land Register in August 2017 in advance of the Government's deadline. The Regulations require the identification of sites for housing rather than employment. It lists brownfield sites with potential for housing but a number already have planning permission and will already be included within the calculations of land supply for the plan period. The evidence demonstrates that the plan has sought to maximise the use of previously developed land.
95. The scope for maximising housing densities to minimise the amount of Green Belt release necessary to meet the housing requirement has also been considered. Policy H7 already seeks a density of 40 dwellings per hectare within Urban Barnsley and the Principal Towns. Whilst town centre sites or apartment schemes may have scope for higher densities to be achieved, there is no scope for an overall increase in the density figure set out in Policy H7.
96. The plan seeks to meet the employment OAN, OAHN and other development requirements in full and to identify sufficient deliverable sites to meet that need. Through the DtC it has been demonstrated that, at the present time, there is no scope for that need to be met within neighbouring authorities which are within different HMAs. Drawing matters together, there is a compelling case in principle to release land from the Green Belt to meet the objectively assessed need for development. This is, however, subject to exceptional circumstances being demonstrated for the alteration of Green Belt boundaries to justify the removal of specific sites from the Green Belt for development, a matter which I deal with in Issue 5.

Green Belt Review

97. The ARUP Green Belt review follows the SCR Common Approach and interprets the five purposes of the Green Belt in paragraph 80 of the NPPF. Notwithstanding the indication in the Green Belt review that there are no historic towns in Barnsley, I am satisfied that the contribution of the General Areas around Penistone to its setting and key views towards the Penistone Conservation Area which contribute to its character and appearance and landscape setting have been fully assessed as part of the review.
98. The Green Belt review followed a 3 stage process of assessing 114 General Areas around the settlements in the settlement hierarchy, including for completeness, villages inset from the Green Belt. General Areas were delineated by strongly defined boundary features and size variations do not undermine the robustness of the exercise. General Areas considered to be fulfilling the purposes of the Green Belt to a moderate degree or weaker (scoring 15 or less) were assessed for relevant site based constraints and any resultant land parcels were re-appraised against the five Green Belt purposes.
99. That there have been challenges to the scores attributed to the contribution of different General Areas to Green Belt purposes is almost inevitable given that a degree of planning judgement is involved. Importantly, the methodology incorporates a narrative alongside the scoring process which provides a 'sense check' particularly where anomalies, inconsistencies or errors may have occurred and it is important that the review is read as a whole. A number of representors also consider that the review was not sufficiently 'fine grained' in that smaller parcels within more strongly performing General Areas were not identified as resultant parcels to be taken forward through the site selection methodology.
100. The overall aims of the Green Belt Review are to identify land for removal which would cause least harm to Green Belt purposes and to identify new, permanent and defensible boundaries which are logical, robust and soundly based. The disaggregation of smaller parcels for assessment within strongly performing General Areas would undermine their integrity and the overall contribution that they make to Green Belt purposes. The Green Belt review is one component of a wider site assessment and selection process to identify a supply of suitable and deliverable sites to meet the Borough's employment and housing needs.
101. In that context, I consider that the Green Belt Review is fit for purpose and provides an appropriate basis for sites to be identified for removal for more detailed consideration through the employment and housing site selection methodologies.

Green Belt additions

102. A number of minor alterations to the Green Belt boundary are proposed to reflect changes in physical features, planning permissions, cartographic errors and minor adjustments to create more defensible boundaries including in conjunction with the release of larger sites from the Green Belt. The changes which were illustrated in the Green Belt Background Paper are shown on the Policies Map. I find these alterations to be logical and appropriate. Two larger additions are proposed.

103. Land south of Broadwater Estate, Bolton upon Dearne – the area was designated as safeguarded land and washlands on the UDP Proposals Map and is proposed to be included within the Green Belt in the submitted plan.
104. The site has been assessed through the site selection methodology. Approximately half of the site falls within Flood Zone 1 but the remainder is within Flood Zones 2 and 3 and the site has significant ecological value associated with the wetland and river Dearne corridor along the southern boundary. When viewed from the PROW running from the rear of the dwellings to the south of Broadwater, the site forms an integral part of the open and undulating land separating Bolton upon Dearne from Wath upon Dearne which is visible in long distance views to the south.
105. Whilst flood risk and biodiversity do not constitute the exceptional circumstances necessary to justify the alteration of the Green Belt boundary, they represent a significant constraint to development and the site would not be effective in meeting longer term development needs. The existing Green Belt boundary to the west of the site follows the River Dearne. Due to the allocation of site H67 to the west, the Green Belt boundary would be fragmented and would become a less defensible boundary to prevent further encroachment of the built up area of Bolton upon Dearne to the south. The rear boundary of existing development to the south of Broadwater would create a more cohesive and defensible Green Belt boundary to prevent further encroachment of the built up area to the south. I conclude that exceptional circumstances have been demonstrated to justify the alteration of the Green Belt boundary as shown on the Policies Map to include the site within the Green Belt. Problems with anti-social behaviour and vandalism are matters that should be dealt with under other legislation.
106. Land west of Fitzwilliam Street, Elsecar – this area was designated as safeguarded land on the UDP Proposals Map. As submitted, part of the area was identified as a housing allocation (site H2) with the remainder proposed to be included within the Green Belt. Based on the findings of the Historic Area Assessment¹⁰ (2017), the site (together with Site H2) falls within a larger area that makes a significant contribution to the understanding of Elsecar as a planned industrial village within the wider Wentworth Estate and to the understanding of the early coal mining and iron working industry in the area. Development of the safeguarded land could prejudice further investigation of the surviving buildings and buried remains.
107. As a consequence of the deletion of site H2 which is dealt with elsewhere in this report, a further alteration of the Green Belt boundary is proposed to follow the rear of the existing development to the south of Foundry Street together with the watercourse and wooded area to the west. Modification of the Policies Map to show these alterations has been prepared and consulted on by the Council (Map Change 25).

¹⁰ Historic Area Assessment: Land to the west of Elsecar Historic England Project 7532, ArchHeritage 2017

108. Without this change the Green Belt boundary as submitted would be in an arbitrary position and not sufficiently robust to prevent the extension of the built up area to the south. The revised position would provide a stronger and more defensible boundary to prevent encroachment of the existing built up area into open countryside. The HAA represents a material change in the understanding of the site's contribution to the historic significance of Elsecar. Overall, I conclude that exceptional circumstances have been demonstrated to justify the inclusion of the area within the Green Belt and the alteration of the Green Belt boundary as shown on Policies Map Change 25.

Green Belt policies

109. Policy GB2 deals with the extension and alteration of existing buildings in the Green Belt. As submitted, the wording to avoid any 'harmful impact' on openness is inconsistent with the fundamental aim of Green Belt policy set out in paragraph 79 of the NPPF to keep land 'permanently open'. So that the plan is consistent with national policy, **MM108** is necessary to address this and clarify how development proposals will be assessed having regard to character and appearance. Similarly, Policy GB3 deals with the change of use and conversion of buildings in the Green Belt and so that the plan will be effective, **MM109** is necessary to provide additional clarification on how development proposals will be assessed having regard to character and appearance.
110. Policies GB4 and GB5 deal with permanent and temporary agricultural workers dwellings and in order to ensure that the plan will be effective, **MM110** and **MM111** are necessary to provide additional clarification on how the character and appearance of proposals will be assessed.

Safeguarded land

111. The NPPF indicates that where necessary (my emphasis) areas of safeguarded land between the urban area and the Green Belt can be identified to meet longer term development needs stretching well beyond the plan period. It also indicates that safeguarded land is not allocated for development and that planning permission for permanent development should only be granted following a LP review.
112. Having regard to the extent of the Green Belt and the boundaries around Urban Barnsley and the Principal Towns which are the more sustainable locations for development, the identification of safeguarded land is appropriate to the circumstances of the plan area and necessary in the terms of the NPPF. The identification of safeguarded land will help to ensure that Green Belt boundaries will remain permanent and will not need to be altered in the long term.
113. After deducting the supply likely to come forward on windfall sites, the Council's approach is to identify sufficient safeguarded land to supply 5 years' worth of the annual housing requirement for delivery after the plan period. In the absence of any national guidance on the amount of safeguarded land that should be identified, this is a pragmatic and reasonable approach.
114. In the submitted plan the table accompanying Policy GB6 lists thirty three areas of safeguarded land which are shown on the Policies Map. Twenty five

safeguarded areas have been carried forward from the UDP and eight additional areas are proposed to be removed from the Green Belt for safeguarded land – SAF5, SAF6, SAF7, AC33, H79, H85, AC42 and AC41. Through the housing site selection methodology they were found to perform less favourably compared with the allocated sites and/or had deliverability issues which would be unlikely to be resolved within the plan period. The safeguarded sites proposed to be removed from the Green Belt all relate to resultant parcels (or part thereof) within the Green Belt review and for ease of reference I deal with the exceptional circumstances justifying their release at a site level in Issue 5.

115. Some of these safeguarded areas were proposed for additional housing sites during the examination consultation together with four additional safeguarded areas. My conclusion following the Stage 4 hearings was that the exceptional circumstances did not exist to justify the alteration of the Green Belt boundary for additional safeguarded areas EC2, EC7 and CA2a. In the interests of fairness I sought views on that position as part of the MMs consultation but I have seen no further evidence to justify coming to a different conclusion. As a consequence, only EC4 is justified as an additional safeguarded site to meet longer term development needs at Shafton and I deal with that in Issue 5.
116. The approach to the release of safeguarded land set out in Policy GB6 is inconsistent with national policy. For consistency with paragraph 85 of the NPPF, the word 'replacement' of the plan in Policy GB6 should be replaced with 'review' for which **MM113** is necessary. **MM114** is necessary to clarify that the development of safeguarded land will be assessed against normal planning considerations. The NPPF does not provide for the development of safeguarded land in 'exceptional circumstances' as indicated in the supporting text to Policy GB6 and for soundness, **MM115** secures its deletion.
117. The table of safeguarded land accompanying Policy GB6 should be updated and **MM112** achieves that.

Conclusion on Issue 4

118. Subject to the MMs outlined, I conclude that there is a compelling case in principle for the release of land from the Green Belt to meet the objectively assessed need for employment and housing and for additional safeguarded land. This is, however, subject to exceptional circumstances being demonstrated for the alteration of Green Belt boundaries to justify the removal of specific sites from the Green Belt for development, a matter dealt with in Issue 5. Exceptional circumstances have been demonstrated to add land to the Green Belt. In addition, the Green Belt boundary alterations to rectify anomalies, errors and reflect updated circumstances are appropriate and soundly based.

