



**RESIDENTIAL DEVELOPMENT AT FORMER PERFECTA
BEDS, BARNSLEY ROAD, WOMBWELL, SOUTH
YORKSHIRE**

APPLICANT: HOMES BY WOODFORD

Extension of Time Application (2006/1172)

4th August 2010

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1. Introduction

Outline planning permission for the "*Redevelopment of site for residential use (use class C3)*" was granted by Barnsley Metropolitan Borough Council on 16th August 2007 (Application no. 2006/1172).

As part of the approval both access and layout were approved, leaving scale of buildings, the design and external appearance of the proposed development and landscaping to be submitted as reserved matters for subsequent approval.

Access from Barnsley Road and a layout showing 95 dwellings (06/338/01b) were approved.

The outstanding reserved matters are required to be submitted prior to 16th August 2010. This statement supports an application for an extension of time to the above consent which would enable the reserved matters to be submitted and approved after this date.

2. Previous Submissions

In reaching a decision that the proposed development was acceptable in planning terms, the authority considered the following reports:-

- Planning Statement by GL Hearn;
- Transport Assessment by Bryan G Hall;
- Employment Land Study by James Richards Partnership;
- Marketing History Report by Fox Lloyd Jones;
- Flood Risk Assessment by ARP Associates;
- Noise Assessment by White Young Green; and
- Site layout plan and cross section by Knapton and Knapton.

As part of the decision notice the planning authority set out the reasons for granting planning permission as:-

- the proposal meets the criteria set out in SPG24, ES7 and SPG28;
- the proposed development meets the standards set out in SPG2 The Design and Layout of New Housing on density/house type/mix/layout/parking/access/spacing;
- the development meets the criteria in SPG 30 Sequential Approach to Determining Applications for Residential Development;
- the proposals provide on-site open space in accordance with policy H6.

3. Planning Policy Status of the above documents

3.1 Barnsley Unitary Development Plan

The two policies referred to in the first reason and the policy referred to in the last reason for granting consent, have all been saved by the Secretary of State and remain development plan policy.

3.2 Supplementary Planning Guidance

The authority' web site indicates

"The Council has prepared a number of guidance notes which explain how the policies in the Unitary Development Plan will be implemented. Some of the guidance notes also bring local policy in line with more up to date national policy. These notes are intended to help people who may be thinking about applying for planning permission and to assist the Council in making decisions. By providing this advice, the Council ensures the planning application process runs smoothly and that good quality development is achieved."

Among the listed supplementary guidance notes that the Council will use in making decisions are the four SPG's referred to in the reasons for granting consent, namely:-

- SPG 2: The Design and Layout of New Housing (dated May 2003);
- SPG 24 : Re-use of Employment Sites (dated May 2003);
- SPG28: Developing Contaminated Land (May 2003); and
- SPG30: Sequential Approach to determining Planning Applications for New Residential Development (Planning Advisory Note dated January 2004);

3.3 Comment on Policy

From the above it is evident that all the Unitary Development Plan policies and the Supplementary Planning Guidance documentation, relied on by the planning authority in granting consent in 2007, remain policy that will be used to assist the Council in making decisions today.

In addition to the above mentioned documents, the planning authority adopted PAN 34: Planning Advice Note 34: Affordable Housing in New Residential Developments in January 2007, apparently after the planning authority resolved to grant consent for the current application in the same month. However, no affordable housing was required as part of the consent, either because the authority decided affordable housing was inappropriate on the site or because there was a reluctance to apply draft planning policy to planning applications.

4. New Planning Policy

Since the grant of planning permission on 16th August 2007 a number of new planning policy documents have been issued that need to be taken into account.

The following are worth highlighting in relation to the residential development at Wombwell:-

1.1 National Policy

- Supplement to PPS1: Planning and Climate Change (December 2009);
- PPS3: Housing (June 2010)
- PPS25: Development and Flood Risk (March 2010)

1.2 Regional Policy

The Yorkshire and Humber Plan Regional Spatial Strategy to 2026 was adopted in May 2008 but revoked in July 2010.

1.3 Local Development Framework

The consultation period for the Publication Core Strategy ended on 23rd April 2010, but a further consultation period is likely before a document is issued to the Secretary of State. A Core Strategy Hearing will test whether or not the draft policies are sound. In pre-application exchanges it is apparent the planning authority considers the following draft policies to be worth some consideration, although no doubt it is recognised these policies have limited weight at this stage:-

- CSP5 Including Renewable Energy in Developments
- CSP15 Affordable Housing
- CSP29 Design

2. Evidence Base Documents

In preparing the draft Core Strategy two documents have been produced which are relevant to this application.

