

MEETING:	Cabinet
DATE:	Wednesday 31 May 2023
TIME:	10.00 am
VENUE:	Council Chamber, Barnsley Town Hall
PUBLIC WEB LINK:	https://barnsley.public-i.tv/core/portal/webcasts

AGENDA

1. Declaration of pecuniary and non-pecuniary interests
2. Leader - Call-in of Cabinet decisions

Minutes

3. Minutes of the previous meeting held on 19 April 2023 (Cab.31.5.2023/3)
(Pages 5 - 6)

Items for Noting

4. Decisions of Cabinet Spokespersons (Cab.31.5.2023/4) (Pages 7 - 10)

Petitions

5. Petitions received under Standing Order 44 (Cab.31.5.2023/5) (Pages 11 - 16)

Items for Decision/Recommendation to Council

Core Services Spokesperson

6. Household Support Fund Grant - April 2023 to March 2024 (Cab.31.5.2023/6)
(Pages 17 - 38)
7. Increasing National Management Trainee Places on the Council's National Graduate Development Programme (Cab.31.5.2023/7) (Pages 39 - 46)

Children's Spokesperson

8. Annual Review of the Sufficiency of Child Care Places in the Borough
(Cab.31.5.2023/8) (Pages 47 - 84)

Place Health and Adult Social Care Spokesperson

9. Adult Social Care Fee Uplift 2023/24 and Market Sustainability Plan
(Cab.31.5.2023/9) (Pages 85 - 104)

Regeneration and Culture Spokesperson

10. Planning Enforcement Policy - Update (Cab.31.5.2023/10) (Pages 105 - 130)
11. Adoption of Updated Design of Housing Supplementary Planning Document (SPD) (Cab.31.5.2023/11) (Pages 131 - 186)
RECOMMENDATION TO FULL COUNCIL ON 27 JULY 2023

12. Sustainable Construction and Climate Change Adaptation Supplementary Planning Document (SPD) (Cab.31.5.2023/12) *(Pages 187 - 260)*
RECOMMENDATION TO FULL COUNCIL ON 27 JULY 2023
13. Updated Biodiversity and Geodiversity Supplementary Planning Document (SPD) (Cab.31.5.2023/13) *(Pages 261 - 316)*
14. Consultation on the Updated Financial Contribution to Schools Supplementary Planning Document (SPD) (Cab.31.5.2023/14) *(Pages 317 - 334)*
15. House Extensions Supplementary Planning Document (SPD) Update (Cab.31.5.2023/15) *(Pages 335 - 368)*
16. Exclusion of Public and Press
It is likely that the public and press will be excluded from this meeting during consideration of the items so marked because of the likely disclosure of exempt information as defined by the specific paragraphs of Part I of Schedule 12A of the Local Government Act 1972 as amended, subject to the public interest test.

Regeneration and Culture Spokesperson

17. Goldthorpe Housing Project (Towns Fund Project D) (Cab.31.5.2023/17)
(Pages 369 - 478)
Reason restricted:
[Paragraph \(3\) Information relating to the financial or business affairs of any particular person \(including the authority holding that information\)](#)

To: Chair and Members of Cabinet:-

Councillors Houghton CBE (Chair), Cain, T. Cave, Franklin, Frost, Higginbottom, Howard, Makinson and Newing

Cabinet Support Members:

Councillors Bellamy, Bowser, Cherryholme, Moyes, Osborne, Peace and Sheard

Chair of Overview and Scrutiny Committee

Chair of Audit Committee

Sarah Norman, Chief Executive

Wendy Popplewell, Executive Director Core Services

Carly Speechley, Executive Director Children's Services

Wendy Lowder, Executive Director Place Health and Adult Social Care for Barnsley

Matt O'Neill, Executive Director Growth and Sustainability

Julia Burrows, Executive Director Public Health and Communities

Neil Copley, Director of Finance (S151 Officer)

Sukdave Ghuman, Service Director Law and Governance (Monitoring Officer)

Michael Potter, Service Director Business Improvement, HR and Communications

Katie Rogers, Head of Communications and Marketing

Anna Marshall, Scrutiny Officer

Corporate Communications and Marketing

Please contact Sukdave Ghuman by email governance@barnsley.gov.uk

Monday 22 May 2023

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MEETING:	Cabinet
DATE:	Wednesday 19 April 2023
TIME:	10.00 am
VENUE:	Council Chamber, Barnsley Town Hall

MINUTES

Present Councillors Houghton CBE (Chair), T. Cave, Franklin, Frost, Higginbottom, Howard, Lamb, Makinson and Platts

Members in Attendance: Councillors Bowser, Cain, Cherryholme, Eastwood, Newing, Osborne and Peace

243. Declaration of pecuniary and non-pecuniary interests

There were no declarations of pecuniary or non-pecuniary interests.

244. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 05 April 2023 had been called in.

245. Minutes of the previous meeting held on 5 April 2023 (Cab.19.4.2023/3)

The minutes of the meeting held on 05 April 2023 were taken as read and signed by the Chair as a correct record.

246. Decisions of Cabinet Spokespersons (Cab.19.4.2023/4)

There were no Records of Decisions by Cabinet Spokespersons under delegated powers to report.

247. Petitions received under Standing Order 44 (Cab.19.4.2023/5)

It was reported that no petitions had been received under Standing Order 44.

248. Bin Replacement Programme - Consent to Spend (Cab.19.4.2023/6)

RESOLVED that Cabinet approves the additional resources for year 3 of the programme, to ensure bin stocks do not run out and the Council is able to fulfil its statutory duty to provide adequate bins to its residents and businesses.

249. Report on the Schools Condition Capital Programme 2023-24 (Cab.19.4.2023/7)

RESOLVED that Cabinet:-

1. Approves acceptance of the School Condition Allocation (SCA) capital grant; and

2. Approves the list of schemes, detailed in Appendices B and C, and agrees they be financed from the 2023-24 Department for Education (DfE) School Condition Allocation; and
3. Authorises the Executive Director – Growth and Sustainability, in consultation with the Cabinet Spokesperson – Regeneration and Culture, to vary the programme of works, and to approve additional schemes, to meet emerging priorities; and
4. Agrees the financial implications arising from the report be included in the capital programme and released in accordance with the Financial Regulations Code of Practice C5.2(a).

250. Exclusion of Public and Press

RESOLVED that the public and press be excluded from the meeting during consideration of the following items, because of the likely disclosure of exempt information as described by the specific paragraphs of Part I of Schedule 12A of the Local Government Act 1972 as amended, as follows:-

<u>Item Number</u>	<u>Type of Information Likely to be Disclosed</u>
251	Paragraph 4

251. Strengthening Children’s Services in Barnsley: Further Investment Proposals (Cab.19.4.2023/9)

RESOLVED that Cabinet:-

1. Notes the progress to date, the revised costs, and commitments over and above previous approval; and
2. Approves the proposed further investment as outlined particularly in Section 4 of the report and detailed in the appendices.

.....
Chair

BARNSELY METROPOLITAN BOROUGH COUNCIL

CABINET SPOKESPERSONS' DECISIONS

Schedule of Decisions taken for weeks ending 21 April, 5 May, 12 May and 19 May 2023

<u>Cabinet Spokesperson</u>	<u>Item</u>	<u>Decisions</u>
1. Environment and Highways	Town Centre Experimental Traffic Regulation Order	<ol style="list-style-type: none">1. The Head of Legal Services and Deputy Monitoring Officer be authorised make and publish an ETRO to introduce the changes to waiting and loading restrictions in Barnsley Town Centre as described in the report and shown on the plan at Appendix 1.2. The Head of Highways and Engineering be authorised to implement the changes, to carry out consultations with stakeholders and to monitor the operation and effectiveness of the restrictions.3. The Head of Highways and Engineering be authorised to make any changes to the restrictions that is considered necessary to overcome any operational difficulties or satisfy any objections or representations that might be received during that time subject to consultation with the Chief Officer of Police.4. Any objections and representations received during the public consultation period, be fully considered and reported to a future meeting of Cabinet, together with a full assessment of the effectiveness of the restrictions and their effects on other roads in the town centre and whether it has achieved its desired objectives, in order to determine whether the restrictions should be made permanent.

<u>Cabinet Spokesperson</u>	<u>Item</u>	<u>Decisions</u>
2. Public Health and Communities	National NHS Pay Award	<ol style="list-style-type: none"> 1. To support and fund the pay increase that has been recognised nationally for NHS employed staff for the remainder of the Integrated Sexual Health Service current contract from April 2022 to June 2028. 2. The Council is committed to continuing to enable providers to recruit into vacant positions within mandated clinical services. The proposal put forward is to bring the Integrated Sexual Health Service pay in line with the national pay award for 2022/23.
3. Children's	School Admissions: Meeting Demand for Secondary School Places at Year 7 in the North-East Planning Area	Approval is given to implement Option 4 within the enclosed report, namely, to carry out the work and refurbishments summarised in Paragraph 2.5 and create the capacity to admit 30 additional Year 7 pupils at Holy Trinity Catholic and Church of England School, together with 30 additional Year 7 pupils at Outwood (Carlton) Secondary Academy within environments conducive to learning and in time for the commencement of the Autumn Term in 2023.

