

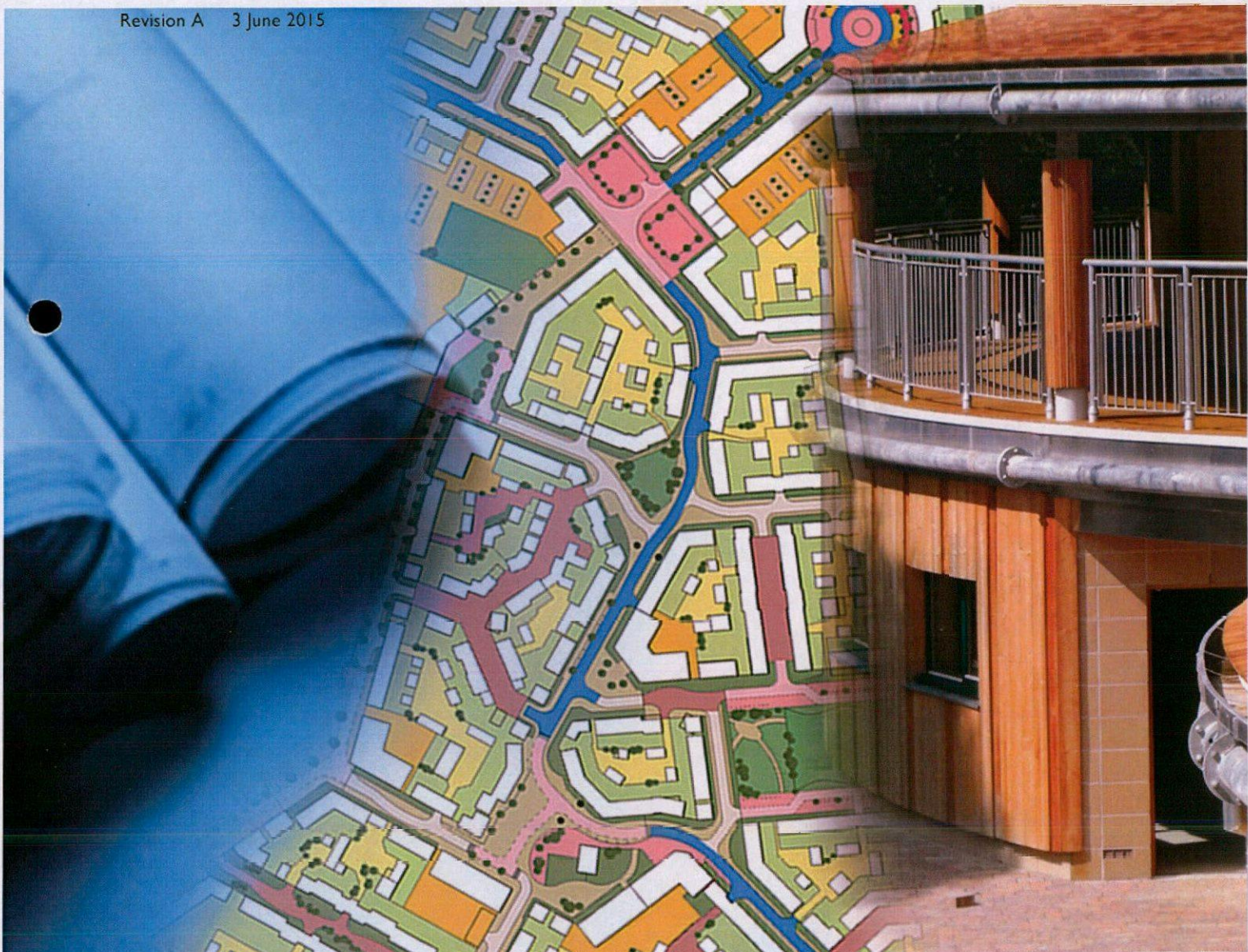
Gleeson Homes

Land off Lowfield Road, Bolton

● Upon Dearne (Phase 3)

Planning Statement

Revision A 3 June 2015



Revision Record

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I. Introduction and Background

Spawforths have been instructed by Gleeson Homes Ltd to prepare and submit a full planning application for their land at Bolton Upon Dearne, located off Lowfield Road. The proposal comprises a full planning application for 97 dwellings.

The applicants have taken professional advice from a development team and supplementary information has been prepared in support of the application by the following consultants.

- Spawforths - Planning Statement
- JOC Consultants Ltd - Flood Risk Assessment
- Eastwood & Partners - Ground Conditions
- SLR Consulting Ltd – Ecological Phase I Habitat Survey
- Westgate Consulting (Leeds) Ltd - Transport Assessment
- Travel Plan Services Ltd (TPS) - Travel Plan
- SLR Consulting Ltd – Odour Constraints Assessment

This Statement should be read in conjunction with these reports.

This statement provides a general overview of the proposal, summarising these reports and provides a detailed consideration of the relevant planning policy and other planning issues that need to be addressed as part of the application.

2. Development Proposals Overview

The planning application seeks full planning permission for the erection of 97 dwellings including a mix of properties to include the following:

- 27 two-bedroom dwellings
- 60 three-bedroom dwellings
- 10 two-bedroom dwellings

The proposal includes a mix of detached and semi-detached properties. A full schedule of unit types is detailed on the submitted drawings package and prepared on behalf of Gleeson Homes.

The proposed housing will be accessed off Lowfield Road by the existing access that runs along the eastern boundary of the site. However, it will also be possible to take access off Lowfield Meadows and or via the adjacent residential development that is approved to the west of the site.

Future development of this site will not extend beyond the eastern extent of the development on Crane Well View or the Lowfield Lodge which is located to the south of the site. The existing private road which leads Lowfield Lodge to the south, that forms the eastern boundary of the site, provides a natural and defensible boundary to the development limits. Development will therefore not extend beyond the existing built up extent of the settlement.

All of the development proposals will be contained by the existing built up area of Bolton Upon Dearne, therefore development will not be visually intrusive or impact on the openness of the Green Belt.

All boundaries will be landscaped and footpaths to the nearby Local Centre will be incorporated into these areas as part of the proposed layout of this site. This site is also large enough to incorporate sufficient landscaping and planting in order to provide a significant buffer between the site and the waste water treatment works.

This landscaping will mitigate any impact on visual amenity along with views in and out of the site and provide a transition from the proposed built environment to the open countryside which lies beyond the eastern and southern boundaries.

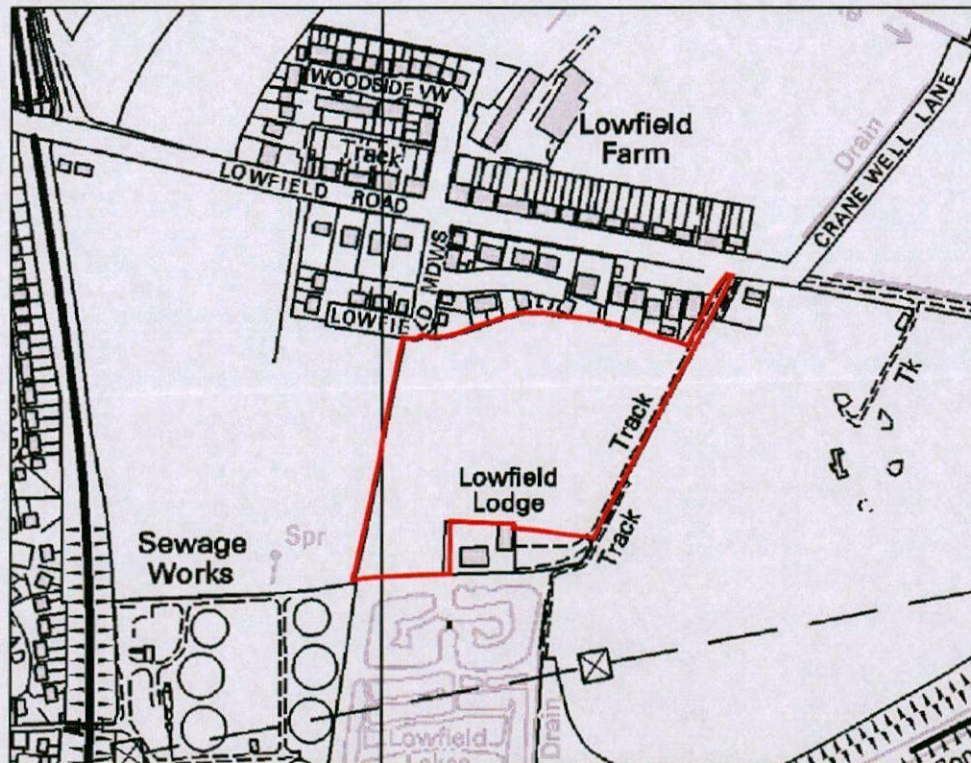
3. Site Location and Description

3.1. Site Context

The site is located on the south-eastern boundary of Bolton Upon Dearne. The site is in close proximity to the rail station, which is located off Lowfield Road. Bolton Upon Dearne is approximately 10.5 miles south east of Barnsley Town Centre and 7.4 miles north east of Rotherham Town Centre.

3.2. Site Location

Access to the site is currently taken directly off Lowfield Road. The site is within approximately 800m of Bolton Upon Dearne Local Centre, which is to the northwest of the site. There are also a number of other local shops within approximately 400m of the site.



3.3. Site Description

The site is 2.63 hectares (6.5 acres) and consists of a large agricultural field to the south of Lowfield Road. The site is irregular in shape and is bound on most sides by existing development. Directly to the north of the site are the residential areas of Lowfield Grove and Carne Well View. The eastern boundary of the site is formed by an un-adopted road which leads to a residential property, known as Lowfield Lodge, located directly to the south of the site along with a large commercial/agricultural unit. This built development forms the southern boundary of the site and beyond this is Lowfield Lakes. The south western corner of the site abuts a sewerage works. Land to the west of the site was once used as employment land; this site has now got planning permission for new housing by Gleeson Homes Ltd. Further west is the main Leeds to Sheffield railway line, beyond which lies residential development. To the east of the site is a large agricultural field, however for the most part this site is surrounded by developed land.

4. Relevant Planning History and Non Policy Designations

4.1. Planning History

The relevant and most recent planning applications have been identified below:

Application Ref.	Description of Development	Site Address	Decision
2006/1119	Erection of 141 dwellings and associated car parking	Refused	07.02.07
2008/1599	Erection of 50 dwellings and associated car parking	Approved	12.02.2009
2011/0693	Erection of 60 dwellings and associated car parking	Approved	08.12.2011
2013/0960	Residential development of 58 dwellings with associated garages/parking spaces, roads and sewers.	Approved	01.05.2015

The planning history related to site demonstrates that the remainder of this site will be surrounded on three sides by residential development. It also demonstrates that the Council has considered residential development to be acceptable in this area and therefore the remainder of the site is a logical extension of the development.

The previous refusal on the site related to the Council's and the Environmental Health Officer's concerns about the proximity of residential development to the waste water treatment works. However, more work has been carried out on this matter by the land owner and it has been concluded that much of the land is in fact developable and that there are no outstanding reasons why it cannot now be developed for housing.

4.2. Non Policy Designations

4.2.1. Other Statutory Planning Considerations

Non Policy Designation or Planning Consideration	Site Address / Proximity to the Site
Tree Preservation Orders	NA
Flood Risk Zone	Flood Zone 1
Other Ecology Designations	NA
Rights of Way (including PROW, bridleways etc.)	NA

5. Stakeholder Engagement Summary

5.1. Overview

An increased emphasis on the role of community involvement in the planning process was set out within the previous Government's publication of Planning Policy Statement 1: Delivering Sustainable Development (2005) which identified the role of early engagement as essential to good planning. The National Planning Policy Framework, 2012 (The Framework) now sets out the Government's approach to community consultation.

Whilst less prescriptive and detailed in its approach than PPS1, The Framework states that,

"[Local Planning Authorities] should also, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community before submitting their applications."

5.2. Engagement Objectives

In preparing the strategy for stakeholder engagement on the project, Spawforths and Gleeson's have had regard to the provisions of national and local policy guidance. Engagement has been undertaken with the local community to ensure effective involvement with all interested parties.

5.2.1. Environmental Impact Assessment (EIA) Screening Opinion request

Since the 6th April 2015, the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 ("the 2011 Regulations") have been amended. The Regulations (as amended 2015) now raise and amend the thresholds at which certain types of development project will need to be screened in order to determine whether an environmental impact assessment is required under the Directive. These changes are made having taken into account the selection criteria in Annex III to the Directive as adopted by the European Parliament and the Council of the European Union on 13th December 2011.

These changes now reduce the number of projects that have to be screened by local planning authorities.

In the case of urban development projects, the existing threshold of 0.5 hectares is raised and amended such that a project will need to be screened if—

- the development includes more than 1 hectare of development which is not dwelling house development; or
- the development includes more than 150 dwelling houses; or
- the area of the development exceeds 5 hectares.

Based on these amendments, the development proposals for 97 dwellings on this site no longer exceeds the new thresholds, therefore will not require an EIA.

5.3. Community Engagement

Gleeson Homes and Regeneration held a community event on Thursday 30th April at St Andrews Community Centre, Bolton on Dearne between the hours of 3 and 6pm. This event was proposed to ensure transparent and inclusive community involvement before the submission of the planning application. Local residents were invited to attend along with Local Councillors.

The public was invited to view the plans for the proposed development, learn more about the type of houses to be built and ask questions to the Gleeson representatives who attended the event. Each attendee was offered a leaflet summarising the proposals and asked to complete a questionnaire with five simple questions and an area to write comments. 13 questionnaires were completed.

For further detail, please see the Statement of Community Involvement Document prepared by Gleeson Homes and Regeneration which is submitted with this planning application.

6. Statutory Policy Context and Other Relevant Policies

The statutory Development Plan for Barnsley comprises the Barnsley Core Strategy (2011), the Barnsley Education Sites Development Plan Document (DPD) and the remaining saved planning policies in the Barnsley Unitary Development Plan (UDP) (2000), including the Proposals Map, adopted December 2000.

Section 38 of the Planning and Compulsory Purchase Act 2004, states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

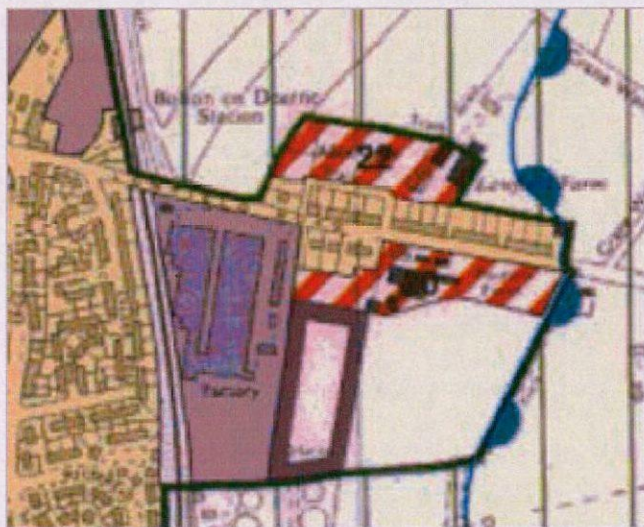
Consideration will also be necessary to the appropriate weight to be afforded to the development plan following the publication of the National Planning Policy Framework (The Framework). This is set out in detail in Section 7 of this report. The Framework (Appendix I) indicates that the policies within it have material weight from the day of its publication.

This section identifies the planning policies and other material considerations which are relevant to this proposal.

6.1. Statutory Development Plan

6.1.1. Barnsley Core Strategy (2011)

The Barnsley Core Strategy was adopted in 2011. The site is unallocated white land / is allocated as Safeguarded Land within the development limits of Bolton Upon Dearne as defined on the UDP Proposals Map.