2.1 Barnsley Strategic Housing Land Availability Report 2009

The SHLAA has been prepared in the context of approved RSS housing land requirements. The planning authority will need to decide whether or not to seek to revise these requirements given the RSS has now been revoked. Nevertheless, the SHLAA concludes there to be a supply of 21290 dwellings compared to a suggested housing requirement of 19974 including the Growth Point status.

For the settlement of Wombwell there is a suggested site capacity of 52.19ha with dwelling yield of 2088 dwellings in the period 2011 to 2026, assuming a density of 40 dwellings per ha, in addition to sites with the benefit of planning permission.

Analysis of the SHLAA Site List and Site Assessment indicates that 38.54 has of the identified sites in Wombwell are on greenfield sites equating to over 1540 dwellings.

Assuming a continuing emphasis and priority for the redevelopment of previously developed land and buildings, the application site will continue to be high priority for redevelopment for housing for the planning authority.

2.2 Strategic Housing Market Assessment

The Yorkshire & Humber Strategic Housing Market Assessment: Summary Report June 2008 indicates in Table 3 an annual identified shortfall to meet housing need of 275 dwellings in Barnsley.

The SHMA report states that:-

"..., and even in a future and stronger market, there are limits to the potential for meeting affordable housing requirements in this way.."

"...There is also a need to ensure that overall levels of provision are maintained with sufficient market provision to support economic and demographic trends. An affordable housing target that is too ambitious may place a risk to overall market delivery in less robust housing markets..."

3. Principle Issues for the Application of Extension of Time

The Case Officer, in pre-application discussions has indicated a request that this submission addresses the following points:-

3.1 Affordable Housing

As is indicated in Section 3.3 above, the authority adopted PAN34: Affordable Housing in New Residential Developments in January 2007 and had the opportunity to take into account its contents as part of its deliberations before granting planning permission in August 2007.

No affordable housing was required as part of the current scheme.

Draft CSP 15 Affordable Housing intends that for residential developments of 15 or more dwellings

"25% affordable will be expected in Penistone and the rural west, Darton, Barugh, and Dodworth. 15% affordable will be expected in all other locations of the borough unless it can be demonstrated through a viability assessment that the required figure would render the scheme unviable."

PPS3: Housing requires planning authorities to *"...undertake an informed assessment of the economic viability of any thresholds and proportions of affordable housing proposed, including their likely impact upon overall levels of housing proposed..."*(29).

It is understood the planning authority has undertaken such a survey but, at the time of preparing this application, the document had not been finalised and therefore not yet available for public consumption.

As is indicated above the Strategic Housing Market Assessment warns that *"in a weaker market the potential for securing affordable housing through planning agreements is reduced"* and that over ambitious targets *"may place a risk to overall market delivery."*

There can be no doubt that since planning permission was granted in August 2007 that the housing market has weakened.

The site was purchased by Homes by Woodford in September 2007, following the grant of planning permission and the site's remediation, in farm more favourable economic climate. To now impose an affordable housing requirement, in the context of this application to extend the time, would not be viable. Indeed, given the decline in the housing market, the site's value has declined considerably as is evident from the information set out below.

Set out below are some basic viability facts and assumptions to demonstrate that a residential scheme would not be viable for the appellant's or any other prospective purchaser at the original purchase price plus costs.

Table 1: Financial Viability

	£
Purchase Price	4,300,000
Stamp duty paid	202,100
Bank loan fees	210,000
Total	4,712,100
Achievable Revenue on current scheme	14,226,696 (based on £142 sq.ft)
Total Build Costs (to Code for Sustainable Homes 3)	9,016,920 (based on £90 sq.ft)
S106 Costs	220,000
Developer's Gross Profit (20 % of revenue)	2,845,339
Residual Land Value	2,144,437

The above clearly demonstrates that with the above information that the current land value is **£2,567,663** below the costs incurred in the site purchase in September 2007.

It should be highlighted that in presenting the above basic cost information that interest incurred on the loan, on-going site management costs and various other cost issues have not been referred to, so in reality the viability position is worse than the above situation but given the significant shortfall there is little merit in refining costs further.

Woodford and the receivers are currently in negotiations to sell the site at a considerable loss, but there are limits to the degree of loss they are willing to accept.