<u>Cabinet Spokesperson</u>	<u>Item</u>	<u>Decisions</u>
4. Leader	Appointment of the Cabinet for 2023/24	<p>(i) that the Cabinet Portfolios be confirmed for the 2023/24 municipal year with effect from Annual Council on 19 May 2023;</p> <p>(ii) that the following members be appointed to the Cabinet for the 2023/24 municipal year with effect from Annual Council on 19 May 2023, with responsibility for the portfolios indicated:-</p> <ul style="list-style-type: none"> • Deputy Leader – Councillor Caroline Makinson • Cabinet Spokesperson without Portfolio – Councillor Sharon Howard • Cabinet Spokesperson for Core Services – Councillor Robin Franklin • Cabinet Spokesperson for Children’s Services – Councillor Trevor Cave • Cabinet Spokesperson for Environment and Highways – Councillor James Higginbottom • Cabinet Spokesperson for Regeneration and Culture – Councillor Robert Frost • Cabinet Spokesperson for Place Health and Adults – Councillor Jo Newing • Cabinet Spokesperson for Public Health and Communities – Councillor Wendy Cain

<u>Cabinet Spokesperson</u>	<u>Item</u>	<u>Decisions</u>
4. Leader	Appointment of the Cabinet for 2023/24 (continued)	<p>(iii) that the following members be appointed as Cabinet Support Members for the 2023/24 municipal year for the portfolio as indicated:-</p> <ul style="list-style-type: none"> • Cabinet Support Member without Portfolio – Councillor Anita Cherryholme • Cabinet Support Member for Core Services – Councillor Roy Bowser • Cabinet Support Member for Children’s Services – Councillor Jo Newing • Cabinet Support Member for Environment and Highways – Councillor Kevin Osborne • Cabinet Support Member for Regeneration and Culture – Councillor Janine Moyes • Cabinet Support Member for Place Health and Adults – Councillor Sue Bellamy • Cabinet Spokesperson for Public Health and Communities – Councillor Margaret Sheard.
5. Leader	Appointment of the Area Council Chairs for 2023/24	<p>that the following Members be appointed as Chairs of the Area Councils as indicated for the 2023/24 municipal year with effect from Annual Council on 19 May 2023:-</p> <ul style="list-style-type: none"> • Central - Councillor Karen Dyson • Dearne - Councillor Dorothy Coates • North - Councillor Dave Leech • North East - Councillor Joe Hayward • Penistone - Councillor David Greenhough • South - Councillor Pauline Markham

BARNSELY METROPOLITAN BOROUGH COUNCIL

Report of the Chief Executive

Petitions received under Standing Order 44

1. Purpose of Report

To consider action in respect of petitions received by the Chief Executive under Standing Order 44.

2. Recommendations

2.1 **That Cabinet agree the action to be taken in response to the petitions referred to in the report in line with the Council's Petitions Scheme.**

3. Background

3.1 The Council's Standing Order 44 requires that "All petitions relating to a matter over which the Council ... has authority or which affects the Borough shall be presented to the Chief Executive who shall refer them to the relevant officer for investigation."

3.2 The Petitions Scheme, which was revised in April 2013, requires petitions to be reported into Cabinet. This report sets out recent petitions received and the recommended response.

3.3 Whilst the report of petitions to Cabinet fulfils this duty requirement, Cabinet may wish to consider further action, such as referring any petition to the relevant Area Council.

4. Details of Petitions Received

4.1 Details of the petitions received up to this meeting of Cabinet are set out in the appendix attached, including a recommendation of the action to be taken for consideration. Members should note that individual petitions will not be the subject of further reports to Cabinet unless this is specifically requested at the meeting when the petition is reported.

5. List of Appendices

5.1 Details of Petitions received.

6. Background Papers

Petitions presented to the Chief Executive. Available for inspection in the Council Governance Unit, Town Hall, Barnsley, except where the petitions contain Exempt Information.

Officer Contact: Sukdave Ghuman **Email:** governance@barnsley.gov.uk **Date:** 21 February 2023

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Petitions received under Standing Order 44 - Cabinet – 5 April 2023

Issue	No. of Signatories	Date Received	Action recommended under the Petitions Scheme
Relocation of Streetlamp on footpath between Inglewood and Oaks Farm Drive, Darton	53 signatories	21/2/2023	<p>The petition is not supported.</p> <p>Reference is made to relocating an existing lighting column that is in an area of greenspace between Inglewood and Oaks Farm Drive at Darton, which is not classed as adopted highway.</p> <p>The petition requests the relocation of the lighting column to adjacent to the existing footpath that links Inglewood an Oaks Farm Drive.</p> <p>This footpath is not classed as adopted highway (i.e. a legally defined highway, maintainable at public expense under the Highways Act 1980).</p> <p>To achieve the requested relocation of the lighting column, the energy supplier (Northern Power Grid), has requested a new supply cable to comply with current regulations. Together with the replacement column and lantern, the estimated cost last year was c£20k, but given the current rate of inflation, this is likely to increase.</p> <p>The Highways and Engineering Service is responsible for discharging the Council’s duties and responsibilities, as local Highway Authority, under the Highways Act 1980 and receives an</p>

			<p>approved allocation for Street Lighting maintenance only of assets on the adopted highway (plus some historical, legacy assets such as this one), but not for Street Lighting improvements.</p> <p>To progress this request, a source of funding needs to be identified from a Service or Community budget, such as Area Council funding, to facilitate this Street Lighting upgrade, as previously advised.</p>
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Petitions received under Standing Order 44 - Cabinet – 31 May 2023

Issue	No. of Signatories	Date Received	Action recommended under the Petitions Scheme
Investigate and implement the most effective way to introduce a park and ride service for Barnsley Hospital	296 signatories	09/03/2023	<p>Independent consultants have been commissioned to undertake a feasibility study into the need for a Park & Ride which is going to take some time to conclude as it involves survey work.</p> <p>Until such time as the consultants have completed their study it is recommended to Cabinet that a further report detailing the outcomes of the study be submitted in due course</p>

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BARNSELY METROPOLITAN BOROUGH COUNCIL

REPORT OF: EXECUTIVE DIRECTOR CORE SERVICES

TITLE: HOUSEHOLD SUPPORT FUND GRANT APRIL 23 TO MARCH 24

REPORT TO:	CABINET
Date of Meeting	31st May 2023
Cabinet Member Portfolio	Core Services
Key Decision	No
Public or Private	Public

Purpose of report

To provide an overview of the conditions for use of the 4th iteration of the Household Support Fund grant (HSF), and proposed spending plans covering the period April 23 to March 24 to support those in most need with essential household costs.

Council Plan priority

The proposals in this report will contribute towards:

Healthy Barnsley – reducing inequalities in health and income across the borough, by providing targeted support to those in most need with the cost-of-living crisis.

Growing Barnsley – supporting people to have safe, warm and sustainable homes through provision of energy grants and the affordable warm homes programme.

Sustainable Barnsley – provision of more energy efficient and sustainable methods of heating.

Recommendations

That Cabinet:-

- 1. Note the grant conditions associated with the use of the Household Support Grant, as set out in section 2.1 to 2.4.**
- 2. Agree to the proposed spending plan set out in section 2.5.**
- 3. Agree to proceed with the priority schemes as outlined in 2.5.3**

4. Authorise that the Director of Finance S151 Officer make any necessary amendments to the scheme following receipt of any changes to the guidance and funding allocation and approve the redistribution of underspends to ensure funding is maximised to support the borough within the period of the grant.

1.0 BACKGROUND

- 1.1 In September 2021 the Government announced a funding package of £500M to help vulnerable households fund essential costs over the winter period covering October 21 to March 22. In March 22 the fund was extended by a further £500M to cover the period April to September 22, and further extension to cover the period October 22 to March 23. To date Barnsley has received and supported the borough with £7M investment.
- 1.2 In November 2022 the Chancellor announced in his Autumn Statement this fund would be extended for another 12 months covering the period April 2023 to March 2024, Barnsley will receive £4.7M for this period, taking the total funding investment for the borough to £11.7M. This paper is to provide an overview of the spending plans for use of this funding allocation.

2.0 PROPOSAL

2.1 Conditions of Grant

- 2.1.1 Guidance has been released by the Department for Work and Pensions (DWP), which adopts the same grant conditions as previous rounds, with some additional flexibility in the use of funding.
- 2.1.2 The funding allocation for Barnsley is £4.7M. Funding is to cover the period April 23 to March 24. No funding can be carried over from this or previous periods.
- 2.1.3 Local Authority spending plans must be submitted to the DWP by 17th May 2023.
- 2.1.4 LA's have the discretion on how the funding can be used, within the scope of DWP guidance.
- Funding should be used to support those that are not eligible for other government support:
 - Those not eligible for the amended Energy Price Guarantee from April 23
 - Those ineligible for the Government cost of living payments or may have become eligible after the qualifying date
 - Those claiming Housing Benefit only

- Those eligible for benefits but had a nil award in the qualifying period due to, for example, a fluctuation in income
- The Fund is intended to cover a wide range of low-income households including families with children of all ages, pensioners, unpaid carers, care leavers, and people with disabilities.
- Local Authorities should prioritise supporting households with costs associated with:
 - *Energy* – primarily to support energy bills and providing support that can make a quick but sustainable immediate and long-term impact to energy costs.
 - *Food & Water* – support with the cost of food and water bills
 - *Essentials linked to energy & water* – support with other household bills linked to energy and water, in particular repair / replacement of white goods and appliances
 - *Wider Essentials* – essential items not linked to energy and water
 - *Advice Services* – provision of supplementary advice including debt and benefits.
 - *Housing Costs* – in exceptional circumstances where other support schemes are not available and there is a genuine emergency.
- LA's can deliver the scheme through a variety of routes including providing cash or vouchers to households, making direct provision of food or goods, or issuing grants to third parties.
- At least part of the scheme should be on an application basis.
- LA's must have a clear rationale or documented policy/framework outlining their approach including how they are defining eligibility and how households access the fund.