Extract from Barnsley UDP adopted December 2000

The relevant Core Strategy and remaining Saved policies in the UDP relevant to this application are as follows:

Policy	Summary
Policy CSP 1	Climate Change
Policy CSP 2	Sustainable Construction
Policy CSP 4	Flood Risk
Policy CSP 5	Including Renewable Energy in Developments
Policy CSP 8	The Location of Growth
Policy CSP 9	The Number of New Homes to be Built
Policy CSP 10	The Distribution of New Homes
Policy CSP 14	Housing Mix and Efficient Use of Land
Policy CSP 15	Affordable Housing
Policy CSP 17	Housing Regeneration Areas

Policy CSP 25	New Development and Sustainable Travel
Policy CSP 26	New Development and Highway Improvement
Policy CSP 29	Design
Policy CSP 36	Biodiversity
Policy CSP 40	Pollution Control and Protection
Policy CSP 42	Infrastructure and Planning Obligations

6.2. National Planning Policy and Guidance

The publication of the National Planning Policy Framework (The Framework) on the 27 March 2012 replaced all previous Planning Policy Guidance Notes and Planning Policy Statements with a single policy document to set out the approach to planning at a national level.

All previous Planning Policy Statements and Planning Policy Guidance Notes were therefore superseded and replaced along with Circular 05/05 (Planning Obligations) and other guidance set out in Annex 3 (The Framework, 2012).

The Government produced the online resource of Planning Practice Guidance on 6 March 2014. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning practice guidance documents cancelled when the site was launched. The guidance is provided as an online resource such that it will be continually updated as necessary.

National Planning Policy Framework (The Framework)

The Framework is a key material consideration as the statement of national policy and should therefore be taken into account and given appropriate weight when assessing this application.

Adopted as an expression of national planning policy, The Framework sets out the presumption in favour of sustainable development and the Government's key objective to increase significantly the delivery of new homes. Where relevant policies are out of date,

for example where a five year housing land supply cannot be demonstrated, it states planning permission should be granted.

The key elements of The Framework relevant to the proposals are, in summary, as follows:

- Achieving sustainable development
- Building a strong, competitive economy
- Delivering a wide choice of high quality homes
- Decision-taking

It should also be noted that, with regard to the requirement for development plans to be compliant with The Framework, the Planning Inspectorate issued guidance to Inspectors on how emerging LDF policy documents might be brought into line with The Framework approach. This has been included in DPDs for a number of local planning authorities in the country. In the case of Wakefield, as an example, it constitutes a model policy for inclusion in "post-Framework" development plans and is worded as follows:

"When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or

- Specific policies in that Framework indicate that development should be restricted.”

National Planning Practice Guidance (PPG)

The PPG provides guidance to support the policies within The Framework, and in that sense does not provide additional policy but rather more detailed consideration of how policies within The Framework should be approached and met. The guidance covers all relevant planning policy areas under separate topics and will be updated online as and when required.

The PPG makes specific reference to five year housing land supply, under the sub heading “What is the starting point for the five year housing land supply”. The Planning Practice Guidance confirms that, *“Household projections published by the Department for Communities and Local Government should provide the starting point estimate of overall housing need.”* Nonetheless, it goes on to say that household projections are trend based and, *“do not attempt to predict the impact that future government policies, changing economic circumstances or other factors might have on demographic behavior.”*

Significantly, the Planning Practice Guidance cautions that,

“The household projection-based estimate of housing need may require adjustment to reflect factors affecting local demography and household formation rates which are not captured in past trends. For example, formation rates may have been suppressed historically by under-supply and worsening affordability of housing. As household projections do not reflect unmet housing need, local planning authorities should take a view based on available evidence of the extent to which household formation rates are or have been constrained by supply.” (Last updated: 06 03 2014 Reference ID: 2a-015-20140306).

The Planning Practice Guidance echoes the view expressed in the LGA / PAS Guidance Note and suggests that, *“Local planning authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible”* (Revision date: 06 03 2014 Related policy National Planning Policy Framework Paragraph 47 Paragraph: 036 Reference ID: 3-036-20140306).

Detailed assessment of the proposal against the relevant guidance within the PPG will be considered in chapter 7 of this report.

6.3. Other Relevant Policies

6.3.1. Other Relevant National Documents and Emerging Policy

Localism Act (November 2011)

The Localism Bill underwent its full Parliamentary process and was given Royal Assent in November 2011. The Act contains primary legislation and amendments to the existing legislation within the 1990 and 2004 Acts and most significantly, abolished the Regional Strategies in England and therefore this element was removed from the statutory development plan as currently defined within Section 38(3) of the Planning and Compulsory Purchase Act 2004.

Whilst, the Regional Strategies no longer form part of the statutory development plan, in some instances, they may have post-abolition weight if the Council has not produced a more up to date evidence base on which to base its development requirements.

Specific elements of the Act, including the New Homes Bonus, were brought into force on the 6 April 2012.

Ministerial Statement - Housing and Growth (6 September 2012)

The Ministerial Statement issued on 6 September 2012 announced new housing and planning measures designed to stimulate house-building and through this to support growth in the wider economy and deliver:

Up to 70,000 new homes, including affordable housing.
Fast-track the planning process for new development.
Extend opportunities for first-time buyers to get onto the housing ladder.
Support 140 000 jobs in the construction sector.
Support investment in new and existing homes.

This recent announcement on housing and growth is a major step forward for housing which will boost supply and provide a substantial stimulus for the economy, reinforcing the overarching policies within The Framework and asserting the Government's pro-growth agenda.

6.3.2. Emerging Local Policy

Barnsley Council is currently in the process of producing a composite Local Plan for Barnsley which will replace the Core Strategy and the UDP. Once adopted, this document, will be the statutory development plan for Barnsley.

It will consider the future use of all land within the borough including Barnsley Town Centre, and includes text previously set out in the Town Centre Area Action Plan. It will establish policies and proposals up to the year 2033 and will be used when considering planning applications and to coordinate investment decisions that affect the towns, villages and countryside of Barnsley.

Consultation on the Local Plan commenced in November 2014 and ended on the 11th January 2015. The Council are now considering the comments made during this consultation and the Council intend to publish their Publication Version in July 2015, with Examination in Public, February 2016 and adoption in Spring 2016.

The document seeks to identify sufficient sites to meet Barnsley's housing needs in the period 2014 to 2033. Policy HI indicates that,

"We will seek to achieve the completion of at least 20,330 net additional homes during the period 2014 to 2033. A minimum five year supply of deliverable sites will be maintained."

It is indicated that this provides an “*indicative annualised figure of 1070 [units] per annum*” which is suggested meet the Strategic Housing Market Assessment target of ‘around’ 1,100 units per annum. It identifies that, “*Allocating sites for the full 1,100 would lead to further Green Belt release.*”

The site is allocated in the emerging Local Policies Map, Consultation Draft as Safeguarded Land (SAF14) under Policy GB6 Safeguarded Land.

Given the stage in the process this Plan is at, little material weight should be applied to this document.

6.3.3. Relevant Local Supplementary Planning Documents and Evidence Base

Planning Advice Note 30- Sustainable Location of Housing Sites (Adopted July 2011)

PAN30 has been prepared by the Council as a Supplementary Planning Document (SPD). The PAN is a material consideration that carries weight in the determination of relevant planning applications.

The aim of PAN30 is to promote the development of sustainable, deliverable housing sites consistent with national planning policy. The objective is to focus new housing development within the main settlements in the Borough and to ensure new development takes place in sustainable locations within them.

Designing New Housing Development (Adopted March 2012)

This Document primarily supplements policy CSP 29 Design of the LDF Core Strategy and sets out the principles that will apply to the consideration of planning applications for new housing development.

Open Space Provision on New Housing Development (Adopted March 2012)

This SPD offers guidance to developers considering submitting a planning application for residential development on what will be expected in terms of open space provision. This advice note supplements Policy CSP35 of the Core Strategy.

Parking (Adopted March 2012)

This SPD supplements Core Strategy policy CSP 25 New Development and Sustainable Travel. The SPD sets out parking standards for broad categories of development and includes the threshold to which they will be applied.

Strategic Housing Land Availability Assessment, Peter Brett Associates (2013)

The SHLAA is a key piece of the evidence base that will underpin the emerging Barnsley Local Plan. The assessment's purpose is to review the land supply for housing in the borough in relation to the requirement for housing as set out in the adopted Core Strategy in order to ascertain the Council's supply of deliverable and developable housing land over the forthcoming 5-10- and 15-year periods from a base date of 1 April 2012.

The SHLAA study, which covers the entire area within the administrative boundary of Barnsley Council, has been undertaken in full compliance with the National Planning Policy Framework ('NPPF') of March 2012, and the DCLG's SHLAA Practice Guidance of July 20074. As required by these documents, the Council have assessed whether each identified site is 'deliverable' (i.e. available now, suitable and achievable), 'developable', or not currently 'developable'5.

Strategic Housing Market Assessment (SHMA) Update, Arc4 2014

The SHMA Update provides the latest available evidence to help to shape the future planning and housing policies in the Barnsley area. The study updates the 2013 SHMA. The update will help inform the production of the emerging Local Plan and Housing Strategies. The research provides an up-to-date analysis of the social, economic, housing and demographic situation across the area. In particular, the 2014 update considers the housing market area of Barnsley, objectively assessed housing need and duty to co-operate matters.

In conclusion Barnsley can be described as a self-contained housing market on the basis of migration, but it should be acknowledged that Barnsley Metropolitan Borough (MB) is part of the wider functional economic areas of both the Leeds, but in particular the Sheffield city-region areas.

The objectively assessed housing need figure for Barnsley MB is around 1,100. The 1,100 target represents an ambitious and aspirational figure which addresses housing need, supports economic growth ambitions and can be broadly supported by land identified in the

SHLAA. It is also assumed that the 1,100 target addresses any backlog in demand as it uses a baseline household figure based on the current demographic situation in Barnsley MB.

Analysis of general market supply and demand suggests that demand exceeds supply across all sub-areas and:

- There are overall shortfalls of detached and semi-detached houses and bungalows, but sufficient supply of terraced houses and flats;
- There are shortfalls of all property sizes.

Future development should focus on delivering to address identified shortfalls and reflect household aspirations.

In terms of affordable housing, an annual net shortfall of 295 affordable dwellings has been calculated (gross requirement of 535). A tenure split of 78.8% affordable (social) rented and 21.2% intermediate tenure is suggested.

Growing Barnsley's Economy 2012-2033

This report was produced for the Council and approved by Cabinet on 6 June 2012. The report sets out proposals for economic growth linked in part to the Economic Investment Plan (2012/3-2016/7). The report was produced after adoption of the Core Strategy. The report states that "Housing plays a key role in both stimulating and supporting economic growth". It notes the need for greater housing mix and "increasing the breadth of housing supply". It refers to a need in the Sites and Places DPD for the Council to work with private developers to achieve the requisite housing mix to meet the future housing needs of the Borough. It suggests that this may include a review of the Green Belt (this has indeed been subsequently undertaken).

Five Year Housing Land Supply

The Council has recently confirmed that they do not have a five year supply in the Barnsley Five Year 'Deliverable' Housing Land Supply Report April 2012-March 2017 (October 2013). This was produced approximately two years after an Inquiry in respect of a proposed housing site in Mapplewell¹ (detailed in the separate five year housing land assessment report) found that the Council had failed to demonstrate a five year supply of deliverable housing sites.

Whilst the latest housing supply report is approximately one year old, the assessment considered the period from April 2012, some two and a half years ago. It is therefore important to now revisit the five year supply in order to secure an up-to-date and robust evidence base in respect of the housing supply position in Barnsley. Spawforths have prepared a separate assessment of the Council's five year housing land supply which will provide evidence to demonstrate and reaffirm that Barnsley Metropolitan Borough Council (BMBC) does not have a five year supply of available housing land. This will be summarized in Section 7 of this report.

There are also a number of appeal decisions which have been issued since the publication of the Framework which have established pertinent precedents and conclusions. It is important to establish these matters as they will set the context for considering the approach to housing supply which should be applied in considering whether a five year supply of deliverable sites has been demonstrated by the local planning authority. This is assessed in detail in the separate five year housing land assessment report.

¹ PINS Ref: APP/R4408/A/10/2138041: Former North Gawber Colliery and CISWO Sports Pitch, Carr Green Lane and Spark Lane, Mapplewell, Barnsley allowed by SoS Call-in letter dated 18.1.2012 in line with recommendations contained within the Planning Inspector's report dated 24.11.2011

7. Reasoned Justification for Proposed Development

7.1. The Planning Context

The statutory development plan for the consideration of this application comprises the Barnsley Core Strategy adopted September 2011, the Barnsley Education Sites Development Plan Document (DPD), and the remaining saved policies of the Unitary Development Plan and Proposals Map.

The publication of The Framework also plays a significant role in terms of the relevant policies pertinent to the consideration of this application. The Framework constitutes the complete statement of the Government's Planning Policy, replacing all previous PPG and PPS and Circular 05/05. It came into effect immediately on its publication on 27th March 2012 and therefore its policies all have material weight.

The adopted Framework indicates that Development Plans which have been adopted post-2004 (but prior to the publication of The Framework) should carry weight in relation to Section 38(6) of the 2004 Act in terms of their compliance with the policies within The Framework. Where Local Plan policies pre-date the publication of The Framework, the national policy will hold sway in any conflict, whilst post-Framework development plans and policies will be afforded their full weight under the plan-led presumption so long as none of the policies therein are absent, silent or out-of-date (such as an absence of a five year housing supply).

In this context, it is considered therefore that the Core Strategy carries weight in terms of the plan-led presumption established within Section 38 of the 2004 Act and the approach set out within the NPPF. The recent appeal decision in respect of UK COAL PLC at the Former North Gawber Colliery, 18 January 2012, however demonstrates that the Council's housing policies contained within the Core Strategy are out of date and as such the NPPF holds significant weight and the presumption in favour of residential development applies. The remaining saved policies of the UDP (2000) do continue to be part of the statutory development plan, since the legislative basis for the definition of the plan cannot be altered by the publication of policy. However much of the policies in the UDP now carry limited weight and precedence should be given to the relevant policies of the NPPF. This is in the

case where policies are not consistent with the NPPF, a "pre-2004 Act Plan" would effectively be overruled by the new NPPF policies.

Within this overarching policy framework, the evaluation of the application proposals is now considered against the following issues:

- Principle of Development
- Design and Heritage
- Highways and Transportation
- Environmental Issues
- S106 Obligations
- Conformity with the Development Plan

7.2. Principle of Development

To address the acceptability of the principle of development on this site, it is necessary to consider the key issues and impacts of the proposals, the conformity of the proposals with the development plan and any other relevant material considerations.

The proposals have evolved taking account of national planning policy and guidance and the adopted development plan for Barnsley. The principle of development has been considered in the context of the statutory development plan, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and also the policies within the NPPF.

7.2.1. Suitability of Site for Housing

The proposals comprise the redevelopment of this greenfield land for high quality residential development. The establishment of the suitability of the site for residential development has taken account of the following issues:

- Housing Need
- Economic Imperative
- Regeneration

The starting point for consideration of this application proposal should be the development plan.

The greenfield site is allocated as Safeguarded Land identified on unallocated white land within the development limits of Bolton Upon Dearne as defined on the UDP Proposals Map. It forms a natural extension to the urban area and represents a further phase of development to the adjacent residential sites, both now granted permission and owned by Gleeson Homes Ltd. Phase 1 comprising 50 dwellings granted planning permission in 2009 has commenced on site and Phase 2 has also secured planning permission.

Application Ref.	Description of Development	Site Address	Decision
2006/1119	Erection of 141 dwellings and associated car parking	Refused	07.02.07
2008/1599	Erection of 50 dwellings and associated car parking	Approved	12.02.2009
2011/0693	Erection of 60 dwellings and associated car parking	Approved	08.12.2011
2013/0960	Residential development of 58 dwellings with associated garages/parking spaces, roads and sewers.	Approved	01.05.2015

Housing Need, Delivery and Supply

The key approach to housing at a national level is now set out in the NPPF. The NPPF sets out a number of specific approaches which it outlines as necessary to "boost significantly the supply of housing" (para. 47, NPPF, 2012)

The increase in delivery of homes therefore is a fundamental objective of the Government, and it is expected that this approach should be reflected across the country in terms of individual Local Planning Authorities' approach to housing provision in development and also in consideration of individual planning applications.