Issue 5 - Are the employment, mixed use and housing allocations positively prepared, justified and effective and where necessary have exceptional circumstances been demonstrated to justify releasing land from the Green Belt for the uses proposed including safeguarded land?

Site Selection

119. The development sites selected for assessment draw on robust evidence including the ELR, SHELAA and Green Belt review. A three stage assessment process was used taking account of a range of factors including the effect on infrastructure, landscape character, the historic environment, flood risk, infrastructure and deliverability. The employment and housing site selection methodologies are based on comprehensive, logical and robust criteria that are consistent with the SA objectives.
120. The process has been informed by relevant technical evidence, SA and the need to locate development in sustainable locations in accordance with the spatial strategy in Policy LG2. That there have been some challenges to the scoring of specific criteria for individual sites is inevitable given that an element of planning judgement is involved. However, I am satisfied that the reasons for selecting allocated sites and rejecting others are clear and the conclusions reached are reasonable ones.
121. Planning applications will be subject to assessment against all relevant plan policies. The site allocation policies identify specific constraints and requirements for mitigation to guide and inform plan users and development proposals. The larger sites require a 'phased masterplan' but without further details of what would be required from applicants. For effectiveness, **MM11** is required to clarify what a masterplan framework should include and the requirement for public consultation. The latter point would include full public engagement and no further clarification is necessary on this point.

Housing Density

122. 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. It is a realistic figure to work towards and will help secure sustainable patterns of development within Urban Barnsley and the Principal Towns.
123. As submitted, 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 and the use of the word 'about' 40 dph creates uncertainty. These matters would be addressed through **MM77** which is also necessary to clarify that the figure relates to net densities and will ensure that Policy H7 is justified and deliverable.

Employment Allocations

124. As submitted, Policy E3 does not provide any useful guidance on the employment allocations. **MM17** is necessary to delete it and update the supporting text to confirm that Site MU1 contributes to the employment land supply.

Urban Barnsley

125. Site UB1 – As an expansion of the existing Birthwaite Business Park, no additional infrastructure or mitigation measures are required. Birthwaite Hall is a Grade 2 listed building and as a designated heritage asset its setting should be safeguarded as part of any layout. So that the site policy will be effective in this regard, **MM18** is necessary.
126. Site UB7 – The site is a resultant parcel within General Area DOD3 which the Green Belt review concluded was moderately fulfilling Green Belt purposes. I concur with its findings that Higham Lane, the M1 and existing built form of Capitol Park would form permanent and defensible boundaries to the Green Belt and would check the unrestricted sprawl of Dodworth. Development would be viewed in conjunction with the existing buildings at Capitol Park. Representations from the site promoter indicate good prospects for delivery.
127. Alternative sites have been assessed and discounted. The employment OAN cannot be accommodated without release of land from the Green Belt and the exceptional circumstances exist to justify an alteration to the Green Belt boundary to remove the site for development.
128. Site UB16 – This UDP employment allocation was carried forward into the submitted plan. The NPPF at paragraph 22 indicates that policies should avoid the long term protection of sites allocated for employment use. Based on the findings of the ELR and the Barnsley Employment Land Report¹¹ (2016) I am satisfied that there is no reasonable prospect of the site being used for employment. The site is not required to meet the employment OAN and there is a current outline planning application for housing. To ensure that the plan is deliverable and consistent with national policy, **MM19** is necessary to delete UB16 for employment. Modification of the Policies Map has been prepared and consulted on by the Council (Map Change 57).

Principal Towns

129. Sites HOY1, HOY3 & HOY5, Hoyland – These sites are resultant parcels within General Areas HN4, HN6 and HN11 all of which were concluded to be moderately fulfilling Green Belt purposes within the Green Belt review. They are within a cluster of employment sites around M1 Junction 36 and Hoyland which will be supported by the SCRIF. I concur with the conclusions of the Green Belt review that the presence of surrounding development and road infrastructure results in a high level of containment and the areas relate closely to the existing built up area of Hoyland. Having regard to my

¹¹ Barnsley Local Plan Evidence Employment Land (April 2016) Mott McDonald and Colliers International

conclusions in Issue 4, exceptional circumstances have been demonstrated to justify an alteration to the Green Belt boundary to remove these sites for development.

130. The employment and housing sites in Hoyland should be developed in a co-ordinated and comprehensive manner through production of a masterplan framework to address cumulative infrastructure and other requirements. So that the site policies have been positively prepared, **MM21**, **MM22** and **MM25** are necessary to update the requirements for Sites HOY1, HOY2 and HOY5 including landscaping on site boundaries and an amendment to the site boundary of HOY1 to enable part of the existing Sports Club to be retained and the re-location of sports facilities within the site boundary to a location within Hoyland Principal Town. Modification of the Policies Map to clarify the site boundaries of HOY1 and HOY5 has been prepared and consulted on by the Council (Map Changes 32 and 50).
131. Sites HOY3 and HOY4 lie to the north of the Dearne Valley Parkway and will be developed separately from the larger sites in Hoyland. A masterplan framework is not justified for these smaller sites and **MM23** and **MM24** are necessary to remove this requirement from the respective site policies.
132. Site RSV1, Goldthorpe – The site falls within General Area DE6 which the Green Belt review concluded to have a fundamental role in safeguarding the countryside from encroachment and protecting an essential gap between Goldthorpe and Darfield and the Dearne Towns and Wath upon Dearne. No resultant parcels were identified. My interim findings concluded that in the absence of any further evidence, the exceptional circumstances to justify the alteration of the Green Belt boundary to remove the site from the Green Belt had not been demonstrated and its identification as a 'reserve' employment site was not soundly based. I have seen no further evidence to justify coming to a different conclusion.
133. Site D1 will provide additional employment land to the east of the Borough and site RSV1 is not required to meet the employment OAN. Future needs would be addressed through a plan review, including mitigation measures to address local impacts. Site RSV1 should be deleted from the plan for which **MM30** is necessary. Modification of the Policies Map to show this alteration has been prepared and consulted on by the Council (Map Change 59).
134. Policy E4 sets out the circumstances under which site RSV1 would be considered for development and is no longer relevant. **MM29** is necessary to delete it.
135. Site D1, Goldthorpe – The site is a smaller area within General Area DE6 and the Green Belt review findings are outlined above. Its location to the west of the built up area of Goldthorpe and adjacent to the existing ALDI distribution depot relates closely to the existing built up area. The western boundary of the site would be approximately 1.1 km from the A6195 and with the deletion of site RSV1, there would be an adequate separation between development on the site and the A6195 to prevent the coalescence of the built up areas of Goldthorpe and Darfield.
136. The site is within the Priority Growth Area in the SCR LEP where economic indicators support the need for jobs growth and its allocation will ensure a

distribution of employment sites in accordance with the spatial strategy. The existing UDP employment allocations in Goldthorpe are limited in size and no other additional suitable sites were identified through the site selection methodology. Having regard to my conclusions in Issue 4, exceptional circumstances have been demonstrated to justify an alteration to the Green Belt boundary to remove the site for development.

137. A number of site specific impacts have been raised in representations including the cumulative impact of additional traffic on the A635 in terms of highway capacity and air quality. Although the Highway Authority is satisfied that a safe access onto the A635 can be achieved, the cross boundary impacts in terms of air quality and specific proposals for the A635 will continue to be addressed through the DtC. Transport assessments will be required in conjunction with any planning application for the site.
138. The proximity of Old Moor Nature Reserve which has been identified as a candidate SSSI has been raised in representations together with the importance of site D1 for habitat connectivity. The implications for habitat connectivity would be addressed through the application of Policy BIO1. Initial surveys conducted by the Council have not identified the presence of Golden Plover but a precautionary approach is required and the necessity for site surveys and mitigation should be identified within the site policy.
139. Billingley village lies approximately 0.5km to the north of site D1. Development proposals should have regard to the requirement to preserve or enhance the character or appearance of Billingley Conservation Area including outward views of the open countryside to the south which contribute to its setting and thereby to its significance.
140. As submitted, site policy D1 is not positively prepared in respect of identifying and mitigating the site specific impacts outlined above. **MM20** will address this by requiring a masterplan framework to deal with the matters outlined above.
141. Site P2, Penistone – Despite being within General Area PEN1 which the Green Belt review concluded was strongly fulfilling Green Belt purposes, the review concluded that the river Don would form a strong physical feature and that the area to the east of Kirkwood Beck could be considered for 'consolidation' for employment purposes.
142. The site relates closely to the built up area of Penistone and to existing employment sites to the south and north of Sheffield Road and would be contained by the road to the south, the river to the north and an area of woodland to the east. Other than existing employment sites, no other suitable employment sites in Penistone were identified through the site selection process. The employment OAN cannot be met on land outside the Green Belt. Having regard to my conclusion in Issue 4, the exceptional circumstances exist to justify the alteration of the Green Belt boundary to remove the site for employment development.

Other locations

143. Site N1, Tankersley – Planning permission has been granted for employment development on an area to the north-west of the park designated as green

space on the Policies Map. To ensure that the site policy has been positively prepared, **MM26** is necessary to increase the size of the site allocation to reflect the planning permission and to secure appropriate mitigation for the loss of greenspace. Modification of the Policies Map to show this change has been prepared and consulted on by the Council (Map Change 29).

144. Sites N2 and N5, Houghton – Both sites are undeveloped parcels within existing employment areas. To ensure that the plan has been positively prepared, **MM27** and **MM28** are necessary to highlight flood risk within the wording of the site policy for N2 and require the retention of habitats of ecological value for site N5.