2.2 Reporting Requirements

2.2.1 4 returns are required to be submitted to the DWP setting out actual delivery for each quarter.

2.2.2 Additional management information is required than in previous rounds to allow DWP to assess how LAs are using the fund to support households. We will work with the Council's Internal Audit colleagues to ensure robust controls are in place for spending and reporting arrangements.

2.3 Funding Allocations

2.3.1 The funding allocations for Barnsley covering the period April 2023 to March 2024 is £4.7M.

2.3.2 Funding allocations will be paid in arrears following receipt of data returns in July, October 2023, January 2024 and at the end of the funding period April 2024 following DWP verification of data returns.

2.4 Communications

2.4.1 DWP guidance stipulates the following:

- *It is mandatory for Authorities to reference that the grant is funded by the Department for Work and Pensions or the UK Government in any publicity material, including online channels and media releases.*
- *Authorities should publicise the Fund through a webpage dedicated to the Fund headed 'Household Support Fund' on their Authority website.*

2.5 Spending Plan

2.5.1 Sections 2.5.3 – 2.5.4 below set out the proposed spending plans for use of the Fund.

2.5.2 The proposals have been split between priority schemes that are required to be progressed in accordance with DWP guidance and other schemes that have more flexibility, whilst still being restricted to tight delivery timescales.

2.5.3 Priority Schemes

- **Energy Support:** To provide £80 energy support via a Post Office Voucher, to working age LCTS claimants, to provide ongoing energy support to vulnerable households following the termination of the Governments Energy Bill Support Scheme in March 23. To provide 2 instalments of £40, 1 in May and November. This will be provided on an auto award basis.
- **Cost of Living Payment (HB Only):** To provide £900 cost of living payment (Post Office Vouchers) to those in receipt of Housing Benefit only and do not qualify for the Government cost of living payment. This payment would be made via automatic award. Proposed to make this payment in 3 instalments of £301, £300, £299, similar to the Government scheme, Spring 2023, Autumn 2023, Spring 2024.
- **Cost of Living Payment (Disability):** To provide £150 cost of living payment (bank transfer) to those in receipt of a disability benefit that are not eligible for the Government scheme due to becoming eligible after the qualifying date. This scheme would be delivered on an application basis.
- **Cost of Living Payment (part a):** To provide £301 cost of living payment (bank transfer) to those in receipt of qualifying benefits who were not eligible for the first Government cost of living payment due to becoming eligible after the qualifying date. This scheme would be delivered on an application basis.

- **Cost of Living Payment (part b):** To provide £300 cost of living payment (bank transfer) to those in receipt of qualifying benefits who were not eligible for the first Government cost of living payment due to becoming eligible after the qualifying date. This scheme would be delivered on an application basis.
- **Cost of Living Payment (part c):** To provide £299 cost of living payment (bank transfer) to those in receipt of qualifying benefits who were not eligible for the first Government cost of living payment due to becoming eligible after the qualifying date. This scheme would be delivered on an application basis.

2.5.4 Discretionary Schemes

- **Support to residents:** This would be delivered by community groups who would be required to bid for grant funding setting out how they would help people in the community over the grant funding period in line with the grant conditions. For this round we will be looking at how the funding can support people with similar schemes to the previous rounds such as food and hygiene aid, however we will also be looking at how schemes can show sustainability. For example, with the expansion of community pantries. We will also be encouraging community groups to work much more closely together.
- **Community Shop:** To further enhance the support to residents it is proposed to provide grant funding to a third-party provider the Company Shop, who have identified a property in Hoyland (the old Co-op building), to create a community shop for the provision of a dignified customer focused food model to residents who can demonstrate they are in receipt of a means tested benefit. The grant will fund the fit-out costs of the shop and could support around 700 residents within the locality, this will make a long-lasting impact to the community that will continue long after the funding of the HSG has ceased.
- **Local Welfare Assistance:** Funding to ensure the continuation of the local welfare assistance scheme. Providing support to those in financial crisis with the cost of essential household bills and white goods.
- **Free School Meals:** The Healthy Holiday government funded scheme only provides provision during Easter, Summer, and Christmas school holidays. To ensure vulnerable children are supported across all non-term time periods it is proposed to provide a £15 voucher to families during the October 23 and February 24 holidays to cover the cost of food, this would be a continuation of the support provided to families over the last 2 years.
- **Affordable Warmth Programme:** To contribute towards the overall Affordable Warmth Programme 2022-26 (a 3-year programme approved by Cabinet Cab.14.12.2022/11 in December 2022). The programme provides residents with financial support to help with energy debts and sustainable solutions that help to reduce energy consumption linked to heating; therefore, reducing energy bills. The programme makes an immediate and long-lasting sustainable impact to addressing fuel poverty.

- **Affordable Warm Homes Officers x2:** Appendix B details the proposal to support 2x Warm Homes Officer roles (grade 6) to both administer the new fuel pre-payment support initiative and provide additional resource to the Warm Homes Team in promoting and supporting the wider warm homes pathway.
- **CAB Advisor:** To provide funding to Citizens Advice Barnsley to fund an additional Debt and Financial Capability Advisor for a period of 12 months. This will enable the scope for referrals to be made through the Council's financial vulnerability index to be widened, supporting more people who need it the most. This will enable early intervention and advice around debt, budgeting, income maximisation and money management.

2.5.5 The funding allocation allows for reasonable administration costs to enable Authorities to deliver The Fund. 6% of the fund has specifically been allocated to fund additional resource to deliver the projects arising from this scheme, an allocation will be made to fund existing officer time to reduce reliance on Council budget.

2.5.6 Due to the tight timescale to deliver the above schemes, and support residents with the ongoing cost of living crisis, necessary arrangements have been made to deliver priority schemes in anticipation of approval whilst this report has been progressed through the governance system.

3.0 IMPLICATIONS

3.1 Financial

3.1.1 Consultations have taken place with the Council's Director of Finance (Section 151 Officer).

3.1.2 The Household Support Fund is a ring-fenced grant which the Council administers on behalf of the Department for Work and Pensions, the grant must be spent in line with the guidance and grant determination letter provided by DWP (summary details set out in section 2.1). There are no implications to the Councils medium term financial strategy.

3.1.3 Spending plans and data returns are required to be submitted to DWP as set out in section 2.2, which require Section 151 Officer and Cabinet approval.

3.1.4 Grant allocations will be received in arrears following satisfactory submission of data returns as referred to in section 2.3.

3.1.5 Any underspend of funding allocations will be returned to the DWP and cannot be used for other purposes or carried over into periods past March 24.

3.1.6 The Councils Internal Audit function will be consulted on the arrangements for processing and monitoring spend and outputs to ensure robust controls are in place to meet the requirements of DWP and mitigate the risk of fraud.

3.1.7 The table below summarises the financial implications associated with this scheme.

Scheme	Provider	Lead Directorate	Application	Funding
Energy Support £40 payment to LCTS claimants (15,000 working age households)	Council - Finance	Core	No	£1,200,000
Cost of Living Payment (HB Only) £900 payment to those who did not qualify for the Gov't COL payment (Paid in 3 instalments 1,000 households)	Council – Finance	Core	No	£900,000
Cost of Living Payment (Disability) £150 to those who did not qualify for the Gov't COL payment	Council - Finance	Core	Yes	£5,000
Cost of Living Payment (a) £301 to those who did not qualify for the Gov't first COL payment (Spring 23)	Council - Finance	Core	Yes	£20,000
Cost of Living Payment (b) £300 to those who did not qualify for the Gov't second COL payment (Autumn 23)	Council - Finance	Core	Yes	£20,000
Cost of Living Payment (c) £299 to those who did not qualify for the Gov't third COL payment (Spring 24)	Council - Finance	Core	Yes	£20,000
Total Priority Schemes				£2,165,000
Supporting residents with help towards food, fuel, clothing, white good, household goods.	Community Groups	Public Health & Communities	Yes	£800,000
Local Welfare Assistance	Council – Finance	Core	Yes	£300,000
Free School Meal vouchers (October 23 & Feb 24) £15 Voucher to 10,532 children	Council - Finance	Core	No	£315,960
Community Shop (Hoyland)	Council – Healthier Communities	Communities	Yes	£300,000
Affordable Warmer Homes	Council / BH	Growth & Sustainability	Yes	£500,000
Affordable Warm Homes Officer X2 (Admin cost)	Council – Cross Cutting		n/a	£87,908
CAB Advisor	Council – Cross Cutting	Core	Referral	£42,116
Total Discretionary Schemes				£2,345,984
Admin balance				£191,544
TOTAL SPEND				£4,702,528