An evidence based approach is fundamental in ensuring that housing supply is both increased and meets the housing requirement for a particular area. This evidence base is delivered

through the development of Strategic Housing Land Availability Assessments (SHLAA) and Strategic Housing Market Assessments (SHMA), which remain from the previous policy context. This again is reflective of previous policy and guidance and seeks not only to identify suitable locations for housing development, but sites which are deliverable (in the following five years) or at least developable (in the longer term). This means that sites which are evidently capable of delivering housing numbers, and which are located in suitable sustainable locations, should be considered favourably, and in terms of planning applications, the NPPF specifically states,

" Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.." (para. 49, NPPF, 2012)

The spatial development strategy set out in Core Strategy Policy (CSP) 8 'Location of Growth' identifies the settlement hierarchy and locations and CSP 10 'The Distribution of New Homes' identifies scale and distribution of where most new housing development will occur in the district. Policy CSP 9 also identifies the new homes to be built, which confirms the Council is seeking to achieve completion of at least 21500 net additional homes between 2008 to 2026 and importantly a minimum five year supply of deliverable sites should always be maintained.

The spatial development strategy set out in Policy CSP 8 confirms that priority will be given to development in the urban area of Barnsley and the principal towns, including the Dearne Towns, comprising Bolton Upon Dearne. The Spatial Portrait of the Borough set out in Section 7 of the Core Strategy states that the Dearne Towns are a priority in terms of housing and employment development with a particular emphasis on renewing areas where the market has failed through the HMR Pathfinder initiative.

Whilst this site is identified as safeguarded land in the adopted proposals map, it is within the defined development limits illustrated by the spatial form of the town, which extends to properties on Crane Well View and the private lane leading to Lowfield Lodge, which would confirm that the site is contained within the urban area. This land is a natural infill site and development of new homes on this site would effectively round off the settlement in this area.

One of the key aims of the adopted and emerging Local Plan is to ensure that new development takes place at an appropriate scale in the most sustainable locations in line with the Core Strategy's spatial strategy and settlement hierarchy and to support sustainable economic growth in both the Leeds and Sheffield City Regions.

Whilst the proposals for residential development in this location are on greenfield land, the proposals conform with the settlement hierarchy (Policies CSP8, CSP9 and CSP10) which directs new development to the principal town of Bolton Upon Dearne.

Whilst the Council recognise the relationship this site has with the urban area and have sought to allocate this land as Safeguarded Land (SAF14) under Policy GB6 Safeguarded Land of the emerging Draft Local Plan, we consider that this site can be made available now for residential development and should not be safeguarded land.

It is ideally placed to accommodate some of the new homes to be delivered in this area identified in Policy CSP10.

Emerging Local Plan Policy LG2 also directs growth to Principal Towns, which include Bolton Upon Dearne as part of the Dearne Towns. Draft Local Plan Policy H1 sets a target of at least 20,330 net additional homes during the plan period 2014 to 2013. Draft Local Plan Policy H2 Distribution of New Homes identifies approximately 3,008 of these new homes will be delivered in Goldthorpe and Dearne Towns (14% of the overall supply).

The Draft Local Plan confirms that the Council will need to release land from the Green Belt to accommodate housing and employment needs and are now considering the suitability of Green Belt sites for residential development, given they need to take out around 190 hectares of land for housing and a further 70 hectares of land to be safeguarded to meet longer term needs beyond the plan period. Although positive steps are being taken to provide land for more housing sites within the Borough we consider that the delivery of this site for housing now will reduce the extent of Green Belt release to meet the Borough's future housing needs.

The continued allocation of this site as safeguarded land has not taken into consideration the requirements of the NPPF to deliver homes in the most sustainable urban locations. This site is in a highly sustainable location. Despite this, the Council appear to have the

concentrated housing allocations in the more northern extent of the settlement, which are not as close to existing rail services.

Although the site is greenfield, a housing development on this site would utilise and enhance the existing infrastructure. The NPPF encourages the use of previously developed land but it does not contain a priority or sequential approach towards developing previously used land first. The NPPF therefore does not predicate the development of greenfield sites.

Adding further weight to the need for this site to be delivered for housing now is the Council's current failure to demonstrate a supply of deliverable housing sites to provide five years' worth of housing against the Borough's housing requirement. The Council's position in this respect is confirmed in the Barnsley Five Year 'Deliverable' Housing Land Supply Report April 2012 – March 2017 Report, prepared in October 2013. In this situation the NPPF is clear, at paragraph 49, that relevant policies for the supply of housing in the adopted development plan should not be considered up to date. Paragraph 4.2 of the Five Year Housing Land Supply Report actually recognises that, as a result of its failure to demonstrate a five year supply, applications for residential planning permission in the Borough (including proposals on UDP Safeguarded land and the UDP Urban Land to Remain Undeveloped allocations), where it can be demonstrated that they are in a sustainable location, will now be determined in line with the NPPF Presumption in Favour of Sustainable Development (paragraph 14 of the NPPF), relevant development plan policies and any other material considerations.

The separate Five Year Housing Land Supply Assessment scrutinizes the Council's five year supply in detail. In summary Spawforths assessment of the five year supply confirms that there is a very substantial shortfall in the supply of available housing land in Barnsley and that unless a significant rate of approval and then delivery of sites is undertaken, the Council will fall further behind and the deliverable housing supply will reduce further.

It is clear that the Council now has an undersupply in the CS Plan period from 2008 to present. The question is whether it presents a persistent history of undersupply warranting a 20% buffer.

Spawforths have undertaken their own assessment and have undertaken calculations based on three different scenarios as follows:

- Scenario A – Housing Requirement based on the Council's Core Strategy 'Soft Start' and with 20% Buffer and Undersupply for five years (April 2010-March 2015) addressed
- Scenario B - Housing Requirement based on the average Council Core Strategy requirement and with 5% Buffer and Undersupply addressed for five years (April 2010-March 2015)
- Scenario C - Housing Requirement based on the average Council Core Strategy requirement and with 20% Buffer and Undersupply addressed for five years (April 2010-March 2015)

There remains a level of contention as to whether a 5% or 20% buffer should be applied. It is our position that it should indeed apply given what is clearly a number of years of persistent undersupply. The Council's position is only taken as the targets were reduced in the Core Strategy to reflect the level of supply and not that this was reflective of an unhealthy housing market.

However, regardless of what buffer should be applied, it is evident that Barnsley cannot demonstrate a 5 year supply of deliverable housing sites based on their approach (equating to 2.09 years supply) and our three scenarios which mean that the supply equates to 1.83 (Scenario A), 1.95 (Scenario B) or 1.70 (Scenario C) years' supply.

Since the Council cannot demonstrate a five year supply of housing land its housing policies contained in the Core Strategy are out of date and the presumption in favour of sustainable development outlined in paragraph 14 of the Framework, is triggered, planning permission should be granted for the application proposals unless adverse impacts would "significantly and demonstrably" outweigh the benefits of doing so. The housing policies of the Core Strategy are clearly out of date regardless of the 5 year housing land calculations and the terms of paragraph 49 of the Framework.

Housing Mix and Density

Core Strategy Policy CSP 14 establishes the requirement for the provision of a mix of housing contributing to mixed and balanced communities, providing a mix of dwelling types, size and affordability. We consider the site to be most suited to a mix of two, three and four bed semi-detached and detached houses

The NPPF states that a wide choice of high quality homes should be delivered, and that local authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.

The SHMA indicates that in terms of the mix and demand for housing in Bolton Upon Dearne, there is particular need and demand for two and four bed houses which make up 71% of the proposed mix on the proposed scheme. In view of addressing the demographics and household formation patterns, the Assessment recommends a need for two bed units for affordable housing.

Core Strategy Policy CSP 15 expects affordable housing to be provided on suitable sites to meet local needs. Policy CSP 15 establishes that on sites above 15 or more dwellings, 25 percent affordable housing should be provided on the application site, unless it can be demonstrated through a viability assessment that the required figure would render the scheme unviable. The separate viability assessment demonstrates that provision of affordable housing on site will render the scheme unviable.

The site is approximately 2.63 hectares in size and proposes to develop 97 dwellings. In the context of Core Strategy Policy CSP14 the density of the proposed scheme is wholly appropriate. The design of the proposed development has been led by the individual characteristics of the site. The setting of the site, nature and character of the surrounding areas and adjoining housing, local need for family housing coupled with the topography of the site means that the density proposed is justified.

On this basis, it is considered that this density of development is not only reflective of the character of the area but also satisfies this requirement by providing an appropriate urban form which makes the best use of land in accordance with Core Strategy policy CSP14

Summary

This confirms that residential applications on this safeguarded land should be considered now, in line with the NPPF presumption in favour of sustainable development, in order to meet the Borough's housing requirement. This report has demonstrated that this site is in a sustainable location and that there are no adverse impacts which would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework. It is only logical that safeguarded land should be made available now in order to meet the Borough's housing requirement.

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There remains a level of contention as to whether a 5% or 20% buffer should be applied. It is our position that it should indeed apply given what is clearly a number of years of persistent undersupply. The Council's position is only taken as the targets were reduced in the Core Strategy to reflect the level of supply and not that this was reflective of an unhealthy housing market.

However, regardless of what buffer should be applied, it is evident that Barnsley cannot demonstrate a 5 year supply of deliverable housing sites based on their approach (equating to 2.09 years supply) and our three scenarios which mean that the supply equates to 1.83 (Scenario A), 1.95 (Scenario B) or 1.70 (Scenario C) years' supply.

Since the Council cannot demonstrate a five year supply of housing land its housing policies contained in the Core Strategy are out of date and the presumption in favour of sustainable development outlined in paragraph 14 of the Framework, is triggered, planning permission should be granted for the application proposals unless adverse impacts would "significantly and demonstrably" outweigh the benefits of doing so. The housing policies of the Core Strategy are clearly out of date regardless of the 5 year housing land calculations and the terms of paragraph 49 of the Framework.

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The site is approximately 2.63 hectares in size and proposes to develop 97 dwellings. In the context of Core Strategy Policy CSP14 the density of the proposed scheme is wholly appropriate. The design of the proposed development has been led by the individual characteristics of the site. The setting of the site, nature and character of the surrounding areas and adjoining housing, local need for family housing coupled with the topography of the site means that the density proposed is justified.

On this basis, it is considered that this density of development is not only reflective of the character of the area but also satisfies this requirement by providing an appropriate urban form which makes the best use of land in accordance with Core Strategy policy CSP14

Summary

This confirms that residential applications on this safeguarded land should be considered now, in line with the NPPF presumption in favour of sustainable development, in order to meet the Borough's housing requirement. This report has demonstrated that this site is in a sustainable location and that there are no adverse impacts which would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework. It is only logical that safeguarded land should be made available now in order to meet the Borough's housing requirement.

7.2.2. Economic Imperative

Development of the site for residential end use will have a positive impact on the area in economic terms. The development of new housing will bring local benefits and aid social cohesion. The proposal will provide high quality dwellings in a sustainable location. It is

expected that the proposal could attract new residents to Bolton Upon Dearne as well as movement of existing residents within Bolton Upon Dearne. The new residents would help generate additional expenditure within the local economy through spending in local shops and services, and more widely in the Barnsley area.

The proposed development is expected to generate a series of direct and non-direct job opportunities to the local community. During the construction phase it is expected that the majority of employment effects would arise through the creation of temporary construction jobs associated with the expenditure incurred in constructing the residential accommodation. This could include construction of site infrastructure and residential units. The main source of construction spend will relate directly to the provision of the new residential dwellings.

In addition, with regard to indirect employment, the creation of additional households would create additional demand for local services which would have a positive impact on the employment of additional staff by existing businesses in the locality. Additionally, the subsequent maintenance of the public and semi-private areas of landscaping and open space will create a requirement for landscape maintenance operators.

Residential development in this location will lead to direct investment into this area, as well as additional employment and increased household expenditure within the locality. An opportunity for investment would be a significant benefit to Bolton Upon Dearne with the majority of resultant beneficial impacts being felt at a local level.

The NPPF is driven by the need to deliver sustainable development supported by economic, social and environmental roles for the planning system. At the heart of this approach is the presumption in favour of sustainable development which is driven by a commitment to support growth.

"The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning must operate to encourage and not act as an impediment to sustainable growth. Therefore, significant weight should be placed on the need to support economic growth through the planning system." (para. 19, NPPF, 2012)

The redevelopment of the site for housing provides an important opportunity to contribute to securing a sustainable long-term future for the settlement and, as such, in an economic context the presumption should be in favour of support of the proposed development.

The Ministerial Statement "Planning for Growth" provided advance notice of the Government's commitment to streamline the planning system and reduce bureaucracy to an end of supporting economic development. In that sense, the planning system is encouraged to support new economic development and business rather than act as an impediment to development proposals. Whilst the credentials and policy considerations in relation to a residential development of this scale should not be ignored, it is clear that the economic imperative of the proposed development is a significant one, which accords both with the Government's priority to get the economy growing and the general thrust and approach to new development confirmed in the NPPF.

The delivery of new homes within Bolton Upon Dearne will also assist in achieving the level of housing need required within the area and wider area. In addition the New Homes Bonus sets out how the Government proposes to reward Councils and Communities for the new homes built in their areas and to support bringing empty homes back into use. The New Homes Bonus provides authorities with real incentive to deliver housing growth.

7.2.3. Regeneration

In terms of regeneration, the redevelopment of this site represents a significant opportunity to continue the regeneration of this part of the town which has suffered from decay and complement the earlier phases of residential development in this location, providing a natural extension and defined boundary to the urban area. Redevelopment of the site for residential use therefore represents a significant opportunity to consolidate existing residential development proposals in this location alongside the other economic benefits which the land use proposals will bring.

The NPPF places regeneration high on its agenda in terms of "Building a strong, competitive economy" and the support for economic development. This indicates that priority areas for regeneration should be identified, and states that authorities should,

" - identify priority areas for economic regeneration, infrastructure provision and environmental enhancement;"

(para. 21, NPPF, 2012)

In addition, the adopted Core Strategy, which sets the key strategic policies and approaches for the Borough, places regeneration at the heart of the strategy and many of the key policies. In particular, the paragraph 7.33 of the Spatial Portrait states.

“We want to regenerate and enhance the Dearne Towns which have suffered since the end of the coalmining industry, and are doing so through major regeneration schemes and master planning. We will plan for the towns of Goldthorpe, Thurnscoe and Bolton on Dearne together but will ensure that they retain their own unique identities at the heart of the Dearne Valley Eco-vision”.

Within this context, the regeneration of the site represents a significant opportunity for not only economic benefits but also in relation to social and environmental benefits to the locality. At this time, this agricultural land, on the cusp of the urban area, classified as Grade 3 good – moderate agricultural land, plays no positive role in terms of its environmental impact in the area, whilst it remains largely inaccessible and therefore neither does it contribute in social terms within the community.

Regeneration and redevelopment of the site is consistent with Policy CSP 17 which identifies Bolton Upon Dearne as an area of low housing demand which the Council will support a range of housing market regeneration programmes aimed at the renewal of poor housing and the revitalization of the neighbourhoods and communities.

From a regeneration basis there is a clear and significant physical, social and economic regeneration benefit resulting from the proposed redevelopment of this site consolidating and expanding the adjacent residential site, formerly an established employment site.

In summary, it can be demonstrated that the application proposals would contribute to the following regeneration benefits to the immediate locality, Bolton-upon-Deerne and the surrounding area:-

- Former employment site regeneration and remediation
- Employment Creation
- Housing Benefits
- Sustainable development
- Amenity and Recreational Improvements
- Off Site Highways Benefits

- Environmental Benefits

We have demonstrated that the development can deliver significant regeneration benefits within the policy framework set by the adopted Core Strategy and emerging Local Plan.