Mixed use allocations

145. Policy Mixed Use Sites 1 does not provide any useful guidance to plan users on the mixed use allocations and is not effective. **MM82** is necessary to delete it from the plan.
146. Site MU1 - The site covers approximately 122 hectares and is allocated for 1700 dwellings, 43 hectares of employment land, community facilities including a primary school and new road - the Claycliffe road link. Although much of the area is now farmland, historically it accommodated four opencast coal mines. It forms a resultant parcel (UB2a) within the Green Belt review. The SA and employment and housing site selection methodologies which I have found to be robust have also informed the allocation of Site MU1.
147. The conclusion of the Green Belt review that General Area UB2 is weakly fulfilling Green Belt purposes and the score attributed to it are disputed in representations. It is clear that the area maintains not only the physical separation between former mining settlements but their identity as different communities. As acknowledged in the Green Belt review, the area contains a PROW network, contributes to visual amenity and supports biodiversity assets.
148. Views from within and towards the site are strongly influenced by the edges of the built up areas of Higham and Barugh Green to the west and Gawber and Pogmoor to the east. Whilst in a cutting, the M1 is a substantial man made feature which together with the commercial development around Junction 37 contributes to the sense of being within an urban area. Based on this, I concur with the findings of the Green Belt review that the area has a strong functional relationship with the existing built form of Urban Barnsley and that the M1 and railway line would create strong boundaries to prevent further encroachment of the built up area to the west.
149. The site selection methodology resulted in a lower score for site MU1 compared with other sites in Urban Barnsley. However, the need for employment land in strategic locations throughout the Borough to accommodate the sectors identified in the Jobs and Business Plan is clearly demonstrated in the ELR and Barnsley Employment Land Report. The site is in a sustainable location on the edge of Urban Barnsley and services and facilities including public transport and the location of employment uses alongside new housing offer sustainability benefits in terms of reducing the need to travel. The need for employment and housing land to meet objectively assessed needs cannot be met without the release of land from

the Green Belt. Exceptional circumstances have been demonstrated to justify the alteration of the Green Belt boundary to remove the site for development.

150. The scale and nature of the 'other uses' referred to in site policy MU1 in the submitted plan is unclear. Town centre uses would be subject to the sequential test but for clarity and effectiveness, the site policy should state that other retail uses will be restricted to small scale convenience retailing in line with Policy TC5 of the plan and **MM83** achieves that. Community facilities are those that that will serve residents and employees of the development and for clarity, **MM83** is also necessary to make that clear within the supporting text to site policy MU1.
151. Details of the activities associated with the former mining use have been submitted in representations. Building construction will require piled foundations. To ensure that the site policy will be effective, **MM83** is necessary to strengthen its requirements to deal with ground conditions and contamination and the necessary works should be secured through a phasing plan which will form part of the masterplan framework.
152. Whilst the biodiversity value of the site is clearly appreciated by local residents, there are no national or local biodiversity designations and the Council's assessments did not identify habitats or species of high biodiversity value. The site policy appropriately includes reference to avoiding impacts on Redbrook Pastures Local Wildlife Site to the east. Policy BIO1 would require any development proposals to conserve and enhance biodiversity and the site policy includes a requirement to create and retain existing wildlife corridors and retain existing features including hedgerows, the watercourse and woodland. These features would need to be incorporated into any masterplan framework and I consider this is a satisfactory approach.
153. Residents have expressed concerns about noise and disturbance arising from the location of employment uses in proximity to existing housing and the potential for harm to living conditions during the construction and operational phases. The masterplan framework and determination of planning applications in accordance with Policy GD1 would ensure that the impact of the proposed uses on living conditions is assessed as part of any planning application. Subject to an adequate separation between the commercial and residential uses and appropriate mitigation measures, I see no reason why a suitable layout could not be achieved to avoid significant harm to living conditions.
154. The existing PROWs across the site which connect different communities are a distinctive feature and an important beneficial use of the Green Belt and should be incorporated within the layout of development for Site MU1. The general requirements for masterplan frameworks as set out in **MM11** include the protection of existing PROWs. Whilst acknowledging that ground alterations will provide challenges to the alignment of PROW routes across site MU1, I see no justification to alter the specific requirement identified in the site policy. The provision of publicly accessible open space which could form part of the green infrastructure network should feature within the site policy as a specific requirement and **MM83** achieves that.
155. Delivery timescales have been adjusted through the examination process and the projected start date of 2020/21 and yield of 1500 dwellings in the plan

- period represent a realistic assessment. It is anticipated that the employment land would be developed in full by the end of the plan period. There is nothing to indicate that the additional costs associated with remediation and piling would undermine viability, particularly in this stronger market location.
156. The highway impacts of site MU1 have been modelled. The site policy includes a requirement for a link road connecting Higham Common Road to the A635 Barugh Green Road in the vicinity of Claycliffe Business Park. The road would fulfil a strategic and local function, providing an alternative route between M1 Junction 37 and the employment areas at Claycliffe and serving new development on site MU1. Subject to careful design and landscaping to facilitate accessibility by walking and cycling, I see no reason why the link road could not be successfully assimilated into the site layout.
157. The Infrastructure Delivery Plan to 2033 (IDP) identifies the off-site junctions on the local road network where further mitigation measures will be necessary. The timing of funding bids to the SCRIF has also lead to concerns about pre determination, including in relation to the Claycliffe Road link and Dodworth Road/Pogmoor Road junction improvement and roundabout. The scheme was identified in the IDP to deal with existing congestion as well as providing capacity for future growth and detailed design work has progressed during the course of the examination. A planning application for the scheme has been made by the Highway Authority and will be subject to a formal process of public consultation and scrutiny.
158. The provision of a primary school, employment and local facilities would reduce the need to travel and facilitate sustainable modes of transport including walking and cycling. The capacity of local roads to accommodate development prior to the construction of the link road is a matter for more detailed assessment as part of the masterplan framework and any planning application. Overall, having regard to the site policy requirements and highway improvements identified in the IDP, I conclude that the impact on the strategic and local highway network would not be severe. In coming to that view I have had regard to the views of Highways England that subject to mitigation and/or localised capacity improvements, development proposed in the plan can be accommodated without adverse impact on the strategic road network.
159. The plan provides the appropriate framework for the more detailed masterplan to be prepared and for the development of planning applications. At a plan level, I am satisfied that sufficient information has been demonstrated to establish that the site allocation is soundly based.
160. Drawing matters together, I conclude that the exceptional circumstances have been demonstrated to justify the alteration of the Green Belt boundary in this location to remove the site and allocate it for the uses proposed. The site policy incorporates a number of important requirements which will be detailed in the subsequent masterplan framework and planning applications. Accordingly subject to the various modifications in **MM83** outlined above, the allocation of site MU1 is soundly based.
161. Site AC12 – The site is a resultant parcel (UB8a) within General Area UB8 which was found to be moderately fulfilling Green Belt purposes in the Green Belt review. The parcel is enclosed by the Manor Bakery factory to the north,

Fish Dam Lane to the west and the Transpennine Trail on the former railway line to the east which would provide a strong boundary to assist in safeguarding the countryside to the east from encroachment and would maintain the separation between Carlton and Cudworth.

162. In order to achieve a safe access onto the local highway network, the main access road will pass through Wharnccliffe Woodmoor which is located to the west of site AC12. To ensure that any potential losses of green space are mitigated and retain beneficial uses, **MM84** is required to indicate within the site policy that compensatory provision will be required.
163. **MM84** is also necessary to list the areas of important habitat that are required to be retained. Any proposal would be assessed against Policy BIO1 of the plan and whilst concerns have been expressed about the effect on habitat connectivity and biodiversity, I conclude that the site policy as proposed to be modified provides a suitable framework to secure the necessary mitigation including appropriate buffers to watercourses. De-culverting Carlton Beck and other watercourses would be a significant additional infrastructure requirement and in the absence of further details of cost and implications for the site is not justified.
164. The site policy represents an appropriate framework to address the mitigation necessary through a more detailed masterplan framework, work on which has been commissioned by the Council. Whilst this indicates good prospects for delivery, Site H44 lies immediately to the south east of AC12 and the sites should be combined as one allocation so that the trajectory is based on a realistic and achievable rate of delivery. So that the plan has been positively prepared, **MM38** is necessary to delete site policy H44 and **MM84** secures the necessary modifications to site policy AC12 including an increase in site capacity to approximately 1683 dwellings. The projected start date of 2021/22 is realistic. Modification of the Policies Map has been prepared and consulted on by the Council (Map Change 30). Finally, for consistency with national policy development should be avoided within flood zones 2 and 3 and **MM84** rectifies that omission within the site policy.
165. The other mixed use site policies AC11 and AC16 in Urban Barnsley and AC40 in Wombwell include appropriate criteria and mitigation to secure a satisfactory form of development and are soundly based.
166. The site policies make clear where provision towards primary education is required and Policy ED1 and the duplicated education policies are superfluous and not justified. For effectiveness, **MM85** secures their deletion and minor changes to the retained explanatory text.

Housing allocations

167. The submitted plan includes over 90 housing site allocations. At stage 4 of the examination, additional housing sites were proposed by the Council to meet the increased housing requirement and address the identified shortfall in delivery on some sites and subject to public consultation. My conclusions on the soundness of those sites are outlined below but in summary, ten additional housing are included as MMs in the Appendix.

168. For the avoidance of doubt, I have considered further only those allocations which raise specific issues in respect of soundness including sites proposed to be released from the Green Belt, those where MMs are necessary to ensure soundness and sites that are proposed to be altered or deleted. I have considered all the representations made at the Regulation 19 stage and at the hearing sessions and where no reference is made I am satisfied that the site allocations are soundly based.
169. Policy GD1 sets out the criteria that will be used to assess development proposals including those submitted on allocated sites. For effectiveness, reference to all surface water bodies should be included in Policy GD1 and **MM10** achieves that. For clarity and effectiveness, **MM9** is necessary to explain that proposals will be assessed against all other relevant policies in the plan. With the addition of this supporting text, Policy H3 becomes superfluous and for clarity **MM33** secures its deletion.
170. Policy H4 outlines how other uses on allocated sites would be assessed but the use of the term 'will be developed mainly for housing' (my emphasis) creates uncertainty. For clarity, **MM75** is necessary to delete the word 'mainly' together with other minor clarifications.