3.2 Legal

- 3.2.1 In addition to ensuring compliance with terms imposed by the Department for Work and Pensions, the Statutory Guidance for the United Kingdom Subsidy Control Regime document prohibits giving out subsidies unless a view has been taken that the grant of the subsidy is consistent with the subsidy control principles.
- 3.2.2 BMBC therefore has a legal obligation to ensure that any grants given under the scheme set out in this report will be compliant with the subsidy control principles and other requirements.
- 3.2.3 Given that the subsidy control regime does not automatically apply to all types of financial assistance given by public authorities, it is essential to assess whether the grants to be awarded falls under the definition of a subsidy as outlined in the Subsidy Control Act 2022 (the Act).
- 3.2.4 The grant awards contemplated under this report will be considered a subsidy where it satisfies all four of the following 'limbs' of the test contained in section 2 of Act (financial assistance that satisfies one or more limbs, but not all four –are not subsidies).
- 3.2.5 Limb A of the test as set out in section 2 (1) (a) of Act is satisfied as the financial assistance is given, directly or indirectly, from public resources by a public authority.
- 3.2.6 However, it does not appear that Limb B of the test detailed in section 2 (1) (b) which requires that the financial assistance confers an economic advantage on the enterprise is satisfied, because, in order to satisfy this requirement, the recipient must be an enterprise – i.e an entity engaged in an economic activity, which means offering goods and services on a market. Where the recipient is engaged in both economic and non-economic activity, the enterprise will be considered only in relation to its economic activity.
- 3.2.7 Therefore even if the providers listed at paragraph 3.1.7 of this report also provide goods or services on the market, in so far as the grant is ringfenced for non-economic activities as detailed in the spending plan at paragraph 2.5 of this report the spending would be outside the scope contemplated by limb B of the test (section 2 (1) (b) of the Act) since they are to be used to supporting residents with help towards food, fuel, clothing, white good, household goods, free school meal vouchers, community shop etc.
- 3.2.8 The service is therefore advised to liaise with legal to ensure that proper legally binding arrangements are put into place with the recipients that clearly set out which activities or projects the grant can be used for and which also oblige them to implement adequate ringfencing measures to prevent funds being used to cross-subsidise other areas of their operations

3.2.9 As most of the entities listed at paragraph 2.5 and 3.1.7 of this report are charities and community organizations, additional comfort is available because limb B of the test would not bite where their economic activities represent a very small proportion of the use of their overall capacity (e.g. less than 20%)

3.2.10 In light of the above, at least one limb of the four limbed test will not be satisfied, and as confirmed by paragraph 2.13 of the Statutory Guidance for the United Kingdom Subsidy Control Regime, the proposed award of the financial assistance would therefore be outside the scope of the subsidy control regime.

3.3 Equality

3.3.1 The proposals set out in this report for maximisation of the Household Support Fund grant are determined within the parameters set out by the DWP, therefore are in line with the Public Sector Equality Duty and no concerns over unlawful discrimination.

3.4 Sustainability

3.4.1 The sustainability decision-making wheel has been produced for this project and the overall impacts are positive, particularly around reducing carbon emissions, reducing poverty and improving health and well-being of residents.



3.4.2 Pollution from the insulation manufacturing process along with embedded carbon in the supply chain are highlighted as areas of negative impact. However, work is ongoing with the procurement team to address how we can build a more sustainable supply chain going forwards.

3.5 Employee

3.5.1 There are no employee implications associated with this report, schemes will be administered within existing resources.

3.6 Communications

- 3.6.1 Timely and accurate information will be communicated to residents via the appropriate channels, press releases, social media, council websites and direct engagement with key stakeholders to ensure maximum reach and an inclusive approach to all.
- 3.6.2 As set out in section 2.4, the Authority must, reference that the grant is funded by the Department for Work and Pensions or the UK Government in any communications and must have a dedicated webpage.

4.0 CONSULTATION

- 4.1 Consultations have taken place with representatives of Finance, Communities, Housing and Sustainability Business Units when forming spending plan proposals to ensure schemes are developed and targeted at that support those in most need, within the scope of the DWP guidance.

5.0 ALTERNATIVE OPTIONS

- 5.1 There are no other options due to the Household Support Fund grant being a ring-fenced government fund. LAs are best placed to administer this fund on behalf of central government.
- 5.2 Alternative spending plans could be explored; however, these would take time to develop and implement and we are bound by time restrictions to have plans developed and in place to support the borough through 2023-2024.
- 5.3 Should any of the proposals outlined in this report not be delivered or realise any underspend on the grant funding, alternative options will be explored through the provision of direct payments and/or additional cash vouchers, targeted at those in most need to ensure funding is maximised to support borough and not returned to central government. Approval to re-distribute underspends will be sought via the Finance Director, S151 Officer in consultation with the Senior Management Team.

6.0 REASON FOR RECOMMENDATIONS

- 6.1 The recommendations associated with this report are intended to ensure that the Council and partners are positioned to be able to effectively administer and deliver the requirements of DWP and maximisation of the HSF to support residents of the borough.

7.0 GLOSSARY

HSF – Household Support Fund
DWP – Department for Work and Pensions

8.0 APPENDICIES

Appendix A – Financial Implications
Appendix B – Pre-Payment Fuel proposal

9.0 REPORT SIGN OFF

Legal consultation & sign off	Legal Services officer consulted and date Pamela Nsofor, 06.04.2023
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Report of the Executive Director Core

FINANCIAL IMPLICATIONS

i) Capital Expenditure	<u>Prior Years</u> (£)	<u>2023/24</u> (£)	<u>2024/25</u> (£)	<u>2025/26</u> (£)	<u>Total</u> (£)
	0	0	0	0	0
To be financed from:					0
					0
	0	0	0	0	0
ii) Revenue Effects	<u>Prior Years</u> (£)	<u>2023/24</u> (£)	<u>2024/25</u> (£)	<u>2025/26</u> (£)	<u>FYE</u> (£)
Household Support Fund Grant		4,702,528			0
	0	4,702,528	0	0	0
To be financed from:					0
Household Support Fund Grant		-4,702,528			0
	0	-4,702,528	0	0	0
Net Revenue Position:	0	0	0	0	0

Impact on Medium Term Financial Strategy			
	<u>2023/24</u> (£)	<u>2024/25</u> (£)	<u>2025/26</u> (£)
Not applicable in this report	0.000	0.000	0.000
	0.000	0.000	0.000

Agreed by:  On behalf of the Service Director-Finance, Section 151 Officer

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COMMUNITIES

HEALTHIER COMMUNITIES – Proposal for Fuel Pre-payment Support

Date: March 2023

Author: Anne Asquith, Senior Commissioning Manager

Summary:

This report sets out the rationale for establishing and funding a fuel provision from the 2023/24 allocation of Household Support Fund and includes a proposal setting out how this would operate including the infrastructure requirements and costs.

The Household Support Fund 2023/24 grant conditions states ‘energy bills may be of particular concern to low-income households during the period of The Fund, and Authorities should prioritise supporting households with the cost of energy. Support which can make a quick but sustainable impact on energy costs is particularly encouraged’¹.

To ensure alignment to this requirement, the proposed service will provide:

1. Immediate financial support for households with pre-payment meters who are experiencing severe fuel poverty, and / or immediate disconnection of their energy supply.
2. Follow up advice and support from Councils ‘Warm Homes’ team and access to the wider Warm Homes offer.

The report is based on the following premise:

- Berneslai Homes receives further funding to continue their own fuel offer to their tenants via their ‘Tenants First’ team.
- Approval is given to establish the proposed service the within the Councils ‘Warm Homes’ team to create a ‘crisis’ intervention, with relevant follow up support.
- A waiver is approved to secure a fulfilment provider able to offer immediate financial top ups to energy pre-payment meter customers.

Evidence Base:

Fuel prices:

The increasing cost of gas and electricity has contributed to the cost-of-living crisis. Volatile gas prices are affecting everyone around the world. As a result, the amount suppliers pay to buy energy on the wholesale market has risen sharply and because gas is used for electricity generation, this pushes up retail electricity bills as well as retail gas bills.² The Governments ‘energy price cap’³ has limited the amount charged per unit of energy, but this still results in significantly higher bills than prior to 2022.

Government support with energy costs has been extended for a further three months, following Ofgem’s announced on 27th February that the energy price cap from April will be £3,280 per annum for households with average utilisation, up from £1,287⁴ in 2020. This will equate to households spending an average of £273 per month on energy (based on energy unit cost payable by direct debit / quarterly billed payees).

Pre-payment meters:

A pre-payment meter is a gas or electricity meter which requires the user to add credit to a card or key in order to access energy, unlike the traditional method of paying monthly by direct debit or in arrears via a quarterly bill. In theory a pre-payment meter may appear an attractive way of keeping usage in check, however:

¹ <https://www.gov.uk/government/publications/household-support-fund-guidance-for-local-councils/1-april-2023-to-31-march-2024-household-support-fund-guidance-for-county-councils-and-unitary-authorities-in-england>

² <https://www.ofgem.gov.uk/information-consumers/energy-advice-households/check-if-energy-price-cap-affects-you>

³ <https://www.ofgem.gov.uk/information-consumers/energy-advice-households/check-if-energy-price-cap-affects-you>

⁴ <https://www.switchcraft.co.uk/energy/save-money-on-energy-bills/what-is-the-average-gas-and-electricity-bill-in-the-uk/>

- The unit cost of energy for pre-payment customers is higher than for those paying by direct debit or quarterly bill, and suppliers may also use the credit paid via a pre-payment meter to recover existing debt.
- They are typically installed where a customer is already in arrears, to prevent them from accruing further debt to the supplier. In such cases, an individual who has been unable to meet the cost of lower priced energy offered to direct debit customers, is even less likely to be able to meet the higher costs of pre-payment energy without either significantly reducing utilisation or experiencing periods of disconnection.

Where a customer fails to pay a bill after 28 days, the energy supplier may contact the customer about the possibility of disconnecting their gas or electricity supply. It's rare to be fully disconnected as the supplier will usually offer to install a prepayment meter instead⁵; if you have a 'smart' meter, this can be changed to pre-payment remotely without the supplier needing access to the property.

The Citizens Advice Bureau estimated 600,000 people were forced to make the switch to pre-payment meters after racking up debt with their energy supplier in 2022, compared with 380,000 in 2021. A report by CAB revealed that 3.2 million people – the equivalent of one person every 10 seconds – were left with cold and dark homes last year as they ran out of credit⁶. The forced installation (or remotely switching a smart meter) of pre-payment meters for vulnerable customers was halted by Ofgem until 31st March 2023, however, they may still be installed by force where all other options have been exhausted, and the customer is not classed as vulnerable.