The regeneration opportunity and consequential benefits represent significant material considerations that weigh in favour of the proposed development of this site. Such benefits are therefore entirely consistent with the objectives of local and national planning policy.

7.2.4. Summary

The principle of development in this case seeks to establish whether the proposed land uses and general quantum of development are acceptable in planning terms.

Paragraphs 47-55 of the NPPF identify a number of key considerations which should be applied to the determination of planning applications for housing. We consider these are met by the proposal.

The NPPF recognises the LPA's should be responsive to local circumstances and plan housing to reflect housing needs. On this basis we consider that the comprehensive development of this site, within this location is capable of delivering a suitable form, mix and type of housing.

Whilst proposals on this site will lead to development on greenfield land, we have also considered the application against the policy framework in the Core Strategy, emerging Local Plan and NPPF. It performs well against this policy framework. We consider that the proposals are within the development limits of a Principal town identified for housing growth, it will provide a natural infill and rounding off the urban area, it meets an identified housing need and will contribute towards meeting the Council's five year housing land supply which is currently deficient.

The framework does not preclude development on greenfield land on the edge of settlements; therefore we have considered the presumption in favour of sustainable development and whether the adverse impacts of this development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole. We consider that the benefits of delivering housing (based on the housing need case advocated in the preceding section) and the redevelopment of this site with the

community, environment and employment benefits realised by this proposal outweigh any development of greenfield land in this instance. These considerations referred to in this Section should weigh in favour of this application.

It is therefore considered that the principle of development is acceptable in this case and that therefore the broad indications in terms of land use and quantum of development should be considered appropriate in this location.

7.3. Delivering Sustainable Development

Sustainable Development underpins the planning system and is a central theme running throughout national planning policy and guidance. The NPPF identifies the presumption in favour of sustainable development and that local plans and individual development proposals should be brought forward on this basis. Local Plans should be prepared in accordance with the NPPF and where either absent or silent in relation to specific development, applications which can demonstrate that they represent sustainable development consistent with the NPPF should be granted.

In this context, a key assessment when considering new development proposals in this context is that of the sustainability of the site.

We have considered the proposals in the context of the key elements of sustainability under the general three broader headings of economic, environmental and social sustainability.

Sustainability in a planning context as set out within the NPPF includes:

- An economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation, including the provision of infrastructure.
- A social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present, and future generations; and by creating a high quality built environment, with accessible local services that reflect the communities needs and support its health, social ,and cultural well-being; and

- An environmental role – contributing to protecting and enhancing our natural, built, and historic environment; and, as part of this, helping to improved biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

Source: National Planning Policy Framework Proposed (March 2012)

The Adopted Barnsley Core Strategy identifies the places where most development should take place and those where development ought to be limited, in order to create sustainable communities. Policy CS4 states that development will be located in accordance with the spatial development strategy so that the need to travel is reduced and essential travel needs can be met by the use of transport modes other than the car.

Barnsley Core Strategy provides a broad spatial framework to meet local needs in sustainable locations. Policy CSP 8 relates to the location of development and identifies that most new development, will take place in urban areas taking advantage of existing services and high levels of accessibility, with the larger amount located in Barnsley urban area, and focused on the principal towns including Dearne Towns (Bolton Upon Dearne).

The site is located in close proximity to bus services. Essential services and facilities are located in Bolton Upon Dearne, including local shops, and schools, demonstrating that a range of businesses, shops and schools are also located within a short catchment area of the site.

It is important to recognise that accessibility by transport modes other than the car is only one dimension of sustainability, it is not the only factor and should be weighed in balance with other considerations.

The Three Dimensions of Sustainability

The proposals will enhance the sustainability of the site and its locality by providing additional housing and enhanced accessibility.

By enhancing the sustainability of the site we consider that the application proposals meet the three joint dimensions of sustainability identified in the NPPF. The proposals will ensure the delivery of sufficient land of the right type, at the right time to the support growth and housing needs which are clearly identified in the SHMA.

In terms of the three dimensions to sustainable development in the NPPF, we consider that the delivery of housing on this site is a contributor to economic growth through construction jobs but also through the relocation of existing uses to more appropriate facilities on the larger retained employment site, thereby securing the future of this larger site. The application proposals will fulfill a social role by delivering high quality housing to meet current and future needs, which will satisfy both social and economic roles identified in the NPPF, addressing issues of under delivery and contributing towards much needed affordable housing.

We consider that the proposal represents sustainable development, based on the economic, social and environmental enhancements that would result from development. On this basis, it is considered that the benefits of the proposed development will enhance the sustainability of the site overall.

These are all matters which should weigh in favour of the proposals and outweigh other matters. On this basis it is considered on balance that the proposal represents sustainable development in line with the NPPF.

7.4. Design and Built Heritage

The recently adopted NPPF now contains all relevant national planning policies with respect to design. Within para. 114-123 of the NPPF there is specific attention paid to the role and requirement for high quality design within new development proposals. The document specifically states,

"Good design is indivisible from good planning and should contribute positively to making places better for people. The Government's objective for the planning system is to promote good design that ensures attractive, usable and durable places. This is a key element in achieving sustainable development."

The plans submitted with this application, have sought to respond to principles of good design through not only an aesthetic approach but through considerations of *"connections between people and places and the integration of new development into the natural, built and historic environment"* (para.119).

The proposed scheme will provide a development of 97 residential properties, designed on behalf of the housing developer and, as such, designed and built to their specification. The properties are designed for their identified market in which the developer is active within, and consequently these are properties which are reflective of the house types and styles prevalent within this area.

The design approach and rationale for this scheme is contained within the Design and Access Statement which is submitted with the application and prepared by the appointed Architect.

In terms of policy, the Core Strategy emphasizes the need for high quality design throughout the document whilst Policy CSP 29 and the adopted SPD: Designing New Housing Development specifically deals with design, layout and sustainable construction. As detailed within the Design and Access Statement, it is considered that the scheme would meet the requirements of this policy and the SPD, responding to local features, character and landscape and would have no negative or detrimental effects on the neighbouring area or amenities and the proposals would respond positively to the site context and surroundings.

It is considered that the proposal accords with the relevant design policies within the Development Plan, namely Core Strategy Policies CSP29 and adopted SPD: Designing New Housing Development.

7.5. Highways and Transportation

Westgate Consulting (Leeds) Ltd have undertaken a Transport Assessment which forms part of the planning application.

In 2008, outline application no. 1599 was approved to develop an adjacent plot of land. The approval also included a detailed priority junction access onto Lowfield Road.

In 2011, detailed application no. 11/0963 was granted for some 60 residential units on the same plot of land as 08/1599 to be served by way of the same previously approved access onto Lowfield Road. This development is currently under construction. Off site, the development includes widening the footway on the far side of Lowfield Road on the length from the site access to the railway bridge to achieve a uniform width of 2.0m. This work will be undertaken prior to completion of Phase 1 and prior to starting Phase 2

In 2015, detailed application no. 13/0960 was approved for some 59 residential units on the adjacent plot of land, again including a mix of two, three and four bedroom houses, with access by way of the 11/0963 site. The permission is subject to a Section 106 agreement concerning a financial contribution to a LHA/Network Rail improvement scheme at the nearby railway bridge.

This proposed development will form an extension to the approved schemes with access onto Lowfield Road by way of the arrangements permitted as part of 11/0963.

This Transport Assessment has considered the transport implications of the proposals to achieve a sustainable development. Based upon locally determined traffic generation rates and guidance given in the Department for Transport (DfT) publication 'Guidance on Transport Assessment', March 2007, it has considered the access arrangements and likely transport impact on the surrounding highway network. It has concluded that it will continue to operate in a satisfactory manner, with and without the development and therefore there is no need to introduce further off-site mitigation measures.

It can be concluded therefore that there are no highways or transportation reasons which should prevent the proposed development being granted planning consent.

Travel Plan Services Ltd (TPS) has been commissioned by Gleeson Homes to complete a Travel Plan relating to the third phase of residential development, subject of this application at Lowfield Park, Bolton upon Dearne.

Given the extensive travel plan programme already in place in respect of the first two phases of development already granted planning permission, the Travel Plan Addendum submitted with this application is essentially an extension of the current arrangements and commitment and should be considered in the context of the formal Travel Plan strategy that was developed in conjunction with, and approved by, the Travel Plan Officer at Barnsley Metropolitan Borough Council (BMBC).

Given that a Travel Plan is already in the process of being implemented at Phases I and II of Lowfield Park development already granted permission, it is therefore appropriate to summarise the actions that have already been undertaken, and those which will also be applied to the third phase of the scheme, subject of this application.

Gleeson Homes & Regeneration appointed a TPC for Lowfield Park Phases I and II. All prospective and confirmed future residents will be provided with a copy of the Lowfield Park Travel Information Pack. Gleeson Homes have also provided the infrastructure to improve the southern side of Lowfield Road to provide better access for pedestrians towards the station and centre of the village.

As part of the Travel Plan for Phases I and II, specific targets were included that should be achieved within four years of full occupation, which are shown below:

- T1 Reduction in total number of cars accessing the site during peak hours by 10%
- T2 No more than 50% of peak hour two-way trips single occupancy car journeys
- T3 14% of peak hour journeys by public transport
- T4 4% of peak hour journeys by cycle
- T5 18% of peak hour journeys on foot

Responsibility for ensuring the existing travel plan programme is extended across all three phases of development will be assigned to the existing travel plan coordinators at the site, Travel Plan Services Ltd.

The Phase III Travel Plan outlines the local sustainable travel options for the third phase of residential development at Lowfield Park, and highlights the ways that the developer will seek to promote these options to residents.

One of the key measures is the continuation of the role of Travel Plan Coordinator for Lowfield Park, who will ensure that this work is completed in a timely fashion, and will be able to use up to date best practice for implementing the measures.

Regular monitoring has been established, which began in in summer 2013 as agreed in the original travel plan, which will help to inform the TPC of the successes and failings of any extant measures, ensuring that the travel plan for the development is suitable for purpose and relevant to the residents who live there. The progress of the TP and the outcome of monitoring will be shared with the Travel Planning team at Barnsley Metropolitan Borough Council.

7.6. Environmental Issues

7.6.1. Odour

SLR has undertaken an Odour Constraints Assessment of identified sources of odour from the Bolton on Dearne Waste Water Treatment Works (WwTW). Odour emissions from the WwTW were measured during an odour monitoring survey undertaken by SLR personnel, with subsequent analysis by dynamic olfactometry undertaken by Silsoe Odours. A number of worst-case scenario assumptions were considered during the dispersion modelling in order to provide a robust assessment.

Dispersion modelling of emissions from the standard operation of the Bolton on Dearne WwTW illustrates those areas of the proposed Gleeson development sites (Site Area A (Phase 2) and Site B (subject of this application - Phase 3)) which are not exposed to levels above the impact criterion, i.e. in excess of C98, 1-hour 5.0ouE/m³. The use of the C98, 1-hour 5.0ouE/m³ assessment criterion accords with:

- the recommendations of the CIWEM; and
- the level which was accepted by a Planning Inspector at the Newbiggin-by-the-Sea, Leighton Linlade and Haverhill public enquiries where circumstances were very similar.

On the basis of this Odour Constraints Assessment, and reference to the Air Quality Drawings contained with the Assessment for an illustration of geomean modelled odour, it is considered that those locations of Site A and Site B detailed on the drawings within the Assessment, the outside of the predicted C98, 1-hour 5.0ouE/m³ exposure criteria are sufficient to ensure the amenity of residents of the Gleeson development would not be witness to any significant detrimental impact.

7.6.2. Ground Conditions

Eastwood and Partners have undertaken a Geotechnical and Geo-Environmental Site Investigation Report in December 2014. In summary, this confirms no made ground was encountered on site. No contamination was encountered on any of the material tested from the site as part of intrusive works and laboratory analysis. The site is in an area where no radon protections are required for new dwellings. The Coal Authority report states that

the site is within the likely zone of influence from workings in five seams of coal at 220m to 690m depth and last worked in 1972. Any ground movement from these workings should now have stopped. The site is not within the likely zone of any present or future underground coal workings. There are also no recorded mine shafts or entries within 20m of the site boundary.

In light of the above it is clear that the application proposals do not have an adverse impact on ground conditions in accordance with relevant Core Strategy policies and The Framework.

7.6.3. Flood Risk and Drainage

JOC Consultants Ltd has undertaken a FRA to support this planning application.

This report confirms that the site is situated in flood zone 1 and there is no historical evidence of the site been affected by flooding. The risk of surface water flooding or from existing sewers is assessed to be very low. The development will not result in the loss of any floodplain storage. Climate change effects will increase surface water run-off volumes over the lifetime of the development but will not alter the assessments of flood risk at the site. The effect of the development on surface water run-off can be reduced to an acceptable level by the implementation of a series of flood risk management measures.

JOC Consultants confirm a detailed surface water drainage design should be prepared and submitted to the Council for approval, prior to commencement of the development. This recommendation can be secured by an appropriately worded condition on the grant of planning permission.

This proposed mitigation is in accordance with Core Strategy Policy CSP 4 and The Framework, therefore there are no demonstrable adverse impacts which warrant refusal of this application in flood risk and drainage terms.

7.6.4. Ecology

SLR Consulting Limited was commissioned by Gleeson Developments Ltd to undertake an 'Extended' Phase I Habitat Survey of land off Lowfield Road, Bolton upon Dearne. This land constitutes 'Phase 3' of the development here; the first two phases are under construction or have planning permission.

In summary, this Survey confirmed that the site comprises a single grazing field (formerly managed for arable cultivation), some of which is split up into a number of small horse-grazed paddocks separated by wire fencing (target note 1). The sward was generally very short, locally sparse, and impoverished; some field margins supported a less intensively grazed sward, and here the vegetation was taller, though still species-poor.

No badger setts or field signs were noted within the site or immediate surroundings. The site, comprising short-grazed improved grassland, does not provide suitable habitat for reptiles.

The site contains no trees and no ponds or ditches are present within the site and hence the site itself has no scope to support roosting bats or the potential to support otter or water vole. In addition to the nearby fishing ponds, only one other water body was located within a 500m radius of the site boundary.

These ponds were assessed for their potential to support great crested newt using the HSI methodology (Oldham et al, 2000), and found to have a score of 0.42, which equates to 'low' suitability for great crested newt. The pond located 360 metres to the south-east of the site, is separated from the site by the River Dearne, which is likely to act as a barrier to the movement of amphibians, if indeed they occur within this pond.

In conclusion, there are no significant ecology constraints to residential development on this site and the proposals are consistent with the relevant local and national planning policies. The fields of short grassland which comprise the site, in their current horse-grazed state, have negligible potential to support nesting birds. However, should grazing cease, and the grassland be allowed to grow taller, they could potential attract a number of ground-nesting species such as skylark *Alauda arvensis* and/ or meadow pipit *Anthus pratensis*. Should this occur, then any clearance of vegetation should take place outside of the main bird breeding season, which for most species extends between March and August inclusive. If this is not possible then a breeding bird survey should be carried out by a suitably experienced ecologist, immediately prior to clearance taking place. If any active bird nests are found the nest and surrounding vegetation should be protected until the nesting attempt is concluded, and the young have fledged.

The nearby fishery comprising Lowfield Lakes, located a short distance to the south of the site, is likely to attract large numbers of bats, some of which may commute across the

application site, for example, from roosts within houses to the north. Should this be the case, then the bats would benefit from boundary planting, along the western and/ or eastern site boundaries, particularly if this planting were to consist of tall scrub.

7.6.5. Renewable Energy and Climate Change

Policy CSP 5 states that all new development of 10 or more dwellings will be expected to incorporate decentralised, renewable or low carbon energy sources sufficient to reduce the development's carbon dioxide emissions by at least 15%. Where it is not appropriate to incorporate such provisions within the development, an off-site scheme, or contribution to such may be acceptable.

The separate Viability Assessment undertaken by Gleeson Homes, confirms that a 15% target on this site is not viable.