Urban Barnsley

171. Site H83 – The site is a resultant parcel (MPW3a) within General Area MPW3 which was found to be moderately fulfilling Green Belt purposes in the Green Belt review. I concur with its findings that Bloomhouse Lane and Woolley Colliery Road would create strong permanent boundaries to the Green Belt to assist in safeguarding the more open and undulating countryside to the north from encroachment.
172. The development would relate closely to the existing built up area of Darton and Mapplewell and would be viewed in conjunction with development on the adjoining site allocation (H20). The site policy sets out appropriate mitigation measures. On this basis, and having regard to my conclusions in Issue 4, exceptional circumstances exist to remove this site from the Green Belt.
173. Site AC1 – The site is part of a resultant parcel (MPW3b) comprising two areas of land separated by an area of greenspace within General Area MPW3 which was found to be moderately fulfilling Green Belt purposes in the Green Belt Review. I concur with its findings that Bloomhouse Lane and Woolley Colliery Road would create strong and permanent boundaries to the Green Belt and removing areas of previously developed land within MPW3b would facilitate the recycling of derelict land.
174. The development would reduce the separation between Darton/Mapplewell and Woolley Colliery Grange which is in Wakefield Borough but would be on previously developed land and would be viewed in conjunction with new housing at the Woolley Colliery site. The site policy sets out appropriate mitigation measures and having regard to my conclusions in Issue 4, exceptional circumstances exist to remove this site from the Green Belt.
175. Site AC2 – The site is a resultant parcel (MPW6a) within General Area MPW6 which was found to be moderately fulfilling the purposes of the Green Belt. When viewed from Darton Lane, the area between road and the trees and

vegetation along the PROW on the former railway line to the south is well contained and relates closely to the existing built up area. This accords with the findings of the Green Belt review that the former railway line would provide a stronger more defensible boundary to prevent the extension of the built up area into the river valley which is an important open space separating different settlements within Urban Barnsley. On this basis, and having regard to my conclusions in Issue 4, exceptional circumstances exist to remove this site from the Green Belt.

176. Site H13 – Concerns have been raised about the effects on biodiversity, including on the Littleworth Park Nature Reserve which is a candidate Local Wildlife Site and the potential impact on bats. There are no national or local designations on the site itself or survey results which lead me to conclude that the development would have a significant adverse effect on wildlife. Any proposed development would be required by Policy BIO1 of the plan to conserve biodiversity and drainage and contamination would be addressed under Policies GD1, CC1 and CL1. **MM35** is necessary to confirm access arrangements within the site policy and secure a wildlife buffer strip on the common boundary with Littleworth Park as part of any development. I consider that this is a satisfactory approach.
177. Site H19 – The site lies immediately to the west of the M1 and partly within an Air Quality Management Area (AQMA). The site policy includes appropriate mitigation measures to address noise and disturbance and the net site area and yield take account of the need to avoid development within the AQMA. However, for effectiveness the site policy should make clear that development should be avoided on that part of the site within the AQMA and **MM36** achieves that.
178. Site H28 – Part of the site is a former school. So that the plan has been positively prepared, **MM37** is necessary to ensure that existing habitats are retained or compensatory measures are provided for any losses.
179. Site H57 is in proximity to Monk Bretton Cross and to ensure that its setting will be conserved in line with the NPPF's approach to designated heritage assets, **MM39** is required.
180. Site H72 – The site is within a resultant parcel (UB14a) within General Area UB14 which the Green Belt review concluded was moderately fulfilling Green Belt purposes.
181. The submitted plan proposed 77 dwellings on the site but it occupies a steep hillside and due to the cost of ground works, viability would be significantly compromised. It is therefore not deliverable in the terms of paragraph 47, footnote 11 of the NPPF. There are no exceptional circumstances to justify alterations to the Green Belt boundary in this location and the site will remain within the Green Belt. **MM40** is necessary to delete site H72 for housing. Modification of the Policies Map has been prepared and consulted on by the Council (Map Change 31).
182. Site H73 – The submitted plan proposed 154 dwellings on this site which comprises small field parcels between Mount Vernon Road and Upper Sheffield Road. When viewed from the PROW which runs through the site, the ongoing agricultural use creates a striking and attractive contrast with the built up

areas around it. Whilst a 'buffer' area was identified on the Policies Map to safeguard the designated heritage assets of Elmhirst Farmhouse and Darley Hall, due to the extent of the site area the proposed development would still encroach upon their setting and would be harmful to their significance as designated heritage assets.

183. I conclude that the exceptional circumstances do not exist to justify altering the Green Belt boundary to remove the whole of the site from the Green Belt as shown on the submitted Policies Map. However, the boundary to the south of Mount Vernon Crescent would create a strong and defensible Green Belt boundary to check any further encroachment of the built up area to the south and safeguard the setting of designated heritage assets and would enable a smaller area to be removed for development.
184. For consistency with national policy and deliverability, **MM41** is necessary to allocate a reduced site area for approximately 42 dwellings and to include reference within the site policy for the need to safeguard all nearby designated heritage assets together with retention of the distinctive roadside wall. Whilst representations support the retention of the site within the Green Belt, exceptional circumstances have been demonstrated to alter the boundary and the reduced site allocation is soundly based. Modification of the Policies Map has been prepared and consulted on by the Council (Map Change 23).

Cudworth

185. Sites H74 & H75 – Both sites are within a resultant parcel (CUD2b) within General Area CUD2 which the Green Belt review concluded was moderately fulfilling Green Belt purposes. I concur with its findings that the A628 Cudworth bypass would create a strong and defensible boundary to the Green Belt to prevent encroachment of the built up area of Cudworth into the countryside to the north. Areas of green space and the cemetery which are existing beneficial uses would be retained.
186. The development of both sites would relate closely to the existing built up area of Cudworth and would be adjacent to Site H87. The site policies appropriately require a masterplan to ensure a comprehensive form of development and to ensure that the plan will be effective. **MM45, MM46** and **MM47** are necessary to clarify the scope of the masterplan and cross reference it within the requirements for site H87. Having regard to my conclusions in Issue 4, exceptional circumstances exist to remove this site from the Green Belt.
187. Site H76 - The site is a resultant parcel (CUD2c) within General Area CUD2 which the Green Belt review concluded was moderately fulfilling Green Belt purposes. I concur with its findings that the A628 Cudworth bypass would create a strong and defensible boundary to the Green Belt to contain the built up area of Cudworth and maintain the separation between it and Weetshaw to the north-west. The site policy sets out appropriate mitigation measures. Having regard to my conclusions in Issue 4, exceptional circumstances exist to remove this site from the Green Belt.
188. Site H39 is in Cudworth and so that the site policy will be effective, **MM44** is necessary to indicate that development should avoid areas of flood risk.

Goldthorpe

189. Site H84 - The site forms a resultant parcel (DE1a) within General Area DE1 which the Green Belt review concluded was moderately fulfilling Green Belt purposes. I concur with its findings that the disused railway line would create a strong and defensible boundary to check any further extension of the built up area of Thurnscoe to the south. Whilst there would be some reduction in the separation between Thurnscoe and Goldthorpe, the site relates closely to the built up area of Thurnscoe and with appropriate layout and landscaping a sympathetic form of development can be achieved. The site policy appropriately requires a masterplan and to ensure that this will be comprehensive in approach, **MM50** is necessary. On this basis, and having regard to my conclusions in Issue 4, exceptional circumstances exist to remove this site from the Green Belt.
190. Site AC26 is to the east of Bolton upon Dearne and forms the later phase of an existing development. To secure effective mitigation for adjoining habitats and designated heritage assets **MM48** is required and will ensure that the plan is effective. So that the plan will be effective and deliverable, **MM49** is required to reduce the indicative yield of Site H67 to the west of Bolton upon Dearne to enable areas of biodiversity to be retained and confirm access arrangements via site D1.

Hoyland (including Elsecar)

191. A number of sites are proposed for housing development in Hoyland and for ease of reference the sites are grouped together.
192. Sites H77 and AC29 - These sites form part of a resultant parcel (HN11a) which comprises General Area HN11 which the Green Belt review concluded was moderately fulfilling Green Belt purposes. Although within the Dearne Valley Green Heart Nature Improvement Area which creates amenity value, when viewed from the A6195 the parcel is highly contained by existing development to the west and by the Dearne Valley Parkway and proposed housing allocation H16 to the south. The remainder of the resultant parcel is proposed as employment site HOY5 and green space and urban fabric reflecting its existing functions.
193. So that the requirement for a masterplan framework for sites H77 and AC29 in conjunction with site H16 is clear, **MM51** and **MM59** are required. To safeguard the rural setting of the listed Hoyland Lowe Stand, dwelling heights at the eastern edge of the site should be restricted to single storey and the area identified as 'undevelopable due to heritage' should be expanded. **MM59** achieves that and will ensure that the site policy is effective. Modification of the Policies Map has been prepared and consulted on by the Council (Map Change 24).
194. I have had regard to representations that dwelling heights and the limits of the undevelopable area should be determined through the detailed layout for the site, but the site allocation as proposed to be modified provides greater clarity on deliverability. I have amended **MM59** to remove the requirement for the improvement and maintenance of Hoyland Lowe Stand which is outside the site boundary.

195. For consistency and effectiveness, the requirement for a masterplan framework should be included within the site policy for site H16 and duplicated text within the policy should be deleted and **MM57** is required. The boundary between site H16 and HOY5 should be clarified and modification of the Policies Map has been prepared and consulted on by the Council (Map Change 32). Having regard to my conclusions in Issue 4, exceptional circumstances exist to remove these sites from the Green Belt.
196. Sites AC30 and AC31 – The Green Belt Review concluded that General Area HN4 was moderately fulfilling Green Belt purposes. Site AC30 falls within a resultant parcel (HN4b) which is contained by the M1 to the west and by the A6135 Sheffield Road to the north-east. Site AC31 is a resultant parcel (HN4c) which is contained by existing development to the north. The operational railway line to the south-east would provide a strong and permanent Green Belt boundary to maintain the separation between Hoyland and the small settlement of Harley to the south-east (within Rotherham Borough).
197. For effectiveness, **MM52** and **MM53** are necessary to clarify the requirement for a masterplan framework for the development of sites AC30 and AC31 in conjunction with sites H7, H8 and H45. Skiers Wood Local Wildlife Site is in close proximity to sites AC31 and H45 and in response to representations I have amended site policies AC31 and H45 to require a suitable buffer to this area. For consistency and effectiveness, the requirement for a masterplan framework should also be included in site policies H7, H8 and H45 and **MM55**, **MM56** and **MM58** achieve that. Having regard to my conclusions in Issue 4, exceptional circumstances exist to remove these sites from the Green Belt.
198. Site 877 is adjacent to the M1 and to ensure that the plan has been positively prepared, **MM61** is necessary to confirm that development should not be located in the AQMA.
199. Site H2 – Based on the findings of the Historic Area Assessment¹² (2017), the site falls within a larger area that makes a significant contribution to the understanding of Elsecar as a planned industrial village within the wider Wentworth Estate and to the understanding of the early coal mining and iron working industry in the area. As the development of Site H2 in its entirety could prejudice further investigation of the surviving buildings and buried remains, the allocation is not soundly based and **MM54** is necessary to delete it.
200. The site should be designated as urban fabric with the extent of the heritage constraint identified and any future proposals would be assessed having regard to Policy HE1 in the plan which seeks to safeguard heritage assets.
201. The proposed alteration of the Green Belt boundary to follow the rear of the existing development to the south of Foundry Street together with the

¹² Historic Area Assessment: Land to the west of Elsecar Historic England Project 7532, ArchHeritage 2017

watercourse and wooded area to the west would provide a logical and defensible boundary to prevent encroachment into open countryside. Modification of the Policies Map to show these alterations has been prepared and consulted on by the Council (Map Change 25).