Pre-payment customers were eligible for the Government energy support payable over the winter of 2022/23; however as this cannot be automatically credited to their accounts as done for those paying by direct debit or quarterly bill, a voucher was sent via email which can be redeemed at either a PayPoint site or at a Post Office.

In practice, this has resulted in many recipients being unable to access vouchers sent to old or incorrect email accounts, with a report in February 2023 showing that 19% of all eligible recipients had failed to redeem their vouchers⁷. As the vouchers are time limited, this equates to approximately 380,000 households who may miss out on this support further increasing the financial vulnerability of this cohort.

Impact:

In addition to the immediate issue of being unable to cook or heat the home, there are serious longer-term risks associated with living in cold properties, especially for those with additional vulnerabilities. Excess moisture in poorly heated homes leads to mould growth which can be severely detrimental to health. In 2020, an inquest ruled that 'the death of a two-year-old boy was directly linked to his exposure to mould in a flat'⁸.

Furthermore the higher cost of pre-paid energy further reduces available household income, potentially increasing the household's exposure to wider poverty including food and hygiene, resulting in increased demand for wider crisis interventions.

Demand:

IGN member	Local Authority name	Local Authority Ranking (1= most vulnerable)	Food Insecurity (% of all adults)	Fuel Poverty (% of households)	Child Poverty (% of children)	Universal Credit Claimant Count (% of working age)	Economic Inactivity (% of working age)	Low Pay (% of jobs)
South Yorkshire Combined Authority	Barnsley	30	15%	19%	33%	4%	27%	17%
	Doncaster	12	14%	18%	35%	5%	25%	25%
	Rotherham	17	14%	17%	34%	5%	26%	20%
	Sheffield	47	8%	17%	36%	5%	24%	21%

⁵ <https://www.citizensadvice.org.uk/consumer/energy/energy-supply/problems-with-your-energy-supply/if-youve-been-told-your-energy-supply-will-be-disconnected/>

⁶ <https://www.theguardian.com/money/2023/jan/11/call-to-end-forced-installation-of-uk-prepayment-meters-after-millions-suffer-without-power>

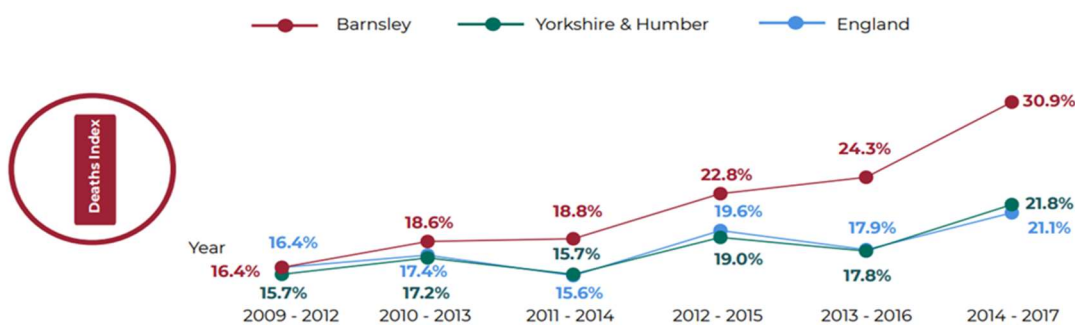
⁷ <https://www.bbc.co.uk/news/business-64541204>

⁸ <https://www.bbc.co.uk/news/uk-england-manchester-63542651>

⁶ <https://www.gov.uk/government/publications/household-support-fund-guidance-for-local-councils/1-april-2023-to-31-march-2024-household-support-fund-guidance-for-county-councils-and-unitary-authorities-in-england>

Barnsley currently has the highest level of fuel poverty in the South Yorkshire region, coupled with the highest level of food insecurity.

Excess Winter Deaths Index



Trends in recent years show that excess winter deaths have increased locally. Currently Barnsley's rate is significantly higher than the England and Yorkshire and Humber rates.

In the most recent Joint Strategic Needs Assessment, Barnsley also has a higher rate of excess winter deaths than the regional and national average, all of which points to a local population at high risk from severe fuel poverty.

There is currently no data available about the number of households in Barnsley with pre-payment meters; largely due to the constant fluctuation of meters being installed and removed, however the level of fuel poverty identified in Barnsley suggest there will be a high prevalence of households currently pre-paying for energy, and those at risk from being imminently transferred to pre-payment.

Anecdotal evidence gathered from partner organisations including Berneslai Homes has also found that households unable to top up their pre-payment meter are also experiencing severe hardship in other areas – including food and hygiene

Support currently available to pre-payment customers:

Ofgem regulations stipulate that energy suppliers are responsible for providing emergency credit in certain circumstances; however any advances must be repaid when the meter is next topped up, which can push the customer into further hardship.

Locally, tenants of Berneslai Homes can access Immediate financial support for pre-payment top ups via a service funded by Household Support Grant. This service uses 'Charis' to supply top up codes, which are generated to the recipient via SMS message.

For tenants of other social landlords, private landlords, or those who own their own home, there is currently no universal 'cross tenure' service providing an immediate intervention to restore their energy supply. Where financial support can be accessed, this typically requires a comprehensive means assessment, delaying the restoration of the energy supply. Other services offer vouchers for other essentials (typically food) to free up household income for energy costs, however this approach presumes the household had enough money for food, which discussions with front line organisations reveals is not always the case.

Household Support Fund:

As part of the Household Support Grant October 2021 to March 2022 an Energy grant was available to enable eligible households to pay off fuel debt. This required a comprehensive financial assessment, so could not provide an immediate response, however during the four months this scheme was active, 957 households successfully applied for funding. Using these figures an estimated 2,871 households would have applied over a 12-month period if there had been no changes to the energy market and economy in general, however we know that energy prices have sharply risen over the last 12 months therefore it is reasonable to assume that the number of households requiring this support has also risen sharply.

The Household Support Fund grant conditions 2023/24 permits for the first time the funding of advice services in which affords an opportunity for the proposed service not just to collaborate with existing longer-term support, but potentially be co-delivered to provide a joined-up approach to avoid households repeatedly falling into crisis.

The Warm Homes service currently provided by Barnsley Council offers non-crisis interventions to reduce household energy costs and strengthening this offer to include pre-payment support would provide a holistic response to avoid repeat referrals for crisis fuel funding, and ensure Warm Homes long term interventions are targeted at those in the greatest need.

Proposal:

To establish a service within the councils Warm Homes team, which will provide immediate pre-payment top ups, and proactive support to applicants about schemes and interventions to reduce energy costs. To achieve this, the following actions are required:

1. Funds be allocated from the Household Support Grant to fund the administration and delivery
2. An in-house infrastructure is developed which comprises:
 - a. Repurpose an existing case management system used by Warm Homes to manage applications with an approved audit trail
 - b. Recruit a fulfilment provider – which can deliver immediate pre-payment meter top ups
 - c. Establish and recruit staff – two FTE to be situated in the Warm Homes team, who will be responsible for administering the pre-payment top ups and providing onward proactive support.
3. Identify and train a network of appropriate ‘trusted partners’ who will be authorised to make referrals
4. Launch the scheme to operate initially until 31/03/2024 based on the operational process plan (attached)

Resources & Costs:

The required resources and associated costs are anticipated to be:

1. Case Management System:

The e-form and case management system already in place within the Warm Homes service will be re-purposed. The rechargeable cost of the work required by IT to complete this work is not yet confirmed but is identified on their forward plan.

2. Staffing:

Two full time equivalent fixed term post will be established within the Warm Homes team, to be funded by HSG for one year. Additional funding will be provided by Warm Homes to extend these posts for three years to increase the sustainability of the support offer. The cost for these positions would be GRADE 6 PLUS ON COSTS.

3. Fulfilment Provide

Paypoint⁹ has been identified as offering the most comprehensive fulfilment option, offering the lowest administrative costs (based on expenditure exceeding £100K per annum).

- Provides immediate energy top ups via issue of a code sent via SMS message or email which can be redeemed in any of 27,000 outlets across the UK, including many in Barnsley with extended opening hours, including supermarkets (Asda), petrol stations etc.
- levies upfront joining and license fees for member organisations, and a reduced fee for subsequent years:

PayPoint:	Cost (Year 1)	Cost (subsequent years)
Setup fee	£4,200 (one off)	£0
User set up fee	£315 x 2 (one off per user) - £630	£0
Management fee	£5,800 (per annum)	£5800
License fee	£175 x 2 (per annum / user) - £350	£350
Total:	£10,980	£6,150

- Charges £0.69 per transaction, plus £0.07 per text message.
- Provides pre-payment top ups for most major energy providers, with the exclusion of British Gas.
- Can provide cash advances where the energy provider is not supported, however, this may require the customer to visit another location (a Post Office counter for example) to top up their meter.
- Operates on a ‘draw down’ basis, where funds are lodged in a ‘holding account’
- Member organisations have access to PayPoint IT system for monitoring and utilisation data.

⁹ <https://corporate.paypoint.com/>

As PayPoint is dominant in this market, with other smaller fulfilment providers using the PayPoint network on a sub-contracting basis (eg Charis who is used by Berneslai Homes) it is not considered beneficial to undertake a competitive procurement process to secure a fulfilment provider. Instead, it is recommended that a waiver is sought to secure the services of PayPoint to provide the fulfilment requirements for the proposed fuel service.