7.7. Summary of Reasoned Justification and The Planning Balance

7.7.1. The Planning Balance

Section 38(6) of the Planning and Compulsory Purchase Act 2004, states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

This section draws together the assessment section of this report and demonstrates how the scheme complies with the development plan and the weight to be attached to other material policy considerations.

Conformity with the Adopted Core Strategy

Whilst the proposals for residential development in this location are on greenfield land, allocated as safeguarded land, this Planning Statement has demonstrated that the proposals conform with the settlement hierarchy (Policies CSP8, CSP9 and CSPI0) which directs new development to the principal town of Bolton Upon Dearne.

In principle, much of the key policies relevant to this scheme are consistent with the approach taken in the Core Strategy. It is within the defined development limits illustrated by the spatial form of the town, which extends to properties on Crane Well View and the

private lane leading to Lowfield Lodge, which would confirm that the site is contained within the urban area. This land is a natural infill site and development of new homes on this site would effectively round off the settlement in this area.

It is ideally placed to accommodate some of the new homes to be delivered in this area identified in Policy CSP10.

Policy CSP 9 of the Core Strategy identifies the new homes to be built in the Borough over the plan period and has regard to the NPPF, recognizing that a minimum five year supply of deliverable sites should always be maintained.

The Council's position in this respect is confirmed in the Barnsley Five Year 'Deliverable' Housing Land Supply Report April 2012 – March 2017 Report, in which the Council actually recognises that, as a result of its failure to demonstrate a five year supply, applications for residential planning permission in the Borough (including proposals on UDP Safeguarded land and the UDP Urban Land to Remain Undeveloped allocations), where it can be demonstrated that they are in a sustainable location, will now be determined in line with the NPPF Presumption in Favour of Sustainable Development (paragraph 14 of the NPPF), relevant development plan policies and any other material considerations.

In this situation the NPPF is clear, at paragraph 49, that relevant policies for the supply of housing in the adopted development plan should not be considered up to date.

Having considered the principle of the development against the provisions of the Council's Core Strategy and UDP Proposals Map, it has been shown that the proposal is in accordance with the spatial strategy contained within the statutory development plan, however policies relating to the supply of housing in the Core Strategy, and allocation of the site as safeguarded land are not considered up-to-date. Therefore policies in the NPPF should prevail and be afforded significant weight when considering this planning application.

Compliance with the National Planning Policy Framework (The Framework)

It is considered that the proposed development sits well within the approach and policies within the new planning framework approach outlined within The Framework.

The application site will contribute towards the Council five year housing land supply and hence there is a presumption in favour of development for this site.

Given the Borough's underperformance in housing delivery, this ability to deliver housing is a significant one which should weigh heavily in its favour and is a significant material consideration.

In accordance with paragraph 14 of the Framework, this Planning Statement has demonstrated that this site is in a sustainable urban location and there are no adverse impacts associated with bringing forward the delivery of this safeguarded site for housing which would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework.

We consider that the proposal represents sustainable development, based on the economic, social and environmental enhancements that would result from development. On this basis, it is considered that the benefits of the proposed development will enhance the sustainability of the site overall and provide economic investment to an area in need of regeneration, through the delivery of both open market and affordable housing which complements and supports the role of Bolton Upon Dearne.

Whilst proposals on this site will lead to development of safeguarded land contrary to the UDP Proposals Map and emerging Local Plan, we have also balanced this against the applicable housing policies being up-to-date with the relevant policy criteria in the NPPF.

This site on the edge of Bolton Upon Dearne is capable of being delivered now. This reaffirms the importance for progressing and delivering sites that will reinforce the short term supply of housing in the Borough in accordance with the NPPF.

Compliance with Other Material Policy Considerations

In accordance with Section 38, we have considered the weight to be attached to other policy documents in terms of non-statutory national and local policy and Government planning policy guidance.

Having considered the principle of development against the provisions of the emerging Local Plan it is consistent with the consistent with the spatial development strategy and settlement hierarchy. However, little weight can be attached to this emerging plan, which identifies the site as safeguarded land, given it has not been tested through an independent examination and the Council's current failure to deliver a five year housing land supply.

The current wider economic context in the country is also relevant to the proposed development. The Government's ministerial statements on Growth and Housing is a major step forward for housing with an aim to boost supply and provide a substantial stimulus for the economy, reinforcing the overarching policies within The Framework and asserting the Government's pro-growth agenda. This statement should therefore be given significant material weight.

Compliance with other non-policy material considerations

Other material considerations, in terms of the technical areas and supplementary planning documents and guidance have also been given careful consideration. It is considered that none of these other material considerations, in themselves or cumulatively, would weigh against the national policy and presumption in favour of the development.

It can be concluded that there are no material considerations which would indicate that the proposal should not be approved. Indeed the key material considerations relating to the proposal reinforce its suitability and acceptability and hence in accordance with Section 38 of the Act, there is a positive presumption in favour.

8. Section 106 Heads of Terms

This section set out the applicants approach to dealing with planning obligations in accordance with the Council's policies and SPD, the NPPF and the Ministerial Statement: Planning for Growth (23 March 2011), which all recognise the economic viability associated with development.

The Framework makes specific policy statements which are directly and indirectly relevant to the potential provision of planning obligations as part of a development proposal. In particular, in relation to the context of viability, and ensuring that the planning system does not frustrate an otherwise economically viable and deliverable development, the NPPF addresses this issue in paras. 173-177. In particular, it states,

"...the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable"

(para. 173, NPPF, 2012)

In this case, the NPPF clearly sets a context whereby a viability-based approach to the provision of suitable planning obligations is established. Such obligations should therefore only be considered as suitable in the context of this policy, and any additional requirements which led to a scheme which is no longer viable and could not be delivered, would clearly be at odds with this statement of national policy.

Gleeson Homes have adopted a viability led approach to determining the scale, nature and value of Section 106 contributions consistent with the relevant policies.

It is a matter of agreement therefore that any residual monies available within the appraisal are, within the current market conditions, available for planning contributions as part of a package of contributions to be secured through a s106 Agreement signed by the applicant and the Council.

Any section 106 monies to be provided will be established through the commercially confidential appraisal submitted to the Council separately by Gleeson Homes.

9. Summary and Conclusions

The Planning Statement sets out our approach and justification based on the relevant and up-to-date policy guidance at a local and national level.

It has shown that the application accords with the provisions of the relevant planning policies contained in the statutory development plan and also with relevant national policy guidance, especially that within The Framework.

It confirms that the proposed development is acceptable in principle and demonstrates that the proposed development will provide housing which will contribute to addressing the current undersupply of housing in the Borough in the short term. This factor therefore should be ascribed significant weight in the determination of this application.

We consider that the proposal represents sustainable development, based on the economic, social and environmental contributions that would result from development. The scheme will:

- Deliver the third phase of high quality development, which represents sustainable urban infill to Bolton Upon Dearne.
- Provide 97 new homes, which respond to the housing needs of the area.
- Provide direct job opportunities through construction, alongside indirect job opportunities associated with additional expenditure in the District.

On this basis, it is considered that the benefits of the proposed residential development outweigh any perceived conflict with the allocation of this site as safeguarded land. Significant weight should be given to the need to support economic growth through the planning system and the provision of housing is a significant contributor to economic growth.

The accompanying Design and Access Statement demonstrates that the scheme has evolved through an appropriate design process. The scheme would secure a high quality living environment with an appropriate housing density.

Technical reports accompanying this application demonstrates that the site is deliverable and conclude that there are no technical reasons why the application proposal should not be approved. All mitigation measures can be controlled by appropriately worded conditions or legal agreements and none of these issues warrant a reason for refusal of this application.

We respectfully request that the application proposals for the site are supported by the Local Planning Authority and members.

Gleeson Homes Ltd

Phase 3 - Land at Lowfield Park, Bolton on Dearne, Barnsley

Five Year Housing Supply Assessment

1st June 2015



Report Author	Paul Bedwell
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I. Introduction and Background

Spawforths have been instructed by Gleeson Homes to prepare an Assessment of the Five Year Housing Supply within Barnsley, to support a full planning application for the erection of approximately 97 dwellings on land at Lowfield Park, Bolton on Dearne, Barnsley.

The Council has confirmed that it cannot demonstrate a five year supply of deliverable housing sites.

The Council has recently confirmed that it does not have a five year supply in the Barnsley Five Year 'Deliverable' Housing Land Supply Report April 2012-March 2017 (October 2013). This was produced approximately two years after an Inquiry in respect of a proposed housing site in Mapplewell¹ (detailed later in this report) found that the Council had failed to demonstrate a five year supply of deliverable housing sites. The Draft Local Plan consultation document produced in November 2014 provides an indication of a new housing land supply target for Barnsley. This has been produced in the context of a new evidence base which we are yet to scrutinise, but the overall target and annual average delivery target are consistent with the current adopted Core Strategy target and are therefore used.

Whilst the latest housing supply report is approximately one year old, the assessment considered the period from April 2012, some two and a half years ago. It is therefore important to now revisit the five year supply in order to secure an up-to-date and robust evidence base in respect of the housing supply position in Barnsley.

This document provides evidence to demonstrate and reaffirm that Barnsley Metropolitan Borough Council (BMBC) does not have a five year supply of available housing land.

¹ PINS Ref: APP/R4408/A/10/2138041: Former North Gawber Colliery and CISWO Sports Pitch, Carr Green Lane and Spark Lane, Mapplewell, Barnsley allowed by SoS Call-in letter dated 18.1.2012 in line with recommendations contained within the Planning Inspector's report dated 24.11.2011

2. Policy Context and Key Decisions

2.1. National Policy Context

National planning policy is now (aside from PPS10 relating to Waste Management) contained exclusively within the National Planning Policy Framework / NPPF (hereafter referred to as the Framework), which was published on 27th March 2012.

The Framework has now replaced existing Planning Policy Guidance Notes and Planning Policy Statements with a single document to set out the approach to planning at a national level. The Framework has been subject to extensive consultation and is a key material consideration as the statement of national policy and should therefore be taken into account and given appropriate weight when assessing this application.

The Framework, as adopted national planning policy, confirms the presumption in favour of sustainable development and the Government's key objective to increase significantly the delivery of new homes. Where relevant policies are out of date, for example where a five year housing land supply cannot be demonstrated, paragraph 14 of the Framework states that,

'planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

Part 6 of the Framework confirms the Government's commitment to significantly boost the supply of housing and paragraph 47 states that,

"Local planning authorities should:

- Use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;*
- Identify and update annually a supply of specific deliverable¹¹ sites sufficient to provide five years' worth of housing against their housing requirement with an additional buffer of*

5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;

- Identify a supply of specific, developable¹² sites or broad locations of growth, for years 6-10 and, where possible, for years 11-15;
- For market and affordable housing, illustrate the expected rate of housing delivery through a trajectory for the plan period and set out a housing implementation strategy for the full range of housing describing how they will maintain delivery of a five year supply of housing land to meet their housing target; and
- Set out their own approach to housing density to reflect local circumstances.”

Footnote 11 - “To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.”

Footnote 12 - “To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.”

Paragraph 48 of the Framework states that, “Local planning authorities may make allowance for windfall sites in the five year land supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens.”

Paragraph 49 of the Framework states that, “Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of

housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

Within this context, the Framework sets out that housing policies within the development plan will be considered out of date, if a five year supply of deliverable sites cannot be demonstrated. In such an event, paragraph 14 of the Framework will apply and planning permission should be granted unless adverse impacts would “*significantly and demonstrably*” outweigh the benefits of doing so.

2.2. LGA / PAS Guidance Note “Ten Key Principles for owning your housing number – finding your objectively assessed needs” (July 2013)

On the matter of how to address previously un-met need, the LGA / PAS guidance suggests that when dealing with previously un-met housing need, appeal decisions tend to support the approach in the Sedgefield appeal case where the local planning authority was required to make good the shortfall when calculating its five year supply rather than spreading the shortfall over the remainder of the development plan period.

2.3. National Planning Practice Guidance (6th March 2014)

The National Planning Practice Guidance (hereafter referred to as the Planning Practice Guidance) was published on 6th March 2014 and provides clarity on the operation of national planning policy.

Under the sub heading “What is the starting point for the five year housing land supply” the Planning Practice Guidance confirms that, “*Household projections published by the Department for Communities and Local Government should provide the starting point estimate of overall housing need.*” Nonetheless, it goes on to say that household projections are trend based and, “*do not attempt to predict the impact that future government policies, changing economic circumstances or other factors might have on demographic behavior.*”

Significantly, the Planning Practice Guidance cautions that,

“The household projection-based estimate of housing need may require adjustment to reflect factors affecting local demography and household formation rates which are not captured in past trends.

For example, formation rates may have been surpassed historically by under-supply and worsening affordability of housing. As household projections do not reflect unmet housing need, local planning authorities should take a view based on available evidence of the extent to which household formation rates are or have been constrained by supply.” (Last updated: 06 03 2014 Reference ID: 2a-015-20140306).

The Planning Practice Guidance echoes the view expressed in the LGA / PAS Guidance Note and suggests that, “*Local planning authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible*” (Revision date: 06 03 2014 Related policy National Planning Policy Framework Paragraph 47 Paragraph: 036 Reference ID: 3-036-20140306).

2.4. The Yorkshire and Humber Regional Spatial Strategy

The Yorkshire and Humber Plan Regional Spatial Strategy (RS) to 2026 was adopted in May 2008 and set out a net requirement for Barnsley of 1,015 dwellings per annum from March 2008 onwards. The Yorkshire and Humber RS was revoked on 22nd February 2013.

2.5. Local Development Plan Context

The statutory Development Plan for Barnsley comprises the Barnsley Core Strategy (2011) and the remaining saved planning policies in the Barnsley Unitary Development Plan (UDP) (2000), including the Proposals Map.

Section 38 of the Planning and Compulsory Purchase Act 2004, states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Policies relating to the supply and delivery of new housing across the Borough are contained within the Core Strategy, which was adopted in September 2011. The document addresses the strategic housing requirements for the Borough over the period 2008 to 2026.

The Core Strategy identifies a need for 21,500 new homes in Barnsley up to 2026. Approximately 90% of this total is direct to Urban Barnsley and the eastern Principal Towns including Wombwell. Wombwell itself is identified as providing 2,000 new homes or 9% of

the total supply. It is confirmed that the housing figures are indicative and therefore consideration is given to contribution to the overall supply.

The Core Strategy states:

“Hoyland, Wombwell, Cudworth (including Grimethorpe) and Royston whilst different in character, can be seen to have more commonality in role. Rather than standing alone they relate more closely to each other and have interlinked functions. They are located in an arc close to Urban Barnsley, hugging the eastern side of the built up area. They cumulatively provide significant housing and employment opportunities and are located within the Barnsley Growth Corridor.”

Policy CS8: The Location of Growth indicates that priority will be given development in Urban Barnsley and the Principal Towns of Cudworth, Wombwell, Hoyland, Goldthorpe (Dearne Towns), Penistone and Royston.

Policy CS9 states:

“CSP 9: The Number of New Homes to be Built

We will seek to achieve the completion of at least 21500 net additional homes during the period 2008 to 2026.

A minimum five year supply of deliverable sites will be maintained.”

The Core Strategy identifies a 'soft start' to housing provision to reflect, “difficulties of the housing market due to the global recession which began in 2009-10 and recognising that it will probably take at least until 2014 to recover and start to grow.”

The Core Strategy indicates that the rate of delivery would be 800 net additional units in 2011/12, rising to 862 units in 2012/13 and 996 units in 2013/14. It would then rise further in subsequent years from 1,100 to 1,200 to 1,400 and then for the remainder of the plan period ramp up to 1,450 net units per annum 2017-2026. This represents a significant net rate of increase in supply and delivery at a rate far in excess of anything that has been delivered in Barnsley before.

The Core Strategy was adopted in 2011, prior to publication of the Framework which indicated that plans adopted post-2004 would be afforded weight in spite of any limited

conflict with the Framework. The Core Strategy was not assessed within the context of the Framework. Paragraph 215 of the Framework applies in respect of the statutory plan, stating that, “*due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework*”.