202. Whilst representations support the allocation of additional land in Hoyland, sufficient sites have been identified to meet objectively assessed needs for employment and housing together with areas of safeguarded land.

Penistone

203. Site AC34 - The site falls within a resultant parcel PEN8a within General Area PEN8 found to be moderately fulfilling Green Belt purposes in the Green Belt review. I concur with its findings that Huddersfield Road, Halifax Road and the operational railway line would form strong and permanent boundaries to the Green Belt to the north of Penistone.
204. Part of Site AC34 has planning permission for 11 dwellings and **MM63** is necessary to reduce the site yield to 32 dwellings to reflect the capacity of the remaining undeveloped area. So that the plan will be deliverable, **MM63** is also required to ensure that development is not located within Flood Zones 2 and 3. Having regard to my conclusions in Issue 4, exceptional circumstances exist to remove this site from the Green Belt.
205. Sites H81 and H82 – Also within resultant parcel PEN8a, the west, north and east boundaries of the sites correspond with the revised Green Belt boundary as described above. Representations indicate a number of concerns in relation to development on these sites including the impact on landscape character. The sites form a transition between the main built up area and the open moorland landscape rising to the north and new development will represent a significant change. However, I see no reason why a sensitively designed development with appropriate landscaping could not be achieved and this would ensure that the landscape setting and character of Penistone is safeguarded. The site policy includes appropriate mitigation measures in this regard.
206. Westhorpe Works located between Sites H81 and H82 is subject to a buffer zone and development within prescribed distances of the site is not permitted in accordance with the license granted by the Health and Safety Executive. This has been accounted for in the yield of both sites and further detailed consideration of the position of roads and buildings in relation to the buffer zone will be undertaken through the planning application process. So that site H81 will be deliverable and consistent with H82, I have amended **MM64** so that the site policy includes reference to the need for an appropriate buffer around Westhorpe Works. That site is designated as urban fabric on the Policies Map and any future development proposals would be assessed in accordance with Policy H6.
207. Through the HRA, sites H81 and H82 were screened in as having a likelihood of a significant effect in terms of their potential for providing over wintering feeding ground for Golden Plover. Through the AA, mitigation measures were identified to ensure that the proposals would not result in an adverse effect on the integrity of protected species and **MM64** and **MM65** are also required to ensure that the appropriate mitigation measures are incorporated within both

site policies. Having regard to my conclusions in Issue 4, exceptional circumstances exist to remove these sites from the Green Belt.

Wombwell/Darfield

208. Site AC39 - The Green Belt review concluded that General Area DAR3 was moderately fulfilling Green Belt purposes and resultant parcel DAR3a is contained by the existing built up area to the north, a wooded area to the west and Netherwood Road/Pitt Street to the south. Site AC39 is a smaller portion of DAR3a and its capacity reflects access constraints. When viewed from Pitt Street, development would relate closely to the built up area and would be contained by a defined field boundary to the west. The designation of part of the remaining parcel for green space reflects its use as allotments. The rest of the area is identified as safeguarded land (AC41) to meet longer term development needs, subject to consideration of access issues.
209. In order to ensure that the plan will be effective and is consistent with national policy, development should not take place on those parts of site AC39 within flood zones 2 and 3 and **MM67** is required to clarify that within the site policy. Having regard to my conclusions in Issue 4, exceptional circumstances exist to remove this site from the Green Belt.

Royston

210. Site H11 – part of the site has planning permission. So that the allocation is deliverable, **MM66** is required to reflect the dwelling capacity of the remaining undeveloped area and clarify the development requirements which include provision of a primary school, the site for which will be determined through a planning application. Modification of the Policies Map to delete the area identified for the primary school and incorporate it within the site area and to show the site as a mixed use site has been prepared and consulted on by the Council (Map Change 5).

Additional housing sites

211. The SA Site Assessment Addendum of the additional sites has been criticised in representations with particular reference to the significant positive effect attributed to Objective SP4 (Housing) and minor positive effect for Objective SP8 (Community). Although supported by relevant technical evidence, the assessments involve planning judgement. Reasonable conclusions have been reached and the SA acknowledges where residual minor negative effects exist including in relation to the delivery of objective EP16 (landscape character) and that each of the sites generate at least one minor negative effect on the SA objectives. The effects identified in the SA have resulted in specific mitigation measures being incorporated within the site policies and the SA work undertaken to inform the identification of additional sites is adequate. HRA of the additional sites was also undertaken and the findings for site EC8 are reported below.

Urban Barnsley

212. Site 460 – This is a brownfield site within a sustainable location in Urban Barnsley and occupied by a former hospital and could accommodate approximately 74 dwellings. This additional site is necessary to ensure that

the plan has been positively prepared and **MM42** is required to allocate the site and include appropriate measures to retain existing vegetation and safeguard the setting of nearby designated heritage assets. Modification of the Policies Map to show this change has been prepared and consulted on by the Council (Map Change 35).

213. Site UB16 – The site is proposed to be deleted as an employment site in **MM19**. It is close to existing services and facilities and public transport corridors and would therefore be a sustainable location for new housing. It would make use of under used land and the submission of an outline planning application for 230 dwellings demonstrates a good prospect for delivery.
214. In order that the plan has been positively prepared and is consistent with national policy, **MM34** is necessary to allocate the site for housing instead of employment, delete the first bullet of site policy UB16 which is no longer relevant and ensure reference is made to safeguarding nearby designated heritage assets. Modification of the Policies Map to show these changes has been prepared and consulted on by the Council (Map Change 57). The indicative site yield reflects the current planning application and having regard to site constraints and necessary mitigation, there is no justification to increase the indicative yield to approximately 300 dwellings.

Cudworth

215. Site EC3 - The site was within the Green Belt on the submitted Policies Map. It is within a resultant parcel (CUD11a) within General Area CUD11 which was found to be moderately fulfilling Green Belt purposes in the Green Belt review. The disused railway line would form a strong and defensible boundary to the east and north which would assist in preventing encroachment of the built up area of Shafton into the more open and undulating countryside to the north. The site could be developed in conjunction with the adjoining site H22 and relates closely to the built up area of Shafton. Having regard to my conclusions in relation to Issue 4, exceptional circumstances have been demonstrated to alter the Green Belt boundary to remove the site from the Green Belt. The existing allotments would be retained and designated as green space. The yield of site H22 should be reduced to reflect infrastructure constraints including pylons which run across the site.
216. Allocation of this additional site is necessary to ensure that the plan has been positively prepared and **MM43** is required to allocate and incorporate site EC3 within site H22 and include appropriate measures to retain existing vegetation and features. The identification of the remainder of CUD11a as safeguarded land (EC4) to meet longer term development needs is justified and would be achieved through **MM112**. Modification of the Policies Map has been prepared and consulted on by the Council (Map Change 37).

Hoyland

217. Site EC5 – The site was proposed as safeguarded land in the submitted plan (SAF7). It is a resultant parcel (HN4a) within General Area HN4 which was found to be moderately fulfilling Green Belt purposes in the Green Belt review. The A635 Sheffield Road and disused tip to the south would create a strong and permanent boundary to the Green Belt to prevent any further encroachment of the built up area of Hoyland to the south and west.

218. The identification of the remainder of parcel HN4a as green space and safeguarded land is justified based on its existing function and the need to meet longer term development needs. Having regard to my conclusions in Issue 4, exceptional circumstances exist to remove the site from the Green Belt. **MM62** is necessary to allocate site EC5 and ensure that the plan has been positively prepared. Modification of the Policies Map has been prepared and consulted on by the Council (Map Change 38).
219. Site H79 – The site was proposed to be removed from the Green Belt for safeguarded land (H79) in the submitted plan. It falls within a resultant parcel (HN8a) within General Area HN8 which was found to be moderately fulfilling Green Belt purposes in the Green Belt Review. The A6195 Dearne Valley Parkway and Wood Walk would form strong and permanent boundaries to the Green Belt preventing encroachment into the countryside beyond and maintaining the separation between Hoyland and Jump. Having regard to my conclusions in Issue 4, exceptional circumstances exist to remove the site from the Green Belt.
220. Allocation of this additional site is necessary to ensure that the plan has been positively prepared and **MM60** is necessary. Modification of the Policies Map has been prepared and consulted on by the Council (Map Change 26).

Oxspring

221. Site EC8 could accommodate approximately 22 dwellings which would be seen in conjunction with existing development to the north. Although it is partly occupied by existing buildings and woodland/vegetation and unlikely to be attractive as winter feeding ground for Golden Plover, due to its location within the within the SPA/SAC buffer zone further surveys would be required as part of any planning application. Representations indicate that the existing buildings could be of historic interest but this would be addressed through the assessment of any planning application against Policy HE1. Subject to securing satisfactory mitigation in relation to trees, biodiversity and archaeology as set out in the site policy, I consider that this additional site allocation is soundly based and would be achieved through **MM68**. Modification of the Policies Map has been prepared and consulted on by the Council (Map Change 40).

Great Houghton

222. Site EC10 - The site forms part of a larger area allocated as safeguarded land in the submitted plan (SAF20) and could accommodate approximately 67 dwellings which would be viewed in conjunction with existing development to the west and south. The Highway Authority is satisfied that a satisfactory access could be provided off the High Street and a transport assessment accompanying a planning application would address impacts on the local highway network. Subject to the retention of the existing hedge on the northern boundary and securing the necessary mitigation as set out in the site policy, I consider that this additional site allocation is soundly based and would be achieved through **MM69**. Modification of the Policies Map has been prepared and consulted on by the Council (Map Change 43). The housing trajectory includes sufficient sites to meet the housing requirement and there is no justification for an increase in the allocated area.