Trusted Partners

A network of ‘trusted partners’ will be enlisted to receive and approve applications for assistance via their own networks, apply the eligibility criteria and submit an e-form for those who they approve for support.

Trusted partners will be recruited by Healthier Communities and will include organisations who have previously received HSG funding to provide support with energy costs, and those who identify as working with people experiencing fuel poverty. By ensuring all organisations refer to this service, rather than offering their own individual provision, will avoid duplication and ensure those experiencing severe fuel poverty receive consistent and sustainable support.

It is envisaged that ‘trusted partners’ will include internal and external organisations who will sign an agreement that they will apply an agreed eligibility to all applications and maintain a record of all applications submitted via the e-form which will be available for any future audit. It will be the trusted partners responsibility to check the applicant meets the agreed eligibility criteria. The trusted partner will not receive any payment for administration as the eligibility criteria and referral process will be minimal.

Each trusted partner will be allocated a maximum spend during each month of the fuel services operation to ensure resources are available throughout the operating period and are not disproportionately depleted by one partner. The amount available to trusted partners will increase during colder months. Spend by trusted partners will be monitored and adjusted where appropriate to ensure resources are re-profiled to best meet presenting need.

An example of how total funds would be apportioned across a calendar year is shown below (using an example total fund of £100k).

2023							2024				
April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March
£7.5k	£5k	£2.5k	£2.5k	£2.5k	£7.5k	£10k	£15k	£15k	£15k	£10k	£7.5k

Each trusted partner would then be apportioned an amount of this allocation based on the number of clients they anticipate supporting or have supported if HSG funding has been provided previously.

Costs:

Staff – 2 x Grade 6 Warm Homes Officers* (£37,6889 / post)	£75,378
PayPoint annual costs**	£10,980
PayPoint transaction fees (based on £100k funding)**	£1,550.40
Total:	£87,908.40

*Funding for these positions is being funded directly from the councils overall HSG allocation. The costs are based on the highest point of Grade 6 plus associated costs.

** The remaining costs will be met from the Healthier Communities HSG allocation.

The commencement date of the proposed service will be predicated by the recruitment process for the Warm Homes Officers, and the contracting arrangements being finalised with PayPoint.

Summary

This proposal will ensure Barnsley residents who are most at risk of experiencing extreme fuel poverty which results in a loss of energy supply can access and receive immediate support to restore their gas / electricity supply along with longer term support to reduce future energy costs available via the wider Warm Homes service offer.

It will also ensure Barnsley Council is compliant with the grant conditions of the Household Support Fund April 2023 to March 2024.

A process map is included on the next page which sets out how the proposed service would operate within the infrastructure as set out in this report.

Any decision required:

1. Support for the development of the service is required.
2. Support the recommendation for a waiver to secure PayPoint as fulfilment provider.

Any actions agreed:

Process

Customer identified

Customer approaches or is identified by a trusted partner as being in severe fuel poverty with insufficient credit on a pre-payment meter.



Trusted Partner – Process 1

- Assesses the applicant against the agreed eligibility criteria and advises the applicant if they meet the criteria (subject to checking for duplicate applications)



Trusted Partner – Process 2

- Completes and submits the e-form and gives the client their reference number



Application processed in-house

- Staff member queries duplicate applications with Trusted Partner
- Progresses application with fulfilment partner



Outcome:

- Applicant has £££ added to pre-payment meter
- Applicant is provided with onward support from Warm Homes to reduce household energy costs

Fulfilment

Eligibility Criteria: (example)

- The applicant has a pre-payment meter
- There is insufficient credit on the meter to last until the next business day.
- The applicant is not a Berneslai Homes tenant (who have their own service)
- The trusted partner is satisfied the applicant has insufficient funds to top up the meter and meet other essential expenditure.

Trusted Partners

Internal and external partners trained and trusted to apply the agreed eligibility criteria, to include (but not limited to):

- BMBC – Housing Options Team
- BMBC – Social work teams
- Citizens Advice Bureau

E-form and Case Management:

- Using the existing Warm Homes system
- Includes an e-form for trusted partner to complete (not publicly accessible)
- Applications held on Requestry to create an auditable record of applications and spend

Staff resource:

- Two FTE (fixed term) position to be established to process applications
- Posts will be situated in the Warm Homes

Fulfilment Partner:

- PayPoint to be appointed as a fulfilment partner able to provide immediate pre-payment meter top ups.



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BARNSELY METROPOLITAN BOROUGH COUNCIL

REPORT OF: ACTING EXECUTIVE DIRECTOR FOR CORE SERVICES

TITLE: INCREASING NATIONAL MANAGEMENT TRAINEE PLACES ON THE COUNCIL'S NATIONAL GRADUATE DEVELOPMENT PROGRAMME

REPORT TO:	CABINET
Date of Meeting	31st May 2023
Cabinet Member Portfolio	Core Services
Key Decision	No
Public or Private	Public

Purpose of report

The purpose of this report is to seek agreement from Cabinet to increase the number of National Management Trainees (NMTs) on the council's National Graduate Development Programme (NGDP) to have three NMT places every year as a rolling programme and for this to be funded through the council's budget.

Council Plan priority

- Learning Barnsley
- Growing Barnsley
- Enabling Barnsley

Recommendations

That Cabinet: -

- 1. Approve the proposed change of increasing the number of National Management Trainees (NMTs) on the NGDP to three new NMT places every year as a rolling programme, commencing with the cohort intake starting September 2023.**
- 2. Agree funding for three National Management Trainees (NMTs) placements every year from the council's budget as a yearly rolling programme starting from 2023 to 2027, when the programme will be further reviewed at a cost of £228,600* per annum from 2024/25.**

*Subject to cost increases and pay awards

1. INTRODUCTION

- 1.1 The NGDP is the Local Government Association's (LGA's) flagship national graduate programme, which attracts new talent to local government. The NGDP gives councils the opportunity to build capacity, to develop their own talent and to seek the next generation of managers. It offers a unique opportunity to place high quality graduates in councils, helping to meet their strategic goals, fast track their careers in local government and to build a pipeline of future talent.
- 1.2 The NGDP is a two-year graduate development programme, where graduates known as National Management Trainees (NMTs) are employed by councils. Each NMT will complete a minimum of three placements during their appointment to develop their skills and knowledge across a variety of services. Every year the LGA has a new cohort for the NGDP, and councils' can therefore sign-up to a yearly rolling NGDP programme.
- 1.3 Alongside their employment, graduates also undertake a learning and development offer provided by the LGA, which is the ILM Level 7 qualification in Strategic Leadership and Management. This qualification will develop the NMT's knowledge and enhance their skills as future strategic leaders.
- 1.4 The NGDP includes a highly competitive recruitment process which attracted over 5,000 applicants in 2022. Those who successfully completed the recruitment process are matched with councils across the country.
- 1.5 There are substantial benefits of the NGDP for councils:-
 - It helps to attract the best graduate talent to the sector and ensures local government continues to be seen as a positive career choice for graduates.
 - Graduates have access to national networks and further learning opportunities, which enriches their experience and enables them to bring best practice and knowledge back to their council.
 - It helps to attract a diversity of candidates and can help to fill gaps within key parts of the organisation.
 - It provides access to high calibre recruitment at a low cost, delivering value for money and providing additional talent within the existing workforce.
 - It allows councils to start thinking earlier about longer-term succession planning and future leadership potential.

2. PROPOSAL

Background

- 2.1 Barnsley Council has to date supported two successful NGDP cohorts since 2019. These cohorts have produced a wealth of talent for the council and have been reputationally well received. The council has experienced excellent

retention rates (return on our investment) which has seen all six National Management Trainees (NMTs) successfully secure permanent employment within the council, filling existing vacancies.

Options and Timescales

- 2.2 The NGDP has begun their recruitment process for the next cohort (Cohort 25) which is due to start September 2023 and will last two years.
- 2.3 The council would like to increase the number on the NGDP to three new NMT places every year, as a rolling programme, which will commence September 2023 so that it can attract and retain a greater number of talented employees who will be potential future leaders. At the end of the second two-year programme (2027) a full review will take place.
- 2.4 The costs for each NMT includes the following:
- NGDP scheme costs - £3,200 (one off cost)
 - Salary costs including on costs – starts at SCP 20 (Grade 6) - £36,122 (per annum)
 - Costs of equipment - £742 (one off cost)

3. IMPLICATIONS OF THE DECISION

3.1 Financial and Risk

- 3.1.1 The Council's Director of Finance (S151 officer) or representative has been consulted as part of drafting this report.
- 3.1.2 The additional costs of having a rolling NGDP programme which has three new NMTs every year (6 in total after year 1, based on a 2-year rolling programme) are detailed in Appendix 1.
- 3.1.3 The cost in year one of the programme (2023/24), is to be funded via reserves specifically set aside for this purpose. The cost beyond year one will be a call on the Council's Medium Term Financial Strategy in future years (2024/25 and beyond) at a cost of £228,600* per annum.

*Subject to cost increases and pay awards

3.2 Legal

There are no specific implications arising from this report and the scheme is fully compliant with legislation, ensuring that the council is meeting obligations in relation to statutory requirements.

3.3 Equality

Equality Impact Assessment Pre-screening questions have been undertaken, which shows a full EIA is not required for this strategy.

3.4 Sustainability

There has been no sustainability decision-making wheel completed for this report, as the proposal does not have a direct impact upon sustainability or the people of Barnsley.

3.5 Employee

The NGDP placement roles remain supernumerary to employee establishment.

3.6 Communications

The launch of the scheme will be communicated to all employees.