In the context of the five year supply of housing sites therefore, the development plan, via the Core Strategy, establishes that Barnsley Metropolitan Borough Council should identify sufficient sites to provide for an additional 21,500 dwellings. Notwithstanding the indicative trajectory identified in the Core Strategy, this provides an average annual net requirement of 1,194 units.

The Planning Practice Guidance indicates that any shortfall in provision over this period would also need to be addressed within the first five years.

This plan period commenced in March 2011 and hence has now been in place for more than three years since adoption. As the Core Strategy was adopted prior to the publication of the Framework, it was not subject to a review of its compliance with national planning policy contained therein.

In addition, paragraph 158 of the Framework requires local plans to be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.

2.6. Draft Barnsley Local Plan, November 2014

The Core Strategy was adopted in 2011. However, whilst the Council started a Sites & Places DPD, it has now moved to produce a new composite Local Plan. The document has been subject to one round of public consultation and the Council expects to achieve adoption of the Barnsley Local Plan in Summer 2017.

The document seeks to identify sufficient sites to meet Barnsley’s housing needs in the period 2014 to 2033. Policy HI indicates that,

“We will seek to achieve the completion of at least 20,330 net additional homes during the period 2014 to 2033. A minimum five year supply of deliverable sites will be maintained.”

It is indicated that this provides an “*indicative annualised figure of 1070 [units] per annum*” which is suggested meet the Strategic Housing Market Assessment target of ‘around’ 1,100 units per annum. It identifies that, “*Allocating sites for the full 1,100 would lead to further Green Belt release.*”

2.7. Barnsley Housing Strategy 2014-2033

The document was published in August 2014. It indicates that housing demand exceeds supply across all sub-areas of Barnsley with shortfalls in detached and semi-detached housing but a sufficient supply of terraced housing and flats. Also, “*there are shortfalls of all property sizes and limited choice in some areas particularly larger family properties and executive housing.*”

It indicates that in the period 2008-2012 [inclusive], approximately 4,000 new homes have been completed across Barnsley. It states that,

“Based on recent evidence, the projected housing growth is likely to be over 20,000 new homes and probably more like 25,000 over the period of this Housing Strategy (2014-2033).

These housing targets are aligned to future housing developments including trends relating to housing growth, household aspirations together with the need for affordable housing.

In the future, the Council aims to diversify the housing offer by encouraging the development of larger family housing and a higher value offer but also delivering a range of tenures including longer term private rented options and products to enable access into homeownership.”

2.8. Growing Barnsley’s Economy 2012-2033

This report was produce for the Council and approved by Cabinet on 6 June 2012. The report sets out proposals for economic growth linked in part to the Economic Investment Plan (2012/3-2016/7). The report was produced after adoption of the Core Strategy. The report states that “Housing plays a key role in both stimulating and supporting economic growth”. It notes the need for greater housing mix and “increasing the breadth of housing supply”. It refers to a need in the Sites and Places DPD for the Council to work with private developers to achieve the requisite housing mix to meet the future housing needs of

the Borough. It suggests that this may include a review of the Green Belt (this has indeed been subsequently undertaken).

2.9. Appeal Decisions and Precedent

There are a number of appeal decisions which have been issued since the publication of the Framework which have established pertinent precedents and conclusions. It is important to establish these matters as they will set the context for considering the approach to housing supply which should be applied in considering whether a five year supply of deliverable sites has been demonstrated by the local planning authority.

Appeal Decision – Former Gawber Colliery, Mapplewell - (PINS Ref. APP/R4408/A/10/2138041) – Secretary of State’s letter 18th January 2012 – Inspector’s Report 24th November 2011

This appeal decision related to proposals for a site of some 17.5 ha, south of Mapplewell and north-west of Barnsley Town centre. The appeal sought permission in outline for residential development on the former North Gawber colliery site. The decision was made prior to adoption of the Framework.

The SoS confirmed that:

Overall, therefore, the Secretary of State agrees with the Inspector (IR101) that a 5 year supply of deliverable sites has not been demonstrated and that therefore paragraph 71 of PPS3 applies so that the proposal should be considered favourably having regard to the policies contained in the PPS.

The Inspector concluded:

I conclude that a 5 year supply of deliverable sites has not been demonstrated, and that paragraph 71 of PPS3 therefore applies – to the effect that the proposal should be considered favourably having regard to the policies contained in the PPS... (Para 101)

The appeal was allowed however development has yet to commence and consequently no dwellings have been delivered from this site.

Land east of Butts Road, Higher Ridgeway, Ottery St. Mary, Devon (PINS Ref. APP/UI105/A/12/2180060)

A key element within this decision, which reflected previous appeal decisions, that the starting point for assessing housing land supply is the district-wide five year supply. In that sense, a disaggregated approach (in terms of a sub-division of requirements to localities within the District or Borough) is not appropriate in terms of establishing the five year requirement.

On this basis, it is established that the five year housing supply should be based on a **district wide** requirement.

Wincanton Community Hospital, Dancing Lane, Wincanton BA9 9DQ (PINS Ref. APP/R3325/A/12/2170082)

Established within this appeal decision, as consistent with the NPPF in this matter, is that for sites to be considered as deliverable within five years, they should **benefit from planning permission save for specific exceptions**, such as for example, potential windfall sites (which should be supported by robust evidence of the potential supply from such sources).

The Sedgefield Method

The Sedgefield method of calculating land supply involves adding any shortfall of housing from previous years within the first five years of a local plan period.

Appeal decisions ^{2,3,4,5} suggest that Inspectors, particularly in the aftermath of the Framework support the “Sedgefield” approach and require the shortfall to be brought

² APP/B3410/A/13/2189989 (SoS) Lichfield Road, Branston, Staffordshire (3rd October 2013) Sedgefield approach – paragraph 292

³ APP/C3105/A/12/2184094 (SoS) Bourne Lane, Hooke, Norton (23rd September 2013) Sedgefield approach – paragraph 198

⁴ APP/Z3825/A/12/2183078 (Inspector) Land east of Duaz Avenue, Billingham, West Sussex (18th April 2013) Sedgefield approach – paragraph 41

⁵ APP/P0119/A/12/2186546 (Inspector) Land between Iron Acton Way and North Road, Engine Common, Yate, South Gloucestershire (8th April 2013) Sedgefield approach – paragraphs 19-20

forward within the five year supply requirements. As shown above, the Sedgefield approach is now supported by both the LGA/PAS guidance note and the Planning Practice Guidance.

Land between Station Road and Dudley Road, Honeybourne (PINS Ref. APP/H1840/A/12/2171339)

This decision, among other conclusions drawn in allowing the appeal, dealt with both the issues of buffers and shortfall and how and when such shortfalls and buffers should be addressed going forward.

Ultimately, the Inspector considers that any shortfall in housing delivery within the plan period should be addressed “sooner rather than later”, consistent with the Sedgefield, Andvoer and Moreton in Marsh appeal decisions which also post-date the publication of the NPPF. The Inspector considered that it would be inconsistent with the NPPF (specifically para. 47) to meet shortfalls in housing delivery over the full remaining plan period. The application of such an approach is also consistent with the approach taken to the application of a buffer (be it 5% or 20%) which is applied to the first five years of supply rather than the whole plan period.

On this basis, the Inspector agreed that any shortfall in housing delivery should be applied **within the next five years** of the plan from which such an assessment is made, as established within Sedgefield (above).

In terms of buffers, related to the NPPF requirement (within para. 47) that local planning authorities should identify an additional 5% buffer of deliverable housing sites to their five year supply, and “where there has been a record of persistent under delivery of housing” that this buffer should be increased to 20% (in each case moved forward from later in the plan period).

In this appeal case, the Inspector noted that in every one of the last six years, the delivery was below that of the South Worcestershire Development Plan (SWDP) which required 371 dwellings per annum. On this basis, the Inspector considered that this did amount to a **persistent** under delivery of housing against required levels, and therefore the **20% buffer should apply**. The Inspector also gave further weight to this conclusion (disregarding the Council’s approach that the slump in the property industry was the reason for the underperformance) due to the fact that the Council did not have a demonstrable five-year supply of deliverable housing sites as required by paragraph 47 of the Framework.

Berrells Road, Tetbury (PINS Ref. APP/F1610/A/12/2173305) – 13th February 2013

With regard to adjustments for past performance, the Inspector concluded,

“On the basis that the Framework requires the assessment of future housing delivery to look forward five years, looking back five years to assess the record of past delivery seems to me a reasonable approach.” (Paragraph 13.21)

Three conjoined appeals at Feniton in Devon (PINS Refs. APP/U1105/A/13/2191905, 2197001 and 2197002) – 7th April 2014

This decision addressed, amongst other matters, the issue of policies that were relevant for the supply of housing given the absence of a five year land supply. The Inspector opined in paragraph 22 of her decision letter that,

‘It was open to the government to say, in the NPPF, that the provisions of paragraph 49 apply to policies “specifically related to” or “solely concerned with” the supply of housing: instead, the term chosen was “Relevant...for”.’

Hence, she went on to conclude in paragraph 25 of her decision,

“I consider that Policies S3 and S5 of the Local Plan, which seek to direct development (including residential development) towards locations within BuABs (sic Built-up Area Boundaries), and to restrict the amount that takes place outside the BuABs, are clearly of relevance for the supply of housing. It follows that in the absence of a demonstrable five-year supply of deliverable housing sites, these policies should not be considered up-to-date.”

Land to the South of Beckford Road, Alderton, Tewkesbury (PINS Ref. APP/G1630/A/13/2209001) – 22nd May 2014

Paragraphs 18 – 21 of this appeal decision, quoted below, again address the relevance of policies for the supply of housing in great detail and helpfully conclude on how the Framework should be applied when a five year supply of housing could not be demonstrated.

“18. There is no dispute that saved Policy HOU4 of the Tewkesbury Borough Local Plan to 2011, which seeks to restrict residential development outside the designated development boundaries of settlements, is relevant to the supply of housing and so should not be

considered up-to-date. This means that the location of the appeal site outside the designated settlement boundary for Alderton is not, in and of itself, a reason to refuse planning permission for the proposed scheme.

- 19. As discussed above, paragraph 14 of the NPPF explains how decision-taking should give effect to the presumption in favour of sustainable development. It provides specific advice on the approach to take where, as here, "relevant policies" are out-of-date.*
- 20. The Council sought to persuade me that while "relevant policies for the supply of housing" should not be considered up-to-date, there are other policies which remain relevant to the development proposal currently under consideration, such that the guidance in this part of paragraph 14 would not apply. I do not agree with that interpretation. It seems to me that in the context of the NPPF's clearly stated aim "to boost significantly the supply of housing" (paragraph 47), the provisions of paragraph 49 are intended to ensure that, where existing Local Plan housing policies have failed to secure a five year land supply of housing sites, housing applications should be assessed not by reference to those policies but rather by using the approach set out in paragraph 14. I see no reason why that should give rise to any conflict with the need to have due regard to such other Development Plan policies as are relevant and up-to-date.*
- 21. The Council cannot demonstrate a five-year supply of housing, and so relevant policies for the supply of housing should not be considered up-to-date. This means that planning permission for the proposed development should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or specific policies in the NPPF indicate development should be restricted."*

3. Housing Land Requirement

In this section we identify the housing requirement for Barnsley MBC over the period 1st April 2015 to 31st March 2020, against which the five year housing land supply must be measured.

The Yorkshire and Humber Plan Regional Spatial Strategy (RS) to 2026 was adopted in May 2008 and set out a net requirement for Barnsley of 1,015 dwellings per annum. The Yorkshire and Humber RS was revoked on 22nd February 2013.

The annual requirement expressed in the Barnsley Core Strategy for net additional dwellings is based on an overall requirement of 21,500 units 2008-2026 which equates to 1,194 dwellings per annum. The Core Strategy indicated a 'soft start' to reflect economic conditions. However, this was considered to be imprecise by the North Gawber appeal Inspector as it was not conducive to meeting the growth requirements of Barnsley, as expressed in the Economic Growth Strategy.

In the identified Plan period to date (2008-2015) against the original RSS target, there is a shortfall of some 1,823 dwellings. The Council has failed to meet the required target in any of the given years during this period.

Against the Core Strategy 'soft start' approach, the Council has undersupplied since 2008 by 582 units including a significant undersupply in 2012-15 of 205, 247 and 480 units respectively (total undersupply of 932 units). From 2008, this is skewed by the Council's stated significant 'oversupply' of 300 units (1,000 units against a target of 700 units) in 2010/11. This should, in fact, be read against the original RSS target of 1,015 units which actually results in a net undersupply for that year.

We have averaged out the net requirement for Barnsley of 21,500 units which equates to 1,194 units per annum 2008-2026. Against this adopted average target, in the five years preceding this assessment, there has been a net cumulative shortfall of 2,119 units with significant undersupply in each of the years. The Council has consistently failed to meet its annual housing requirement throughout this period. In addition, 2008/9 at the start of the CS period yielded 860 net units and 2009/10, just 546 units. These were well below the RSS target and the average supply rate. We do not include this in the undersupply, as it seems

reasonable that in projecting forward to achieve a five year requirement the undersupply in the preceding five year period rather than over a longer timescale should be considered.

Dwellings Delivered Against Annual Requirement (31st March 2010 – 31st March 2015)

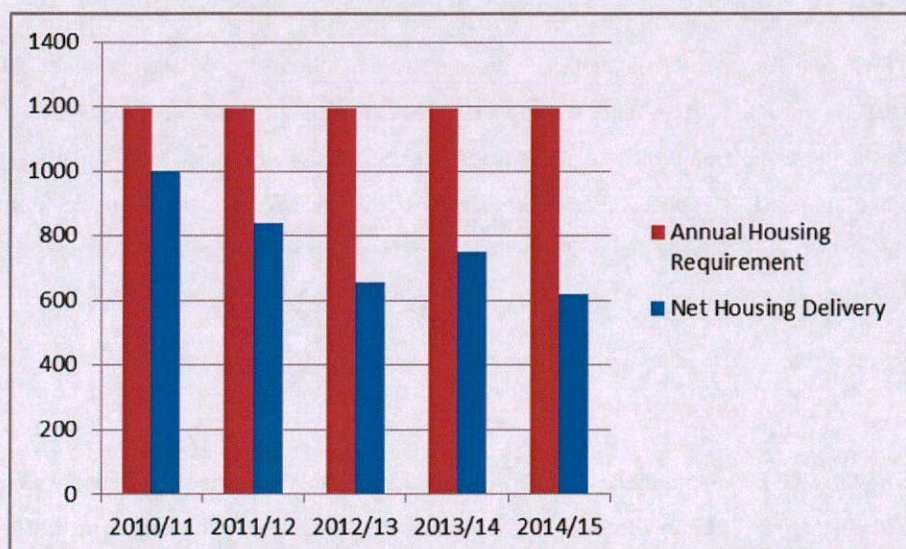


Table 1 - Barnsley MBC Housing Delivery / Undersupply in Last 5 Years (31st March 2010 – 31st March 2015)

	2010/11	2011/12	2012/13	2013/14	2014/15
Net Housing Delivery	1000	840	657	749	620
Annual Housing Requirement	1,194	1,194	1,194	1,194	1,194
Undersupply	-194	-354	-537	-445	-574
% Undersupply	-16.25	-29.65	-44.97	-37.27	-48.07
Cumulative Undersupply	-194	-548	-1,085	-1,530	-2,104

The cumulative shortfall 31st March 2010 to 31st March 2015 is 2,104 dwellings or 35.2% of the dwellings that should have been delivered during that period. An alternative way to appreciate the scale of the problem is that just 64.8% of the required homes have been delivered in the last five years.

The Council's position is that it does not have a persistent pattern of undersupply and therefore a 5% buffer should be applied to future supply calculations. As indicated above, this is dependent on which target is being applied, and is only valid if the Core Strategy 'soft start' approach is applied. If assessed against the actual average annual net requirement and the previous RSS target, the Council does have a history of persistent undersupply and a buffer of 20% should therefore apply. This is considered further below.