Thurgoland

223. Site SAF22 – The site could accommodate approximately 19 dwellings and is the subject of a current outline planning application indicating reasonable prospects for delivery. Although concerns have been expressed about access off the A629, there is nothing in the evidence to suggest that a satisfactory and safe access could not be achieved. Allocation of this additional site is necessary to ensure that the plan has been positively prepared and **MM71** is required. Modification of the Policies Map has been prepared and consulted on by the Council (Map Change 49).
224. Site EC12 – The site forms part of an area of safeguarded land in the UDP. Although further away from the village 'core', development on this site would be viewed in conjunction with the existing development on Cote Lane. It could accommodate approximately 22 dwellings. Allocation of this additional site is necessary to ensure that the plan has been positively prepared and **MM70** is required. Modification of the Policies Map has been prepared and consulted on by the Council (Map Change 45).
225. Site SAF22 is also safeguarded land in the UDP and I acknowledge the representations about the timing of the planning application for the site in relation to the plan examination. However, it has been made in the context of the current housing land supply and the policies in the CS, matters which have been the subject of further assessment during the course of the examination. The Council has a statutory duty to process duly made planning applications. Based on the evidence before me, the site allocation is soundly based.

Tankersley

226. Site 476 - The site comprises previously developed land occupied by a former office building and associated areas of hard surfacing. It is well located in relation to the facilities and services in Tankersley and adjoining an existing housing development and I consider that its allocation for approximately 26 dwellings would be soundly based. Allocation of this additional site is necessary to ensure that the plan has been positively prepared and **MM72** is required. Modification of the Policies Map has been prepared and consulted on by the Council (Map Change 46).

Broomhill

227. Site EC13 is located between the frontage development along Everill Gate Lane and Highgate and relates closely to the existing built up area. The retention of the existing pond and wetland habitat on the site is an important requirement and has been identified in the site policy. Allocation of this additional site is necessary to ensure that the plan has been positively prepared and **MM73** is required. Modification of the Policies Map has been prepared and consulted on by the Council (Map Change 47).

Brierley

228. Site 957 is located to the south of new development in the grounds of Brierley Hall and within Brierley Conservation Area. An appropriate reduction to the site yield has been made to account for the presence of veteran trees and

boundary hedges. Development of the site would result in the loss of green space albeit that there is no public access to the site and contributions towards new facilities to mitigate that loss would be sought through Policy GS1. Allocation of this additional site is necessary to ensure that the plan has been positively prepared and **MM74** is required. Modification of the Policies Map has been prepared and consulted on by the Council (Map Change 48).

Additional sites not taken forward

229. Following the Stage 4 hearings, I concluded that four of the additional housing sites proposed by the Council would not be soundly based and should not be taken forward as MMs. However, in the interests of fairness I sought views on that position as part of the MMs consultation.
230. The Council's decision not to proceed with site EC6 at Oxspring prior to the Stage 4 hearings due to the potential for harm to the significance of Willow Bridge, Packhorse Bridge as a designated heritage asset is justified and the site should remain within the Green Belt.
231. Development on Site EC9 at Cawthorne would be harmful to the distinctive linear form of the village, extending the built up area into the open countryside to the north. The absence of any features on the northern boundary of the site would create a stark and harsh edge to the built up area which would be harmful to its existing form and character. For these reasons the proposed allocation for housing would not be soundly based. The site will remain as safeguarded land and any future development would be considered as part of a plan review.
232. Site EC11 at Silkstone Common is a resultant parcel (SC2a) within a General Area (SC2) identified as moderately fulfilling Green Belt purposes in the Green Belt review. It is argued that the landscape has greater capacity for change than identified in the Barnsley Landscape Character Assessment (2016) and that the Transpennine Trail creates a high degree of containment.
233. When viewed from Moorend Lane, the allotments and development to the west of the lane to Moorend Houses provide a clear demarcation between the built up area and the countryside to the east which contributes to the rural setting of the village. The loss of the undeveloped gap which forms a transition between the main built up area of the village and the more dispersed development within the open countryside to the south of the Transpennine Trail would be harmful to the existing compact form and character of the village.
234. Notwithstanding that a strong and defensible Green Belt boundary could be maintained, there would be harm to character and appearance at a site level and the exceptional circumstances to justify the removal of this site from the Green Belt for housing have not been demonstrated. The site will remain within the Green Belt.
235. Site EC1 at Staincross is part of a larger area proposed to be released from the Green Belt for safeguarded land (SAF5) in the submitted plan and was proposed as an additional site for 669 dwellings. In the absence of a Transport Assessment, the cumulative effect of additional traffic from this and nearby development sites at Royston and Mapplewell on the highway network

is uncertain and secondary school capacity at Darton College would also need to be addressed. In short, the capacity of local infrastructure to support the scale of development proposed has not been adequately detailed, together with the specific requirements to mitigate its impact. The exceptional circumstances to justify the removal of this site from the Green Belt for housing have not been demonstrated.

236. Whilst representors consider that the site should remain within the Green Belt and should not be identified as safeguarded land, it forms part of a resultant parcel (MWP2a). It is adjacent to the existing built up area and in a sustainable location to meet longer term development needs. In accordance with Policy GB6 as proposed to be modified by **MM113**, any future development would be assessed through a plan review which would address matters including the impact of development on landscape character, settlement pattern and infrastructure capacity. The identification of the site as safeguarded land is justified.

Other Safeguarded land

237. SAF6 forms part of resultant parcel UB3a in the Green Belt review and I concur with its findings that Cawthorne Lane and the M1 would create a permanent and durable boundary to prevent further encroachment of the built up area to the north and west. AC33 is part of resultant parcel HN6a and Hay Green Lane would redefine a permanent and defensible Green Belt boundary to the north of Hoyland.
238. AC42 in Wombwell forms part of resultant parcel WOM2a which relates closely to the existing built up area of Wombwell and would be defined by the railway line to the west and Summer Lane and would assist in maintaining the separation between Wombwell and Urban Barnsley. H85 is resultant parcel WOM5a and is located to the south of the A6195 Dearne Valley Parkway which would provide a strong and durable boundary to maintain the separation between Hemingfield and Wombwell. Having regard to my conclusions in Issue 4, exceptional circumstances exist to remove these sites from the Green Belt for additional safeguarded land.

Conclusion on Issue 5

239. The plan's site allocations are based on a logical and appropriate set of criteria and assessment methodology, SA and HRA. Subject to the MMs, the employment, mixed use and housing allocations are soundly based. Where necessary, exceptional circumstances have been demonstrated to justify alterations to the Green Belt boundary and the removal of land from the Green Belt to meet the objectively assessed need for employment, housing and identify areas of safeguarded land.

Issue 6 – Will a 5 year supply of deliverable sites be available on adoption and are there reasonable prospects that this can be maintained over the plan period?

240. The housing requirement figure as proposed to be modified by **MM31** is 21,546 or 1134 dwellings per year. This represents a step change from previous rates of delivery in Barnsley. These have varied considerably over the period 2006/07 to 2016/17, from 556 per year in 2009/10 to 1140 in

2007/08 with an average of 796 per year over that period. However, 1000 dwellings were expected to be completed in 2017/18 and an up-to-date plan will provide a positive framework to support delivery on a wider range of sites.

241. The revised housing trajectory for the MMs consultation (MC9) indicates that completions, current commitments and the site allocations would provide approximately 21,772 dwellings during the plan period. Whilst the 'headroom' between the requirement and total supply is limited, I consider that there are sufficient 'contingencies' to ensure that delivery will not be put at risk.
242. The trajectory includes 566 completions on windfall sites within the supply for the first five years and a further 200 completions within villages over the entire plan period. This represents a cautious approach having regard to evidence in the SHELAA that windfalls contributed an average of 142 dwellings per year from 2006 – 2016 or 15% of total completions. The greater certainty afforded by allocated sites in an up to date plan could mean that there is less incentive to bring forward windfall site, but Policies H5 and H6 will support development on specified unallocated sites, including in villages.
243. The Council has robust monitoring arrangements in place and takes a proactive and partnership approach to addressing the barriers to stalled sites. Housing delivery will be carefully monitored and if necessary the plan may need to be reviewed to ensure that housing need to 2033 is delivered. Whilst some representors consider that additional sites should be allocated to bolster supply particularly in stronger market areas, that would be likely to require the deletion of further land from the Green Belt and further delay to plan adoption.
244. Turning to the five year requirement, from 2008 to 2014 against a CS requirement of 7170, 4640 dwellings were delivered. This represents persistent under delivery and in accordance with paragraph 47 of the NPPF a 20% buffer should be applied to the five year housing requirement figure. The shortfall in delivery since the start of the plan period (2014 – 2018) is 1352 dwellings. The Council's preferred approach has been to deal with shortfall within the first five years from adoption - the *Sedgefield* method. Applying the necessary 20% buffer, the five year requirement from 2018/19 to 2022/23 would be 8425 dwellings or 1685 per year. Based on past rates of delivery, this is neither realistic nor sustainable.
245. The 'Liverpool' approach in which past shortfall is addressed over the plan period is not ruled out by the PPG and I consider that the approach is justified for two main reasons. Firstly, some housing delivery depends on larger mixed use sites with longer lead in times for delivery. Secondly, the shortfall in delivery has not translated to acute problems of affordability, suggesting that there is no significant 'pent up' demand that needs to be addressed in the short term. Based on the Liverpool approach, the five year requirement would be 7345 dwellings or 1469 per year.
246. Sites with planning permission will contribute to housing land supply and they have been identified in the trajectory. In terms of the contribution of small sites (9 units or less) to the five year supply, an appropriate reduction has been made to reflect non implementation rates based on evidence in the Five

Year Deliverable Housing Land Supply report. The contribution of large sites (10 or more dwellings) to the five year supply has been assessed on a case by case basis.

247. During the examination the Council reviewed and revised the sites within the trajectory in response to representations. Whilst some representors maintain that the trajectory is still unrealistic, it reflects more realistic lead in times, start dates and rates of delivery. It is also based on the Council's discussions with representors, developers and landowners.
248. Assessing the precise level of 5 year supply and anticipated rates of delivery is not an exact science. It involves making assumptions about a large number of sites and various factors including likely start rates and annual rates of building which could be subject to change. In broad terms I am satisfied that most of the sites that the Council has identified within the five year supply from 2018/19 to 2022/23 have a realistic prospect of being delivered over the next 5 years. Additional sites are not required to meet the housing requirement.
249. The updated trajectory (MC9) indicates a current supply of 7522 dwellings in the relevant five year period. Based on the *Liverpool* approach, on adoption of the plan there would be a deliverable supply exceeding the five year requirement. **MM126** is necessary to replace the submitted plan's housing trajectory with the most up-to-date position. As explained in Issue 10, this will be supported by the detailed trajectory published in the Annual Monitoring Report and the Five Year Deliverable Housing Land Supply report.