4. CONSULTATION

The following senior managers were consulted to consider the proposal that is outlined within this report:-

- Neil Copley (Service Director- Finance)
- Steve Loach (Head of Corporate Finance and Business Partnering)
- Michael Potter (Service Director- Business Improvement, HR, and Communications)
- Anthony Harold (Head of Legal Services)
- Phil Quinn (Head of Service HR & OD)

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 That the council to continue with the NGDP that is due to start in September 2023 where there would be only three National Management Trainees placements across the two- year programme.

6. REASONS FOR RECOMMENDATIONS

- 6.1 As outlined above, there are significant benefits for the council in increasing the number of National Management Trainees (NMT's) on the council's National Graduate Programme (NGDP) from three per two-year programme to three places per year to increase this talent pipeline into the council.

7. GLOSSARY

LGA – Local Government Association
NGDP – National Graduate Development Programme
NMT – National Management Trainee

8. LIST OF APPENDICES

Appendix A: Financial Breakdown Rolling NGDP Programme (3 places yearly)

9. REPORT SIGN OFF

Financial consultation & sign off	Steve Loach (Head of Financial Services Corporate & Business Partnering / Deputy S151 Officer) 12.4.23
Legal consultation & sign off	Anthony Harold (Head of Legal Services) 6.3.23

Report Author: Lesley Glanville
Post: Organisational Development Manager
Date: 06.03.23


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Report of the Executive Director Core

National Graduate Trainee Program

i) <u>Capital Expenditure</u>	<u>2023/24</u> £	<u>2024/25</u> £	<u>2025/26</u> £	Later Years £
	0	0	0	0
To be financed from:				
	0	0	0	0
ii) <u>Revenue Expenditure</u>	<u>2023/24</u> £	<u>2024/25</u> £	<u>2025/26</u> £	£
Cost of employing 3 National Graduate Placements	120,200	228,600	228,600	
	120,200	228,600	228,600	0
To be financed from:				
Reserves previously set aside	-120,200			
	-120,200	0	0	0
TOTAL COST	0	228,600	228,600	0

<u>Impact on Medium Term Financial Strategy</u>	<u>2023/24</u> £	<u>2024/25</u> £	<u>2025/26</u> £	FYE
MTFS	0.000	6.258	7.648	13.906
Effect of this report	0.000	0.229	0.229	0.229
Revised Medium Term Financial Strategy	0.000	6.487	7.877	14.135

Agreed by:  On behalf of the Director of Finance (S151 Officer)

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BARNSELY METROPOLITAN BOROUGH COUNCIL

REPORT OF THE: EXECUTIVE DIRECTOR (CHILDREN’S SERVICES)

TITLE: ANNUAL REVIEW OF THE SUFFICIENCY OF CHILD CARE PLACES IN THE BOROUGH

REPORT TO:	CABINET
Date of Meeting	31st May 2023
Cabinet Member Portfolio	Children’s Services
Key Decision	Yes
Public or Private	Public

Purpose of report

1.To inform Cabinet of the findings of the 2022 Childcare Sufficiency Assessment in the Borough.

Council Plan priority

The annual review primarily supports the Council Plan Priority of a **Learning Barnsley** particularly through enabling young children to obtain a good start and to develop a good level of development during their early years as a platform for achieving good education outcomes later.

Recommendation

That Cabinet notes the outcomes of the annual review of the sufficiency of early years provision in the Borough and endorses the actions to be taken to maintain resilience within the sector which supports the sustainability of provision as indicated in Section 4 of this report.

1. INTRODUCTION

1.1 Local authorities are required by legislation to ‘secure sufficient childcare’ under the Childcare Act (2006) and should report annually on how they are meeting their duty to secure sufficient childcare. Local authorities are responsible for determining the appropriate level of detail in their report, the geographical division and date of publication.

- 1.2 The Barnsley Childcare Sufficiency Assessment (CSA) was produced from information gathered from providers in the Summer Term 2022 (see Appendix 1). The Childcare Sufficiency Assessment was produced by the Childcare Quality and Sufficiency Manager with support from the Family's Information Service and Quality Improvement Team.
- 1.3 The geographical division within the assessment is based on the six Area Council localities although a full background assessment has been undertaken at Ward level. The full report will be shared with existing and potential childcare providers and will be published on the Council's website

2. PROPOSAL

2.1 Key Findings

- 2.2 The number of 0-4's in the borough has reduced slightly from 14142 in 2021 to 13926 in 2022 a difference of 216 children. This trend is due to continue with the ONS projections for the 0-4 population in the borough reducing to 13205 by 2026.
- 2.3 The number of early years children who have SEN has significantly increased to 335 children either with an EHCP or receiving SEN support according to the Early Years Census January 2022. This compares with 213 children in 2021 and 283 prior to the pandemic in 2019.
- 2.4 Housing development and business development plans are now all progressing with significant amounts of housing and large business parks expected to be complete before 2030.
- 2.5 The number of early years registered providers in Barnsley is 199 which is the same amount as last year and the early years school provision also still stands at 55 which is equal to last year. Therefore, there are a total of 247 providers of early years places in the borough.
- 2.6 Although, the number of providers has stayed the same, the number of places offered by those providers has reduced from 6132 places to 5573 places. As a result the ratio of childcare places to 0-4 population has reduced across all areas with Dearne and the North having the lowest ratio's but the North East has seen the greatest reduction.
- 2.7 Encouragingly the number of schools now delivering 30 hours has increased to over 50%.
- 2.8 The take up rate of 2-year-old funding is 75% which is 3% above the national

average and the take up of 3 and 4 year old funding is 93% which is also 3% above the national average.

- 2.9 Parents are finding the cost of childcare very challenging but 35% of respondents are not accessing any support towards the costs. Parents are reporting that finding childcare to meet their needs is becoming increasingly difficult although they are managing this through flexible working options, grandparents etc.

3. Summary

- 3.1 There is still a good mixture of childcare across the borough and there are several vacancies to support those looking for childcare. However, the places will not always be with their preferred choice, and they may have to travel to access the place.
- 3.2 There is the need to create further places particularly places that meet the needs of the new businesses that are setting up in the borough and who require employees to work 'typical' hours.
- 3.3 Priority should be firmly placed on the providers who are currently registered within the borough to assist them with the staffing and financial issues they are facing so they can provide the places which are registered for and to stabilize the market.
- 3.4 Some of the sessional care currently being provided by early years setting and by schools is not currently meeting the needs of working parents so work should be completed with these providers to support the sufficiency needs of the borough.
- 3.5 Due to the increase in children with special educational needs and disabilities, the increasing complexities of some of those needs and the potential lack of access due to the lower- than- average figures in the census consideration should be given to whether there are barriers to access and how increasing needs can be met.

4 Next Steps

4.1 Workforce Supply

- Facilitate a forum of providers and relevant agencies to discuss and agree strategies that will support the sector with the recruitment issues they are facing.
- Work with South Yorkshire Futures and other South Yorkshire LA's to develop initiatives to support the recruitment of quality staff. Also continue

to be Vice Chair on the Regional Quality Improvement Group which operates across Yorkshire and the Humber.

- Continue to impress on DfE the need for national support for the crisis.

4.2 Financial Pressures

- Investigate ways in which the L.A can further support providers to sustain their provision during this cost of living crisis.
- Work with new employers to assess their employees needs to inform local providers and encourage them to provide financial support to local providers who can meet their needs.

4.3 Creating Childcare

- Work initially with the childcare already in place to increase capacity/increase
- Encourage the setup of new providers including childminders across the borough with emphasis on those wards that do not currently have provision including Dodworth, Stairfoot and Darfield.
- Encourage the setup of new nursery places and the expansion of places/hours of existing provision including schools in the Dearne.

4.4 Promotion of Childcare

- Family Information Service to be transformed into a virtual hub of information.
- Further promotion of all childcare initiative to support parents with the cost of living.

4.5 Budget Update 2023

4.6 This Childcare Sufficiency Report was produced from figures collected in June 2022, since the production of the report in the 2023 budget, the Chancellor set out large-scale childcare reforms to increase availability, reduce costs and increase the number of parents using it. The headlines and timescales of which are below

- **Entitlements:** Eligible working parents in England will be able to access 30 hours of free childcare per week, for 38 weeks a year, from when their child is 9 months old to when they start school. Govt will also increase the hourly rate for providers.
- **Wraparound:** The government will invest £289m over two academic years, from Sept 2024, to enable schools and local areas to set up wraparound childcare provision
- **Universal Credit reforms** will pay childcare support up-front when parents move into work or increase their hours and increase the monthly re-imburement caps
- **Market reforms**, including more choice for childminders and changes to EYFS requirements, to improve flexibility for providers and support the workforce.

- **Childminder grants** to attract people to childminding, with £1200 for those who register with a childminder agency and £600 for those who register with Ofsted
- **Changing staff:child ratios** from 1:4 to 1:5 for two-year-olds in England to align with Scotland and provide greater flexibility for providers

Timescales

- **Autumn 2023 - Childminder grants** become available, **Invest £204m** into 3/4yo and 2yo funding rate, **Staff:child 2yo ratio change**
- **April 2024 -National wraparound support begins, 15hrs for eligible working parents of 2-year-olds** introduced, **Invest £288m** into 3/4 yo and 2yo funding rates
- **Sept 2024 -15hrs for eligible working parents of children 9 months plus** introduced
- **Sept 2025 - 30hrs for eligible working parents of children from 9 months to primary school age** introduced
- **Sept 2026 -All schools able to offer 8am-6pm wraparound** on their own or in partnership

As a result of these announcements the following actions will also be taken

- The Childcare Sufficiency Audit work will commence 2 months earlier than usual starting in April 2023, the work will include the gathering of statistics on who will be eligible and when, so detailed plans and targets can be incorporated into the service plan.
- The proposed work will continue to promote childminding as a career with the new childminder grant information, the enhanced hourly rate and potential relaxation of regulation promoted as a tool to attract interested parties.
- Information will be shared with the sector regarding the increase in ratio for 2 year olds which may result in further places being created in September 2023.