3.1. The Council's Position

The Council produced its Barnsley Five Year 'Deliverable' Housing Land Supply Report April 2012 – March 2017 in October 2013, setting out its five year housing land position. The Council concluded that it could only identify a '5 Year 'Deliverable' Net Supply Total' of 3,303 dwellings against a requirement of 5,705 net additional units. This equates to a significant shortfall of shortfall of 2,402 units / an available housing land supply of 2.89 years.

There are various flaws in the Council's analysis that we have identified, the main one being the approach to under/oversupply. The Council's stated position is that there has not been a history of undersupply and a 5% buffer should be applied. This position relates to what target is being applied as we discussed above. What is clear is that the Council failed to meet its RSS target from 2008 onwards.

The Core Strategy (CS) was adopted in 2011 and the RSS revoked in 2013. Curiously the CS Inspector allowed reference (in the CS Appendix) to a trajectory that accounted for the failure to meet the RSS target, which then 'accelerated' through the plan period up to 1,450 net units later in the Plan Period (2017/8 onwards). This is a rate of delivery well above the RSS target and above anything that the Council has achieved in previous years (since 2002/3, the highest net delivery was 1,305 units in 2004/5). It is not to say that the Council should not set ambitious targets in their quest for growth, and this is supported by the applicant,

but this indicative of the need for significant increased housing land supply to meet the needs of Barnsley.

Best practice indicates that it is not correct to 'back-end' the housing supply, as this simply defers the issue and creates pressure in future to simply readdress the target, rather than address the shortfall. In the North Gawber appeal, the Council's approach was criticised by the SoS who concluded:

"...that the Appellant's methodology for calculating the 5 year period is to be preferred over that advocated by the Council and, in particular, given the ambitious overall target included in the CS, that there is little benefit to be gained from adopting a methodology which effectively constrains the 5 year requirement."

The Appeal Inspector indicated that there was a shortfall of 'some 500' units, and that this 'underperformance' meant that the Council's stated gross requirement of 5,251 units and that the shortfall would need to be made up meaning a requirement of 5,760 units. The Appellant has argued that the requirement was in fact 6,688 units. Linked to this is the Inspector's further confirmation (as detailed in national policy) that any targets are 'minimum' requirements and housing targets cannot be applied as a 'ceiling' figure.

The Council, in its assessment has indicated that it may have met target in the years preceding the study and, indeed, exceeded it significantly by 300 units in 2010/11. Again, we would argue that this should actually be considered in the context of the RSS figure of 1,015 which applied at that time and would have resulted in a shortfall of some 15 units. Given that the supply figures were effectively 'retro-fitted' at the point of adoption of the Core Strategy, evidenced by the close relationship to target in the years 2008/9 and 2009/10, the 2010/11 delivery figure was clearly underestimated against the original target and should not therefore be used as an indication of healthy delivery rates in Barnsley.

The Council's use of this alleged 'oversupply' to then discount against future requirements is seriously flawed. Moreover, as supply targets are not to be considered as a minimum, then they should not in any regard be used to discount future requirements.

In addition, in the two years following from this study, the Council has fallen significantly short of its own graded trajectory, which without a significant level of provision in the short-

term, can only lead to further increasingly significant shortfalls in the short-term. Against the Council's own target and net supply figures there is now a significant undersupply.

Planning Practice Guidance, which reflect the Government's emphasis on housing delivery and state that, "Local planning authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible" (Revision date: 06 03 2014 Related policy National Planning Policy Framework Paragraph 47 Paragraph: 036 Reference ID: 3-036-20140306). It is our view that there is an undersupply and this needs to be added to the following 5 years supply calculations.

The latest report indicated that the Council had a net target for the next 5 years as 5,705 units. The graded approach to their Core Strategy trajectory means that in the period 2014/15-2019/20, the net target rises to 6,950 net units (before the requisite buffer has been applied). If the Council's position applies, then application of a 5% buffer means a target of 7,298 net units. However, if a 20% buffer is applied to address persistent undersupply, then this target would increase to 8,340 net additional units. Although neither of the aforementioned figures makes any allowance for the cumulative undersupply of units delivered in previous years (we consider this further below).

The Inspector that addressed the appeal at Sellars Farm, Hardwick, Gloucestershire⁶ suggested,

"With regard to the shortfall in completions against the requirement over the period 2006-2011, there is no definitive guidance⁷ or binding local precedent on how this should be treated. However, in view of the emphasis in Government policy on delivery, and with no strong local case for rolling forward the backlog over the longer period, the shortfall should be added to the 5 year target...."

⁶ APP/C1625/A/11/2165865 (Inspector) Sellars Farm, Hardwick, Gloucestershire. Sedgefield approach – paragraph 15

⁷ The Planning Practice Guidance published since this appeal decision states that, "Local planning authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible" (Revision date: 06 03 2014 Related policy National Planning Policy Framework Paragraph 47 Paragraph: 036 Reference ID: 3-036-20140306).

The Inspector at the Honeybourne appeal in Worcestershire⁸ said,

“Recent pre-NPPF decisions by the SoS expressly approved the Sedgfield approach at Andover and Moreton-in-Marsh. In my view it is inconsistent with Planning for Growth and the NPPF paragraph 47 to meet any housing shortfall by spreading it over the whole plan period. Clearly it is better to meet the shortfall sooner rather than later. Moreover, if buffers are brought forward into the first five years as in the NPPF, so should the shortfall.”

The Under or Over Supply Position

It is clear that against three separate target indicators (RSS, CS, CS 'equalised'), the Council now has an undersupply in the CS Plan period from 2008 to present. The question is whether it presents a persistent history of undersupply and warranting a 20% buffer.

It is our view, that the CS 'soft start' approach does not present a true picture of supply against required demand. It is acknowledged that the Authority performed reasonably well in the period up to 2008, but has since faltered. The CS trajectory was identified in spite of the RSS target that was based on sound and accepted housing supply calculation principles. Applying these target figures indicates a history of persistent undersupply in the period from 2008 and would warrant a buffer of 20% on future supply. Of greater relevance since revocation of the RSS is the CS overall target, coupled with its growth requirements. In this regard, we consider that the most appropriate approach to the target is to provide an average rate of supply across the Plan Period. As identified above, this produces an average requirement from 2008-2026 of 1,194 units. Again, when this is applied to historic supply, this presents a pattern of consistent undersupply since 2008.

Paragraph 47 of the Framework states that when identifying a 5-year housing land supply, local authorities should include an additional 5% buffer to ensure choice and competition in

⁸ APP/H1840/A/12/2171339 (Inspector) Land between Station Road and Dudley Road, Honeybourne, Worcestershire. Sedgfield approach – paragraph 36

the market. The Framework further states that the buffer should be 20% where local authorities have a record of persistent under delivery of housing.

In this regard, and given the Council's history of persistent failure to deliver housing, we consider that shortfall in provision should be considered and a 20% buffer should be applied (this is considered in further detail below).

In this context, an appeal decision ⁹ stated in paragraphs 61-62 that,

“The needs that have gone unmet in the past, remain part of the needs now. The houses that should have been built for the populous of the area still need to be built...The 20% addition is required as a reflection on the track record of under delivery. This should reflect 20% of the totality of the undersupply because it relates to the extent of development required.”

In these circumstances, we consider that the 5 year housing requirement should include under delivery and that the 20% buffer should be added both to the base requirement and the undersupply, to ensure that unmet housing needs are addressed as soon as possible.

Taking the Council's approach and adding in the shortfall for the past three years the total deliverable five year housing requirement for Barnsley at this time would be 6,950 (1,200+1,400+1,450+1,450+1,450) + 582 (undersupply 1st April 2010 – 31st March 2015) + 5% buffer = **7,909 net additional dwellings**, which would fall to be delivered to be delivered during the Five Year Period from 1st April 2015 up to 31st March 2020.

3.2. Scenario A – Housing Requirement based on the Council's Core Strategy 'Soft Start' and with 20% Buffer and Undersupply for five years (April 2010-March 2015) addressed

⁹ APP/V0728/A/13/2190009 (Inspector) Land west of Galley Hill Estate, Stockesley Road, Guisborough (26th September 2013)

Scenario A applies a 20% buffer to the housing land requirement including the undersupply against the 'soft start' target of 102 units. This approach in itself suggests there is no history of persistent undersupply and so this Scenario may be discounted. However, for completeness we provide the calculation. This approach would create a total deliverable five year housing requirement for Barnsley at this time of 6,950 (1,200+1,400+1,450+1,450+1,450) + 582 (undersupply 1st April 2010 – 31st March 2015) + 20% buffer = **9,038 net additional dwellings**, which would fall to be delivered to be delivered during the Five Year Period from 1st April 2015 up to 31st March 2020.

3.3. Scenario B - Housing Requirement based on the average Council Core Strategy requirement and with 5% Buffer and Undersupply addressed for five years (April 2010-March 2015)

As we have advocated above, and as indicated by the Appeal Inspector into the North Gawber Colliery Inquiry, the Council's approach to trajectory in the Core Strategy does not address the net housing requirement as outlined in the RSS (which was relevant at the point of adoption and certainly from the base date of 2008), or the growth aspirations of Barnsley, as outlined in the Economic Growth Strategy. The Core Strategy provides a target of 21,500, which equates to an average annual requirement over the Plan Period (2008-2026) of 1,194 units.

We apply this to the housing supply calculations in the form of Scenarios B and C. There was a level of ambiguity over in the North Gawber Colliery appeal as to whether a 5% or 20% buffer should apply (the Framework had not been adopted at this point and given the lack of 5 year supply, the appeal was allowed with little further consideration of this). In two out of the three target indicators (RSS & CS equalised), there is a consistent undersupply in each of the five years from 2010-2015. Only in the Council's own CS 'soft start' approach is there a general meeting/exceeding of target, although the last two years have produced a significant undersupply, producing an overall undersupply in the five years from 2010 to 2015.

Scenario B therefore accounts for undersupply against the average annual CS target and applies a 5% buffer. This equates to a total deliverable five year housing requirement for Barnsley at March 2015 of 5,970 (5 x 1,194) + 2,104 (undersupply 31st March 2010 – 31st

March 2015) + 5% buffer = **8,478 net additional dwellings**, which would fall to be delivered to be delivered during the Five Year Period from 1st April 2015 up to 31st March 2020.

3.4. Scenario C - Housing Requirement based on the average Council Core Strategy requirement and with 20% Buffer and Undersupply addressed for five years (April 2010-March 2015)

As indicated above we consider that an annual average requirement of 1,194 units should apply. We have followed the same approach as Scenario B, but add a buffer of 20% which indicates persistent under delivery.

This equates to a total deliverable five year housing requirement for Barnsley at March 2015 of 5,970 (5 x 1,194) + 2,104 (undersupply 31st March 2010 – 31st March 2015) + 20% buffer = **9,689 net additional dwellings**, which would fall to be delivered to be delivered during the Five Year Period from 1st April 2015 up to 31st March 2020.

Barnsley's Five Year Housing Requirement Scenarios

Five year Land Component	Council's Position based on position at March 2012 and last three year's data added including shortfall	Scenario A - 31st March 2015 (incorporating 2010/11-2014/5 (5 year) shortfall against CS 'soft start' and approach advocated in Planning Practice Guidance that shortfall be addressed within first five years) (20% Buffer)	Scenario B - 31st March 2015 (incorporating 2010/11-2014/5 (5 year) shortfall against average CS target and approach advocated in Planning Practice Guidance that shortfall be addressed within first five years) (5% Buffer)	Scenario C - 31st March 2015 (incorporating 2010/11-2014/5 (5 year) shortfall and approach advocated in Planning Practice Guidance that shortfall be addressed within first five years) (20% Buffer)
Annual requirement	1,200-1,450	1,200-1,450	1,194	1,194
5 year requirement	6,950	6,950	5,970	5,970
Shortfall in delivery (2010/11-2014/15)	582	582	2,104	2,104
5 year + Shortfall	7,532	7,532	8,074	8,074
5% Buffer	377		404	
20% Buffer		1,506		1,615
Total requirement	7,909	9,038	8,478	9,689
Equivalent Annual Requirement	1,582	1,808	1,696	1,938

4. Five Year Housing Supply

4.1. Introduction

The Framework establishes that the Council should demonstrate a five year supply of deliverable housing sites, which are available now, suitable, with achievable delivery within 5 years and are viable.

The Council has confirmed that it does not have a five year supply of housing land. We concur with this position.

BMBC Housing Trajectory 2008/9-2025/6 (Reproduced from the Council's Adopted Core Strategy 2011 and adapted by Spawforths)



The Council's own Housing Trajectory above indicates an ambitious approach to housing provision with a significant rate of increase in supply requirement. The average annual rate of net delivery since 2010 is 773 units (3,866/5). If this is applied to the above trajectory it presents a significant differential between supply and demand.

If the same average rate of supply is achieved in the next 5 years, this would equate to a net supply of 3,866, significantly short of the Core Strategy (trajectory), Core Strategy (equalised) and Draft Barnsley Local Plan average requirements. It would certainly then

create a continued pattern of undersupply and would make no contribution to address the previous undersupply over the last five years and the resultant unmet housing needs across the Borough.

We are now in receipt of email communication from the Council which demonstrates that in the 12 months to 31st March 2015 just 620 net additional dwellings were completed. This is well beneath even the average net supply achieved between 2008 and 2015.

Thus, the Council's own trajectory shows that the persistent and long-standing trend of poor performance on housing delivery in the Borough will continue and peoples' housing needs in Barnsley will continue to not be met. The Council is required to ensure the maintenance of a deliverable five-year supply of housing land.

4.2. Strategic Housing Land Availability Assessment (SHLAA) January 2014

This document was produced in January 2014 as part of:

"...the Council's need for evidence-driven advice to inform the allocation of appropriate sites in the emerging Local Plan. The key requirement of the Council's brief is the need to undertake a full, robust Strategic Housing Land Availability Assessment ('SHLAA') in order to ascertain the Council's supply of deliverable and developable housing land over the forthcoming 5-, 10- and 15-year periods from a base date of 1 April 2012."

It included sites with allocations, planning permission and any other sites with potential for development, including those put forward for, or on behalf of, landowners or developers.

This document indicated that there was a total developable supply, for as many as 16,397 new homes in the main urban area, with an additional capacity for 25,240 units from sites currently within Green Belt.

It identifies the 5, 10 and 15 year targets using both Liverpool and Sedgefield methods of calculating housing delivery and accounting for undersupply. As we indicate above, the Sedgefield method is not the most accepted approach in addressing housing undersupply in the first five years. It indicates that there will be a net target of 19,452 units in the period 2012-2027, equating to 7,500 units net in the first 5 years 2012-17 and 5,976 in the following

5 year periods (2017-22 & 2022-27). They also apply a further requirement of 400 'Executive' dwellings in each of the 5 year periods, totaling 1,200 additional dwellings to meet the Council's Economic Strategy need (part of a drive for higher quality in the existing housing stock).

It suggests that there are 8,100 units that may be considered as deliverable. However, this falls to 4,880 when considering sites outside of Green Belt only. Clearly if a site is within Green Belt, then it will not be deliverable until such time as planning permission is granted, which in most cases will follow only once a Local Plan allocation has been achieved and the land has been removed from Green Belt.

4.3. Five Year Deliverable Housing Land Supply Statement (1st April 2013 – 31st March 2018)

The Council's Five Year Deliverable Housing Land Supply to its five year housing land position. The claimed supply at 1st April 2012 is suggested to come from the following sources:

Planning permissions >= 10 Dwellings	= 6,406
Remaining UDP Housing Proposals	= 433
Redundant School Sites	= 210
Planning permissions < 10 Dwellings	= 507
Windfalls	= 766
5 Year 'Deliverable' Gross Supply Total	= 3,633
Predicted Losses	= 330
Total	= 3,303

4.4. Assessment of Deliverable Five Year Supply

In order to assess the current supply of housing sites and their ability to deliver new homes within the first five years following an assessment, consideration should be given to guidance within:

- National Planning Policy Framework (inc. footnote 11)
- Strategic Housing Land Availability Assessment Practice Guidance (July 2007)

Paragraph 47 of the Framework states local planning authorities should, “use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for the market and affordable housing in the housing market area.” This entails identifying and updating annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements with an additional buffer of 5 per cent to ensure choice and competition in the market. However, where there is a record of persistent under delivery this buffer should increase to 20 per cent. Footnote 11 defines deliverable sites as:

“Available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans“

The SHLAA Guidance explains that for assessing the suitability, availability and achievability of a site a judgement can be made in the plan making context as to whether a site can be considered deliverable, developable or not currently developable for housing development.