Conclusion on Issue 6

250. In conclusion and subject to the above MM, there is a reasonable prospect that on adoption of the plan there will be a supply of deliverable housing land exceeding the five year requirement and that this situation will be maintained throughout the plan period.

Issue 7 – Will the plan contribute to the vitality and viability of Barnsley town centre and the District and Local Centres and are the relevant policies positively prepared, justified and effective?

251. The town centre and retail policies are informed by a Town Centre Regeneration Plan (2016) and the Barnsley Town Centre Retail Study (2014) which concludes that following the completion of the 'The Glassworks' site there is some limited capacity for new convenience floorspace but little for comparison floorspace.
252. Consistent with the NPPF, Policy TC1 directs new retail and town centre development to the town centre and the six District Centres serving the Principal Towns. Smaller Local Centres will be the focus for shops and services serving more localised catchments. This is a soundly based and sustainable approach, focusing retail and other town centre development to support the vitality and viability of existing locations that are served by public transport and with the potential for the redevelopment of previously developed land.

253. Also consistent with the NPPF, Policy TC1 requires that proposals for new retail and town centre uses outside the catchment areas of the identified centres will be subject to the sequential approach set out in national policy. An impact test will also be required for proposals above the size thresholds specified in Policy TC3 where they are located outside the town centre and District Centre Primary Shopping Areas and outside the Local Centre catchment areas. The thresholds in Policy TC3 are justified by the findings of the Smaller Centres Study and Addendum (2010 and 2011). For clarity and effectiveness, **MM92** is necessary to confirm how Policy TC3 will be applied to town centre proposals and to expand its supporting text to provide more guidance to plan users.
254. The extent of the primary and secondary shopping frontages identified in the town centre and District Centres is justified based on the findings of the Barnsley Town Centre Study (2014) and the Smaller Centres Study. However, Policy TC2 is unclear in its approach - whilst on the face of it supporting a concentration of retail (A1) uses within primary shopping frontages, it also indicates that A2 – A5 uses will be acceptable. **MM91** is required to ensure greater clarity in terms of the operation of various aspects of Policy TC2, including that A1 uses remain the predominant use at ground floor within the primary shopping frontages.
255. Policy TC4 applies to proposals for new development at the two existing retail warehouse parks at Stairfoot, Wombwell Lane and the Peel Centre. Both are in out of centre locations where Policy TC1 would trigger the sequential approach to assessing proposals for main town centre uses. This is justified to safeguard the vitality and viability of the town centre and District Centres. Consents have been granted to relax planning conditions which restricted the range of goods sold from some units, resulting in a wider range of goods than just bulky goods being sold at both retail parks. Consequently, **MM93** is necessary to set out how such proposals would be assessed and to clarify the minimum size of any new units permitted.
256. Notwithstanding the Peel Centre's proximity to the town centre, there is no justification to identify it as the most sequentially preferable out of centre location for new retail and other related development. Based on the findings of the Barnsley Town Centre Retail Study, the extension of the Peel Centre onto adjoining land is also not justified.
257. Small local shops have an important role in meeting daily needs and could include a wider range of retail uses than just 'convenience' shops as currently referred to in Policy TC5. So that the plan is justified and will be effective, **MM94** is necessary to remove the reference to 'convenience', to clarify that proposals for small local shops should relate to meeting daily shopping needs and to outline the position in relation to the sequential approach.

The town centre

258. Policy BTC2 seeks to focus late night uses within the Wellington Street/Peel Street/Market Hill and Graham's Orchard area within the town centre. As submitted, the wording of the policy is ambiguous and in the interests of clarity and effectiveness, **MM95** is required to ensure that Policy BTC2 is clear and will be effective.

259. 'The Glassworks' site includes redevelopment of Barnsley market, a new library/community, retail and leisure facilities and public realm improvements. Nine District areas are identified within the town centre with specific policies for their future development. As submitted, the negatively worded format of Policies BTC12, BTC14, BTC15 and BTC23 does not represent a positive approach to bringing forward proposals in the District areas. **MM96, MM97, MM98** and **MM104** are necessary to ensure that these policies have been positively prepared.
260. Policy BTC12 is unnecessarily restrictive in relation to residential uses at ground floor within the Markets District area. So that the policy has been positively prepared, **MM96** is necessary and will ensure that the potential for residential uses is captured within Policy BTC12, subject to consideration of the vitality and viability of the town centre.
261. As worded, Policies BTC19, BTC20 and BTC22 are also inconsistent with the statutory test to preserve or enhance the character or appearance of Conservation Areas and **MM100, MM101** and **MM103** rectify this. As submitted, Policy BTC21 duplicates national policy and **MM102** is required to secure the deletion of the superfluous text.
262. Within the District areas, four development sites are identified for a variety of town centre uses. Whilst the respective site policies have generally been positively prepared, food and drink uses could be accommodated on Development Site 2 to reflect recent permissions on part of the site and **MM99** is necessary to ensure that Policy BTC16 is sound in this regard.
263. So that the plan has been positively prepared, **MM101** is also necessary to reflect the potential for a wider range of food and drink uses within The Lanes District area. I have amended **MM101** so that Policy BTC20 refers to 'food and drink' for consistency with other site policies. To ensure that Policy BTC24 which deals with Development Site 4 is positively worded and soundly based, **MM105** is necessary.

Conclusion on Issue 7

264. Subject to the proposed MMs, the plan's retail and other policies for Barnsley town centre and the District and Local Centres represent a positively prepared strategy which will contribute to their vitality and viability.

Issue 8 - Does the plan set out a soundly based strategy to safeguard and enhance landscape character, the natural and built environment and reduce the causes of climate change?

265. The Barnsley Landscape Character Assessment assesses the Borough's distinctive landscape character based on the National Character Areas produced by Natural England. Whilst it has been criticised in representations, I have no reason to dispute the accuracy of its assessment. Many of the allocated sites are beyond existing built up areas and will result in a degree of landscape harm. The site selection process considered the sensitivity and capacity of the landscape for change based on the Landscape Character Assessment and Policy LC1 will be used to assess the impact of development proposals on landscape character and the requirement for sensitive layouts and landscaping.

266. Policy LC1 and its supporting text set out how proposals close to the National Park boundary will be assessed. So that the policy includes reference to the National Park's special qualities and to ensure that cross boundary liaison will be effective, **MM107** is necessary.
267. Consistent with the NPPF's stance on good design, Policy D1 sets out the requirements for new development. However, as submitted the policy does not refer to the Borough's distinctive landscape character which makes an important contribution to the setting of settlements in the plan area, nor does it refer to the need for inclusive design as required by paragraph 57 of the NPPF. In addition, the requirement to complement and enhance the character of distinctive areas should apply to all parts of the plan area, not just the specific locations currently listed in Policy D1. As submitted, Policy D1 is unsound and **MM90** secures changes to the policy and its supporting text to ensure that it is positively prepared, consistent with national policy, effective and that due regard has been paid to the requirements of the Public Sector Equality Duty.
268. Informed by the Council's Greenspace Register, the Policies Map identifies greenspace and requirements for additional green space will be assessed against Policy GS1. So that Policy GS1 has been positively prepared, the requirement for equivalent or better provision in cases where the loss of greenspace is justified should be strengthened and the process for assessing the quality and value of existing greenspace should be made clear. For effectiveness, Policy GS1 should indicate how the amount of open space needed for new development will be assessed and **MM106** achieves that. Temporary buildings are permitted on playing fields under Policy GD2 and **MM12** will ensure that any loss of greenspace is addressed.
269. The plan recognises the important role of the Barnsley and Dearne and Dove Canals in contributing to the green infrastructure network. The sections which are in water, have a green infrastructure function or where the towpath has been retained are safeguarded from other forms of development in accordance with Policy GI2. Feasibility studies for a connection from the River Calder to the River Don date from 2006 and I have not been presented with any up to date evidence of progress including funding. Policy GI2 would not preclude the reinstatement of sections of the canal should such a proposal come forward. Overall, I conclude that the approach in Policy GI2 is justified.
270. New development proposed in the plan will increase greenhouse gas emissions and it has been argued that the plan will exacerbate climate change and air pollution through increased greenhouse gas emissions generated by new development and associated traffic. Policy CC1 sets out an overarching approach to reducing the causes of and adapting to the impact of climate change, but as submitted is unsound in indicating that such measures will be subject to considerations of viability, which is a matter that should be assessed in relation to the effects of the plan's policies as a whole. The policy also includes reference to sustainable design and construction techniques which would be more effective as a standalone policy.
271. **MM116** is necessary to ensure that Policy CC1 sets out a robust approach to tackling climate change and is consistent with national policy. Its approach to 'give preference to the development of previously developed land in

sustainable locations' is consistent with the approach to larger windfall sites as set out in Policy H6 as proposed to be modified in **MM76**. For effectiveness and consistency with national policy, **MM117** and **MM118** are necessary to introduce a new 'standalone' policy (CC2) dealing with sustainable design and construction and outlining how proposals will be assessed in moving towards a low carbon future as envisaged in paragraph 95 of the NPPF.