3.2 Design

The layout for 95 dwellings was approved as part of the outline planning permission in August 2007.

Pre-application dialogue has indicated the planning authority continue to rely upon the content of SPG2 : The Design and Layout of New Housing, in determining planning applications. This document was adopted by the planning authority in May 2003 and therefore the principles of this document were fully taken into account in granting consent in 2007.

The authority's Service Delivery Plan refers to a performance measure that seeks:-

"To raise the design quality of Development throughout the Borough based on Building for Life Criteria and advice in PPS1 and PPS3, Sustainable Code for Homes and Zero Carbon Homes."

Draft Core Strategy Policy CSP29 Design intends that developments *"meet at least the standard of CABE Building for Life Silver."*

The architects Knapton & Knapton have undertaken a Building for Life analysis of the ability of the current approved layout along with assumptions regarding the outstanding reserved matters, to

meet the required Building for Life standard. The architect's appraisal is included with the supporting documents. It is evident the site, layout and final scheme is capable of meeting the authority's draft policy aspiration of Building for Life Silver.

3.3 Sustainability

A. Sustainable Drainage

Condition 7 of the existing consent requires the submission of a scheme for the provision of surface water run-off to be approved by the planning authority.

The appellant confirms its intention to submit such a scheme for approval.

B. Renewable Energy

Draft Policy CSP5 intends that developments should seek to reduce carbon dioxide emissions.

The appellant is willing to consider a planning condition, similar to that imposed at Goldthorpe Colliery, which would require them to submit further documentation indicating methods to be applied to reduce such emissions.

3.4 Ecology

An Ecology Survey undertaken by Andrew McCarthy Associates forms part of this application.

The survey indicates that the little ringed plovers have been nesting on the site and as a protected species their nests should not be disturbed between April and July.

The report refers to the *"relative abundance of post industrial sites in South Yorkshire"* and therefore it can be concluded that the loss of this particular site for little ringed plovers is not critical.

The report considers that *"mitigation options for this species are often difficult to accommodate on small development sites such as this one as little ringed plovers require open stony/barren habitats (of which this site is entirely typical) with long vistas to enable sight of potential predators."*

The report suggests the retention of an area of rubble habitat *"should therefore be considered by the developer"* although does not suggest that this is a requirement of the scheme.

3.5 Flood Risk

As part of the August 2007 submission ARP Associates submitted a Flood Risk Assessment Report.

An updated report ensuring compliance with the PPS 25 : Development and Flood Risk issued in March 2010 has been prepared by ARP and forms part of this application for an extension of time.

The report concludes:-

Planning Statement prepared by Garner Planning Associates for Perfecta Beds, Barnsley Road, Wombwell, South Yorkshire extension of time application

"The site falls within Flood Zone 1 and the Sequential Test is satisfied. Therefore, there are no mitigation measures required in respect of flooding on the site..."(7.1)

A number of mitigation measures are suggested to address situations of extreme storm or blocked sewers.

The report indicates that *"...the surface water drainage system shall be designed with an allowance for climatic change and restricted to the agreed discharge rates with appropriate attenuation incorporated into the design. The design, detail and calculations shall be submitted to the Planning Authority for approval prior to the construction on site."*(7.5)

4. Conclusions

The planning policy position has not changed significantly since the grant of planning permission in August 2007.

All the development plan policies referred to in the reasons for granting the current planning permission remain extant.

The planning authority continues to rely on the two Supplementary Planning Guidance notes referred to in the reasons for granting the current planning permission in determining planning applications.

Despite the existence of PAN34 : Affordable Housing at least in draft form at the time of the resolution to grant consent and in final form at the time of the planning consent in August 2007, no such requirement formed part of the current consent. Either the authority decided affordable housing was inappropriate on the site or because there was a reluctance to apply draft planning policy to planning applications.

The housing market has declined considerably since August 2007 and the time of the purchase of site by Homes by Woodford. The Yorkshire & Humber Housing Market Assessment warns of the implications for housing delivery if ambitious affordable housing targets are applied. The site's value has declined considerably since that time and any requirement for affordable housing would further reduce site value and viability. As a result, no affordable housing can be provided.

Supporting documents submitted as part of this application indicate the scheme is capable of meeting Building for Life criteria, there would be no detrimental impact on ecology and the requirements of PPS25: Development and Flood Risk can be met.

Taking all of the above into account it is requested that the Council approves this application for an extension of time to the current consent, subject to an appropriate supplementary deed to link the current obligation to the new permission.