The Guidance defines the following:

- Deliverable – a site is available now, offers a suitable location for housing development now and there is a reasonable prospect that housing will be delivered on the site within five years from the date of adoption of the plan; and
- Developable – a site should be in a suitable location for housing development, and there should be a reasonable prospect that it will be available for and could be developed at a specific point in time.

Paragraph 34 explains that where it is unknown whether a site is developable then it should be regarded as not currently developable. This could be due to uncertainties in relation to the resolution of constraints.

In order to assess whether a site can be considered deliverable, the SHLAA Guidance indicates that sites should be considered available, suitable and achievable for residential development when assessed against the following criteria:

4.5. Previous Annual Delivery Figures

It has been identified in Case Law that an assessment of the number of new homes delivered in previous years can be helpful when considering the extent of available supply.

“I share the appellant’s concern about the fluctuations in the Council’s supply estimates. These appear to be based on an optimistic prediction of completions over the coming 5 years of 720 dwellings per year. But in the past 3 years the average annual rate of completions has been only 391 dwellings. I consider it is more likely the rate of completions will continue at this reduced volume...”¹⁰

As we indicate above, the delivery rate for the last 5 years has been at a net annual rate of 760 dwellings. The first two quarters indicate completions of only 127 and 96 which suggest that the average will fall further still. Against the Council’s ‘soft start’ Core Strategy trajectory, there was a need for an average of 794 dwellings, against the average (equalised) Core Strategy housing rate there was a need for 1,194 net dwellings.

As detailed above, and as indicated in the Brixham appeal case, continuation of the current rate will present an even greater differential between target and supply – in the Council’s trajectory approach, this will mean a supply of 760 against a target that rises significantly from 1,100 net units per annum in 2014/15 to 1,450 units in 2017/18 and then every year beyond in the Plan Period to 2026. Against the average Core strategy target, the current

¹⁰ APP/X1165/A/11/2145178 – (Inspector) Former Pontins Holiday Park, Brixham, Devon Housing Land Supply – use of previous delivery rates – paragraph 63

delivery rate figure remains well below the required rate of 1,194 per annum throughout the Plan Period and the Draft Local Plan target of 1,070 (yet to be tested).

4.6. Barnsley Council Five Year Deliverable Housing Land Supply 1st April 2012 – 31st March 2017

Barnsley's latest 5 year supply assessment considers the housing land supply position up to March 2012. The report suggests that a further update would be made to identify the position at March 2013. However, this has yet to be produced. Neither has an update to the housing monitor been published. Hence, at the present time it not currently available.

Accordingly, we are relying on the assumptions made by the Council in identifying its deliverable housing supply. What is clear is that a number of sites have been identified as undeliverable in the 5 year period. Unless circumstances have changed, then this would render them unavailable for at least two years of the period 2015-2020. Where housing has already been provided on sites, then these will be discounted, or the rate of supply will simply roll forward and will apply to the period 2015-20.

4.7. Market Information

Given concern about the Council's assumptions delivery rates, we have sought evidence on development trajectories achieved by house builders developing sites in the Borough.

We have consulted various national and regional house builders who are working on sites in South Yorkshire to understand rates of delivery being achieved at the present time. We understand that at present, a single house builder can be expected to deliver between 30-35 units per year. On larger sites where there may be more than one house builder, the delivery rate will increase, but even so that increase will not be two or threefold since competition between active housing outlets within the site will act to suppress delivery rates.

Evidence of market interest in these sites is fundamental to their deliverability and, where such interest exists, allowance of realistic lead-in times to allow for pre-commencement conditions to be discharged and site mobilization prior to development is vital.

Development at the former Polar Ford Garage site is substantially complete. Strata has confirmed that its developments at Wombwell and Dodworth are now built out and complete. Equally, the Gawber Colliery site still remains undeveloped. Indeed, development has yet to commence at Gawber.

Taking those into account and allowing for the completion of Strata's developments at Wombwell and Dodworth, there are just 15 (FIFTEEN) operational housing sites of sufficient scale to deliver up to 35 dwellings per annum in the Borough.

In the Dearne Valley, three of these outlets are operated by Gleeson (Barnburgh View, Ellwood Park and Lowfield Park). Gleeson have 113 dwellings left to complete on its Barnburgh View site and expect to achieve around 20 completions per year from now until 31st March 2020. Development has just commenced on the 97 unit Ellwood Park site, which is also expected to deliver 20 dwellings per annum over the next five years to 2019/20. Lowfield Park (Phase 1) has 46 units remaining but is expected to be completed this year, whilst development on Lowfield Park (Phase 2), which comprises 58 units will start later this year and is expected to be complete by 2018/19. From its Bella View site at Doncaster Road, Goldthorpe, Ben Bailey expect to achieve completions at a rate of 24 dwellings per annum. Keepmoat's scheme at Springside at Seasons at Thurnscoe is expected to deliver around 35 homes per annum over the next five years and thereafter to its ultimate completion. Persimmon's Holly Bank scheme at Wombwell is also on now site and is expected to deliver 25 dwellings this year and then up to 35 dwellings per annum thereafter to complete the 230 plot development.

In Urban Barnsley, Harron Homes will have one operational site at Meadow View (Former Priory School site in Barnsley and expects to deliver the 192 homes approved on this site at a rate of 30 dwellings per annum from 1st April 2015 onwards. Taylor Wimpey has an operational site at Kingstone Grange that is expected to deliver 21 of the 163 approved homes this year (up to 31st March 2016) and then 35 dwellings per annum thereafter until the development has been completed. Saul Homes have just 19 dwellings to complete on their site at Brierley Hall, Brierley. Whilst Redrow expect to complete development of its site at Higham Chase, Dodworth this year, i.e. by 31st March 2016. Persimmon expect to commence building of its 301 dwelling scheme on land to the north of Wilthorpe Road, Redbrook later this year and to deliver homes at a rate of 35 dwellings per annum thereafter.

In the Western Parishes, Barratt / David Wilson Homes expect to build 66 homes at Hoylandswaine at a rate of 30 dwellings per annum from now onwards. Persimmon expect to commence development of its Hartcliff Gardens development in Penistone shortly and to complete the 139 dwelling scheme at a rate of 30 dwellings per annum over the next five years. Although an appeal was also allowed in outline for 44 units in outline at Laird's Way, Penistone (Ref APP/R4408/A/13/2202969 - January 2014) but the site has yet to be contracted to a house builder. Finally, Jones Homes expects to deliver and complete its 19 dwelling scheme at Kings Court in Penistone during 2015/16.

Persimmon also has a development at Scholar's Gate in Royston, which has 88 units remaining to be developed which are likely to be delivered at a rate of around 25 dwellings per annum for next four years.

Significantly, none of the aforementioned sites will involve the development of more than one discrete sales outlet.

Consequently, there are just **FIFTEEN** (our emphasis) operational sales outlets with scope to deliver up to 35 dwellings per annum in the Borough. Five of these are in Urban Barnsley, six are in the Dearne Valley, three are in the Western Parishes and one is at Royston.

There are simply not enough operational sales outlets in varied locations to deliver choice and flexibility for the market to deliver the number of homes required across the Borough.

To illustrate this point, none of the following house builders (Bloor, Bovis, Bellway, Linden, Shepherd Homes or Lovell) have operational sites within the Borough.

Nonetheless, the aforementioned permissions will not significantly raise the supply level to meet the identified need. Many more additional sites will be required throughout the Borough to meet the Council's housing requirement.

Until such time as the Council update its housing land register, it is not possible to accurately gauge what sites are coming through the planning system and the rate of delivery (including whether certain previously identified sites are now complete and no longer form a part of the supply calculations. Also, the passage of time from the previous study and the Council's consideration that certain sites with planning permission will not yield any units,

unless these have been implemented by lawful start, they may well have expired and should be removed from the supply.

The Council has indicated that it has identified a net deliverable supply of 3,303 houses in the period 2012-2017. Whilst this figure needs to be revisited, in the absence of such data and given the confirmation that the Council has failed to meet its targets in the last two years by a significant margin. The deliverable supply is unlikely at this point to be any higher than that calculated. Equally, there is insufficient evidence to suggest at this stage that the supply should be reduced further. The Council's supply figure of 3,303 units is therefore retained for the purposes of this assessment.

	Council's Position based on position at March 2012 and last three year's data added including shortfall	Scenario A - 31st March 2015 (incorporating 2010/11-2014/5 (5 year) shortfall against CS 'soft start' and approach advocated in Planning Practice Guidance that shortfall be addressed within first five years) (20% Buffer)	Scenario B - 31st March 2015 (incorporating 2010/11-2014/5 (5 year) shortfall against average CS target and approach advocated in Planning Practice Guidance that shortfall be addressed within first five years) (5% Buffer)	Scenario C - 31st March 2015 (incorporating 2010/11-2014/5 (5 year) shortfall against average CS target and approach advocated in Planning Practice Guidance that shortfall be addressed within first five years) (20% Buffer)
Total requirement	7,909	9,038	8,478	9,689
Net Supply*	3,303	3,303	3,303	3,303
% of supply	0.42	0.37	0.39	0.34
Years Supply	2.09	1.83	1.95	1.70

*Net Supply is based on the Council's latest deliverable supply calculation at March 2012

5. Summary

This document provides evidence to show that Barnsley Metropolitan Borough Council cannot demonstrate a five year supply of available housing land.

This report has sought to address the current five year housing land supply position in Barnsley. It has assessed the most relevant policy, appeal decisions and evidence base available with regard to housing supply in order to form a view on the potential of the Council to demonstrate a five year land supply at this time or at the time of an appeal decision.

The Core Strategy established a requirement for an additional 21,500 net units 2008-26, equating to an average requirement of 1,194 dwellings per annum across the plan period. This plan period commenced on 31st March 2008 and hence has been in place for six years, three of which have elapsed since adoption. As the Core Strategy was adopted prior to the publication of the Framework, it has therefore not been subject to a review of its compliance with national planning policy expressed in the Framework.

The Draft Barnsley Local Plan sets a target of 20,330 new homes to be delivered in the period 2014-2033, which would equate to an average annual net requirement of 1,070 units per annum. However, the Draft Barnsley Local Plan is at very early stage of production and is unlikely to be subject to examination in public until Spring 2017. Consequently, we have used the Core Strategy requirement to inform our analysis of the extent of Barnsley's available housing land supply.

The challenge for Barnsley is significant. To meet an average annual net requirement of 1,194 dwellings, it is considered that 35 housing outlets (these are active housing sites which may involve one or more developers, each classified as an active sales outlet and building at a rate of up to 35 dwellings per year) will be required. Presently there are just FIFTEEN (our emphasis) operational housing sales outlets in the Borough.

The availability of sufficient suitable sites in a choice of locations throughout the Borough is frustrating the Council's ability to achieve its housing requirement. Consequently, it is vital that the Council looks to encourage the construction of a sufficient level of housing development to provide choice in a variety of locations and certainty to the market.

5.1. Housing Requirement

As indicated above, it is clear that the Council cannot identify a 5 year deliverable supply of housing sites at the current time. The Council's own 'soft start' Core Strategy approach is proving difficult as the 'target' increases year on year and the supply remains static. This means that both the level of undersupply increases year on year, but also that the undersupply of previous years is not addressed. The net result is that the supply requirements year on year increase exponentially.

Below we set out the housing requirements, as detailed above and apply these to the net deliverable supply identified by the Council as 3,303 units. The table indicates how the Council is performing in terms of its requirement to identify a 5 year supply of deliverable sites. This is considered against the Council's position which has been updated to take account of the past two years which now provide a shortfall in supply where the Council has previously identified a surplus. The supply is also then applied to the three scenarios (A, B & C) identified above.

	Council's Position based on position at 1 st April 2012 and last three year's data added including shortfall	Scenario A – 1st April 2015 (incorporating 2010/11-2014/5 (5 year) shortfall against CS 'soft start' and approach advocated in Planning Practice Guidance that shortfall be addressed within first five years) (20% Buffer)	Scenario B – 1st April 2015 (incorporating 2010/11-2014/5 (5 year) shortfall against average CS target and approach advocated in Planning Practice Guidance that shortfall be addressed within first five years) (5% Buffer)	Scenario C – 1st April 2015 (incorporating 2009/10-2014/5 (5 year) shortfall against average CS target and approach advocated in Planning Practice Guidance that shortfall be addressed within first five years) (20% Buffer)
Total requirement	7,909	9,038	8,478	9,689
Net Supply*	3303	3303	3303	3303
% of supply	0.42	0.37	0.39	0.34
Years Supply	2.09	1.83	1.95	1.70

*Net Supply is based on the Council's latest deliverable supply calculations at March 2012

5.2. Conclusions

If the **Council's Position** (7,909 dwellings (or 1,582 dwellings per annum) in respect of its Housing Requirement is applied against the available supply (3,303 dwellings) then Barnsley would have no better than a **2.09 years supply** of housing land (this is a reduction in the Council's stated supply position at March 2012).

If **Scenario A** (9,038 dwellings and 1,808 dwellings per annum) is applied to the Council's Housing Requirement where a 20% buffer has been applied, the identified deliverable net supply of 3,303 units would equate to no better than a **1.83 year supply** of housing land in Barnsley.

If our **Scenario B** (8,478 dwellings (1,696 dwellings per annum) is applied, then this would mean that Barnsley has no better than a **1.95 year supply** of housing land.

Finally, should our **Scenario C** (9,689 dwellings (1,938 dwellings per annum) be utilised against the available supply that would mean that Barnsley would have no better than a **1.70 year supply** of housing land.

From the results of our assessment, it is clear that there is a very substantial shortfall in the supply of available housing land in Barnsley and that unless a significant rate of approval and then delivery of sites is undertaken, the Council will fall further behind and the deliverable housing supply will reduce further.

There remains a level of contention as to whether a 5% or 20% buffer should be applied. However, we contend that a 20% buffer should be applied given what is clearly a number of years of persistent undersupply. The Council's position is that annual targets were reduced in the Core Strategy to reflect the level of supply and not that this was reflective of an unhealthy housing market.

However, regardless of what buffer should be applied, it is evident that Barnsley cannot demonstrate a 5 year supply of deliverable housing sites based on their approach (equating to **2.09 years supply**) and our three scenarios which mean that the supply equates to **1.83 (Scenario A), 1.95 (Scenario B) or 1.70 (Scenario C) years' supply**.

Paragraph 4.2 of the Council's Five Year Deliverable Housing Land Supply Report April 2012 – March 2017 concludes that, *“The Council cannot currently demonstrate a supply of specific, deliverable sites sufficient to meet the boroughs (sic) housing requirement. In this situation the NPPF is clear, at paragraph 49, that relevant policies for the supply of housing should not be considered up to date. As a result applications for residential planning permission in the borough (including proposals on UDP Safeguarded Land and UDP Urban Land to Remain Undeveloped allocations), where it can be demonstrated that they are in a sustainable location, will now be determined in line with the NPPF Presumption in Favour of Sustainable Development (paragraph 14 of the NPPF), relevant development plan policies and any other material considerations.”*

We concur that because the Council cannot demonstrate a five year supply of housing land its housing policies contained in the Core Strategy are out-of-date and the presumption in favour of sustainable development outlined in paragraph 14 of the Framework, is triggered. Consequently, planning permission should be granted for the application proposals unless adverse impacts would *“significantly and demonstrably”* outweigh the benefits of doing so.