272. Barnsley has six AQMAs within the Borough. The Council's Air Quality Action Plan was recently revised (2017) and contains actions to reduce exhaust emissions and improve air quality. Modal shift away from the car will be sought through practical measures including cycling and walking campaigns and the requirement for Travel Plans which will be sought through a Sustainable Travel SPD.
273. Policy REAC1 deals with onshore wind proposals and indicative Areas of Search for Wind Turbines are identified on the Policies Map. Precise boundaries would be identified in a future SPD. Whilst the policy has been prepared having regard to the 'South Pennines Wind Energy Landscape Study', that document pre-dates the Written Ministerial Statement of 18 June 2015 (WMS) and the PPG which set out the specific circumstances in which proposals for wind turbines may be permitted. In addition, it is not clear how proposals for wind turbines outside the Areas of Search as shown on the Policies Map would be assessed. Having regard to the likelihood that the SPD would reduce the geographical extent of the Areas of Search, it would in effect be establishing policy rather than building upon and providing more detailed guidance on the adopted LP policies. This would also be contrary to the guidance in the PPG. The approach to onshore wind proposals as set out in Policy RE AC1 does not meet the requirements set out in the WMS and PPG and is unsound.
274. For consistency with national policy, **MM121** is necessary to delete Policy REAC1 and its supporting text from the plan. Modification of the Policies Map to remove Inset Map 6 has been prepared and consulted on by the Council. Additional supporting text would be necessary to explain that proposals for wind turbines will be considered against the PPG and WMS.
275. Policy RE1 sets out the general principles that will apply to low carbon and renewable energy developments but as submitted includes reference to wind turbines. In order that it is consistent with national policy, **MM120** is necessary to delete the reference to wind turbines within the policy and supporting text and make clear that such proposals will be considered against the PPG and WMS. It is unclear how 'significant' harm referenced in Policy RE1 would be defined and **MM120** is required to remove this reference and re-word the policy so that it is clear and will be effective.
276. The wording of Policy CC3 implies that a development would have to be at unacceptable risk of flooding from all sources before a decision would be made not to permit it. In the interests of clarity and effectiveness, **MM119** is necessary to replace 'all' with 'any'. So that it is consistent with national policy, Policy CC3 should set out the specific types of development that will be allowed in Flood Zone 3b and **MM119** secures the necessary change.

277. Whilst it does not include reference to the approach of 'biodiversity net gain', Policy BIO1 seeks to maximise biodiversity in conjunction with new development and the Council intends to produce an SPD outlining how this will be secured. The plan's objectives include securing net gains for biodiversity and allocated sites have been subject to robust ecological assessments. Where necessary and justified, measures to conserve and enhance biodiversity have been incorporated into the site policies. My conclusion is that the lack of reference to a 'biodiversity net gain' approach within Policy BIO1 does not make the plan unsound.
278. The approach in Policy MIN1 indicating that proposals for the exploration and production of shale gas via hydraulic fracturing will 'generally be supported' is inconsistent with national policy as set out in the WMS of 17 May 2018 which indicates that local planning authorities should 'give great weight to the benefits of mineral extraction including to the economy'. The plan is being assessed in accordance with the 2012 NPPF and in that context, **MM122** is necessary to make clear how proposals for the exploration, appraisal and production of shale gas will be assessed, having regard to relevant policies in the plan and national policy. **MM122** will also secure flexibility for stone extraction for repairs to heritage assets. Modification of the Policies Map to show the petroleum exploration and development licences has been prepared and consulted on by the Council (Map Change 22).

Conclusion on Issue 8

279. Subject to the proposed MMs, I conclude that the plan provides a soundly based approach to safeguard and enhance landscape character, the natural and built environment and to reduce the causes of climate change.

Issue 9 – Does the plan make adequate provision for infrastructure including transport and would development be viable having regard to infrastructure and policy requirements?

280. Ongoing dialogue between the Council and key infrastructure providers in plan preparation is evidenced in the IDP which provides an up to date and comprehensive assessment of existing and future capacity across the key infrastructure items and services needed to support the plan's proposals. The delivery programme makes clear the requirements including in relation to transport, education, utilities, telecommunications, flood risk and drainage, climate change and renewables, green infrastructure, leisure, sports and community facilities and health services.
281. During the examination it was confirmed that only a short section of the HS2 route would pass through the Borough to the east of Brierley with no requirement for a station and **MM7** is necessary to update the Key Diagram. However, there are a number of other strategic transport initiatives underway which if supported to delivery would progress the Borough's accessibility priorities including the South Transpennine road and rail tunnel connections, the Barnsley Rail Vision and Transport for the North Freight and Logistics Study. For effectiveness, **MM89** is necessary to update initiatives relating to freight as the South Yorkshire Freight Quality Partnership no longer meets.
282. The SCR SEP identifies three key growth areas within the Borough at M1 Junctions 36 and 37 and Goldthorpe with support for infrastructure funding

through the SCRIF. The deliverability and viability of the plan depend on realistic prospects of funding being identified from a range of sources including the SCRIF. The allocation of sites at those growth areas has been part of the separate process of plan preparation and with the exception of site RSV1, I have found that the site allocations are soundly based.

283. Better connectivity, affordable and inclusive travel including walking and cycling, a cleaner environment and a healthier population are the key outcomes sought through the Barnsley Transport Strategy. The plan's spatial strategy focuses development in locations with good access to public transport or where networks can be easily extended. The Accessibility Improvement Zone in the east of the Borough is a focus for transport investment to improve connectivity and support economic growth.
284. The Barnsley Transport Model has tested the cumulative impacts of the plan's proposals and those in adjoining authorities on the capacity and operation of the strategic and local road network. The findings have informed more detailed modelling for specific junctions. With full plan delivery and no mitigation, congestion was focused adjacent to M1 Junction 36 and the A6195 corridor, M1 Junction 37 and the A628/A635 corridors, Dearne Valley Parkway/A635 Cathill roundabout and the A635/A633 Stairfoot roundabout. More localised improvements have been identified in the IDP. In the interests of effectiveness, **MM89** is necessary to update the references to strategic highway routes in the plan.
285. Effective liaison with Highways England and adjoining local highway authorities has occurred through the DtC. Improvements to M1 Junctions 36 and 37 have been completed and supported by SCRIF funding. Further investigation of capacity and the need for mitigation measures on the highway network will be required through Policies T3 and T4 which require the submission of transport assessments and necessary highway improvements in conjunction with planning applications. So that Policy T3 is consistent with national policy and will be effective, **MM86** is necessary to remove references to maximum parking standards, refer to cross boundary matters and to remove references to extant national guidance. I have amended **MM86** to replace references to 'liaison' with 'impacts' in response to representations. **MM87** and **MM88** will ensure that safe and convenient highway access is provided for all users in conjunction with new development.
286. Additional primary and secondary school places will be needed to support housing growth in the plan period. Specific requirements for four new primary schools are identified in the site policies. Secondary school premises in the Borough have already undergone significant change through the Building Schools for the Future Programme and additional provision will be funded through developer contributions sought through Policy I1. To ensure effective provision of community facilities as part of Policy I2 and make clear what they include, **MM124** is necessary.
287. The Barnsley Hospital Foundation Trust indicates that the plan's proposals will impact on acute services and necessitate an expansion of service provision. This will be considered as part of the Hospital Services Review which is ongoing.

288. The IDP delivery programme is an important implementation mechanism for new and improved infrastructure and in the interests of effectiveness it should be included within the plan for which **MM125** is necessary.

Plan viability

289. The plan has been informed by a Viability Study prepared to inform the Council's approach to the Community Infrastructure Levy (CIL). The Council's decision on whether or not to adopt CIL will be taken having regard to the results of a national level review and following the preparation of SPDs detailing various requirements to support plan implementation. In the interim, developer contributions will continue to be sought in accordance with Policy I1. For clarity and flexibility, **MM123** is necessary to replace references to CIL with 'infrastructure funding' in the supporting text to Policy I1 pending future arrangements.

290. The Local Plan Viability Study provides a 'high level' overview of all development types that are likely to come forward in the plan period together with an assessment of the plan's policy requirements. It concluded that almost all of the employment allocations were viable. A cluster of sites which are more marginal are subject to SCRIF funding. Viability has also informed the site selection process for employment sites as one of the criteria used in the scoring process.

291. The viability of housing sites is primarily affected by their distribution within different housing sub-markets across the Borough which is also reflected in the different requirements for affordable housing set out in Policy H8. The policy is sufficiently flexible to deal with circumstances where viability is more marginal.

Conclusion on Issue 9

292. Subject to the MMs outlined, the plan is based on a robust assessment of the necessary infrastructure requirements and there is a realistic prospect that they can be delivered over the plan period and that policy requirements can be supported.

Issue 10 – Are the arrangements for monitoring and delivery robust and will the plan be flexible to respond to changing circumstances?

293. The plan includes a monitoring framework that will provide an effective means of monitoring plan implementation and policy outcomes and will be reported through the Annual Monitoring Report. The housing trajectory graph in Appendix 2 of the plan is supported by a more detailed trajectory table of sites that has been updated during the examination to reflect updated lead in times and delivery rates. This will be published and monitored through the Annual Monitoring Report and the 'Barnsley Five Year Deliverable Housing Land Supply Report' published annually.

294. The plan does not contain any commitment to an early review. Having regard to the requirement in the PPG that plans should be reviewed every five years, I do not consider that a specific policy is necessary. The monitoring processes set out above will provide an effective mechanism to assess whether the plan is meeting its objectives and intended outcomes.

Conclusion on Issue 10

295. The monitoring framework and arrangements will provide an effective means of assessing whether or not the implementation of plan policies is delivering the plan's vision and objectives.

Public Sector Equality Duty

296. In conducting the examination, I have had due regard to the aims expressed in Section 149(1) of the Equality Act 2010. This includes consideration of matters including the accommodation needs of gypsies and travellers and the need for accessible design.

Assessment of Legal Compliance

297. For the reasons set out in Issue 8, I am satisfied that the plan complies with Section 19(1A) of the 2004 Act which requires that development plan documents (taken as a whole) must include policies to ensure that the development and use of land contributes to the mitigation of, and adaptation to, climate change.

298. My examination of the compliance of the plan with the legal requirements is summarised in the table below. Subject to **MM3** and **MM127** which would secure compliance with Regulation 8(5) of the 2012 Regulations, I conclude that the plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The Local Plan has been prepared in accordance with the Council's LDS (including the latest version adopted in June 2017). Although the adoption date will be later than anticipated (Spring 2018), the delay is not significant.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in September 2015. Consultation on the Local Plan and the MMs has complied with its requirements.
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Habitats Regulations Assessment (HRA)	The Habitats Regulations Assessment Screening Report sets out that the plan may have some likely significant effects. A full HRA including appropriate assessment was undertaken to accompany the submission plan in December 2016 together with an HRA Addendum in January 2018. On submission of the plan, Natural England support this.
National Policy	The Local Plan complies with national policy except where indicated and MMs are recommended.
2004 Act (as amended) and 2012 Regulations.	The Local Plan complies with the Act and subject to MM3 and MM127 complies with the Regulations.

Overall Conclusion and Recommendation

299. The Plan has a number of deficiencies in respect of soundness and one in respect of legal compliance for the reasons set out above, which means that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.

300. The Council has requested that I recommend MMs to make the Plan sound and legally compliant and capable of adoption. I conclude that with the recommended MMs set out in the Appendix the Barnsley Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

Sarah Housden

INSPECTOR

This report is accompanied by an Appendix containing the Main Modifications.