5. IMPLICATIONS OF THE DECISION

5.1 Financial and Risk

5.1.1 The Council's Director of Finance or his representatives have been consulted in the drafting of this report.

5.1.2 There are no direct financial implications emanating from the outcome or findings of the 2022 Childcare Sufficiency Assessment carried out by the Council. Early Years providers and settings are funded for 15 hours free childcare provision to eligible 2 and 3/4 year olds from the Council's Early Years Dedicated Schools Grant (DSG) funding allocation. Barnsley's

provisional early years funding allocation for 2023-24 is detailed below:

	National average funding rate per hour	Barnsley's funding rate per hour	Total EY Allocation
2 year old funding	£6.00	£5.63	£2.535m
3 / 4 year olds funding	£5.29	£4.87	£13.721m
Total			£16.256m

Above funding excludes EY pupil premium and disability access funding

- 5.1.3 The EY funding allocation of £16.256m is in the main allocated to early years providers / settings through a local funding formula, based on actual participation hours for the year (and includes supplementary elements for providers in deprived areas of the borough and to support SEND inclusion).
- 5.1.4 It should be noted that early years providers (mainly those in the private, voluntary and independent sector) continue to express sustainability concerns due to increasing cost pressures such as pay, cost of living, rising inflation and energy costs. This is due to the fact that the increase in Government funding has not kept pace with rising pay and inflation costs.
- 5.1.5 To address sustainability issues in the early years sector, additional funding was announced by the Govt as part of the 2023 Spring Budget: £204 million from this September rising to £288 million next year (2024/25) to increase the funding paid to nurseries for the existing free hours offers. This investment will allow the national average rate for local authorities for 2-year olds to increase by 30% from the current national average rate of £6 per hour to around £8 per hour from September 2023. The national average 3 to 4 year old rate for local authorities will rise in line with inflation from the current national average rate of £5.29 per hour to over £5.50 per hour from September 2023. Details of the funding changes for Barnsley are yet to be confirmed.

5.2 Legal

- 5.3 Please see Paragraph 1.1 of the report. There are no unanticipated legal implications emerging for the Council through this report.

5.3 Equality

- 5.4 An equality impact assessment has been undertaken as part of the annual review and is attached as Appendix 2 of the report.

5.5 Sustainability

- 5.1 There are no implications for sustainability in the Borough arising through consideration of this report.

5.6 Employee

- 5.7 There are no direct implications for the Council's employees emerging through this report. However, the report details the broader child-care workforce and

the support which the Local Authority intends to offer as part of improving the sustainability of provision within the Borough (Please also see Paragraph 4.1)

5.8 Communications

- 5.9 The outcomes of the Annual Review will be published on the Council's Web site and widely shared with partners and the public as part of improving the long-term sustainability of the sector and promoting provision so that child-care and early years needs are fully met in the Borough.

5.10 CONSULTATION

- 5.11 The outcomes of the Annual Review have been reported to our early years' partners and the Council's Senior Management Team which has endorsed the proposed action outlined in Section 45 of this report.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 The purpose of this report is to set out to Cabinet the findings of the statutory childcare sufficiency assessment and the responsibility for ensuring there are sufficient child-care places to meet the needs of the Borough

6. REASONS FOR RECOMMENDATIONS

- 6.1 The outcome of the annual review affords Cabinet an insight into the current position of early years provision and its sustainability in the Borough.
- 6.2 As Cabinet is aware, the sustainability of the sector is not only crucial in enabling young children to obtain a good start in life and show a good level of development at an early stage as part of improving life chances and social mobility, sufficient child-care places are also imperative in ensuring parents remain economically active.

7. GLOSSARY

- 7.1 None, applicable

8. LIST OF APPENDICES

- 8.1 Appendix 1: Annual Review of the Sufficiency of Child Care Places in Barnsley (2022)

Appendix 2: Equality Impact Assessment

9. BACKGROUND PAPERS

- 9.1 If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

10. REPORT SIGN OFF

Financial consultation & sign off	Senior Financial Services officer consulted and date <i>Joshua Amahwe (15/02/2023)</i>
Legal consultation & sign off	Legal Services officer consulted and date <i>M P Farrell - 14/02/2023</i>

Report Author: Nina Sleight

Designation: Service Director (Education, Early Start and Prevention)

Childcare Sufficiency Report 2021-2022



www.barnsley.gov.uk

Introduction

The Local Authority has a statutory duty under Section 6 of the Childcare Act 2006 to ensure, as far as is reasonably practicable, that sufficient childcare places are available across the borough for children aged 0-14 (or up to 18 for disabled children).

Under Section 7 of the Childcare Act 2006 the L.A also has to secure free early education provision for each eligible young child in their area (i.e. all three / four year olds and eligible two year olds).

The statutory duty includes that the L.A must 'report annually to elected council members on how they are meeting their duty to secure sufficient childcare and make this report available and accessible to parents'.

Having sufficient childcare means that families can find childcare that meets their child's learning needs and enables parents to make a real choice about work and training. This applies to all children from birth to age 14, and to children with disabilities.

In this report, we have assessed sufficiency using data about the need for childcare, the amount of childcare available, and feedback from local parents about how easy or difficult it has been for them to find suitable childcare.

Local Authorities are responsible for determining the appropriate level of detail in their report and are able to determine the publication dates and can publish data in geographical areas which link in with the L.A's Strategic Plans.

This assessment is presented by area councils; Central, Dearne, North, North-East, Penistone and South.

The information within the assessment informs the work of the Early Years' Service and wider L.A departments in meeting the duty.

Key Findings

The number of 0-4's in the borough has reduced slightly from 14142 in 2021 to 13926 in 2022 a difference of 216 children. This trend is due to continue with the ONS projections for the 0-4 population in the borough reducing to 13205 by 2026.

The number of early years children who have SEN has significantly increased to 335 children either with an EHCP or receiving SEN support according to the Early Years Census January 2022. This compares with 213 children in 2021 and 283 prior to the pandemic in 2019.

Housing development and business development plans are now all progressing with significant amounts of housing and large business parks expected to be complete before 2030.

The number of early years registered providers in Barnsley is 199 which is the same amount as last year and the early years school provision also still stands at 55 which is equal to last year. Therefore, there are a total of 247 providers of early years places in the borough.

Although, the number of providers has stayed the same, the number of places offered by those providers has reduced significantly from 6132 places to 4,575 places. As a result the ratio of childcare places to 0-4 population has reduced across all areas with Dearne and the North having the lowest ratio's but the North East has seen the greatest reduction.

Encouragingly the number of schools now delivering 30 hours has increased to over 50%.

The take up rate of 2-year-old funding is 75% which is 3% above the national average and the take up of 3 and 4 year old funding is 93% which is also 3% above the national average.

Parents are finding the cost of childcare very challenging but 35% of respondents are not accessing any support towards the costs. Parents are reporting that finding childcare to meet their needs is becoming increasingly difficult although they are managing this through flexible working options, grandparents etc.

Summary

There is still a good mixture of childcare across the borough and there are several vacancies to support those looking for childcare. Although, the places will not always be with their preferred choice, and they may have to travel to access the place.

There is the need to create further places particularly places that meet the needs of the new businesses that are setting up in the borough who require employees to work 'a typical' hours.

But priority should be firmly placed on the providers who are currently registered within the borough to assist them with the staffing and financial issues they are facing, so they can provide the places they are registered for and to stabilise the market.

Some of the sessional care currently being provided by early years settings and by schools, is not currently meeting the needs of working parents so work should be completed with these providers to support the sufficiency needs of the borough.

Due to the increase in children with special educational needs and disabilities, the increasing complexities of some of those needs and the potential lack of access due to the lower-than-average figures in the census, consideration should be given to whether there are barriers to access and how increasing needs can be met.

Our Plans for Childcare 22-23

Recruitment Issues

Facilitate a forum of providers and relevant agencies to discuss and agree strategies that will support the sector with the recruitment issues they are facing.

Work with South Yorkshire Futures and other South Yorkshire LA's to develop initiatives to support the recruitment of quality staff. Also continue to be Vice Chair on the Regional Quality Improvement Group which operates across Yorkshire and the Humber.

Continue to impress on DfE the need for national support for the crisis.

Financial Pressures

Investigate ways in which the L.A can further support providers to sustain their provision during this cost-of-living crisis.

Work with new employers to assess their employees needs to inform local providers and encourage them to provide financial support to local providers who can meet their needs.

Creating Childcare

Work initially with all existing early years settings and recently closed sites to enable them to provide the places they are registered to deliver.

Encourage the setup of new providers, including childminders, across the borough with emphasis on those wards that do not currently have provision including Dodworth, Stairfoot and Darfield and areas with a low childcare ratio including the Dearne, North and North-East areas.

Encourage further schools to deliver 30 hours of care flexibly to meet the needs of working parents.

Promotion of Childcare

Family Information Service to be transformed into a virtual hub of information.

Further promotion of all childcare initiative to support parents with the cost of living.

Continue to promote the two year entitlement

1.Demand for Childcare

Population of early years and school age children

There is an estimated total of 42,143 children aged 0-14 living in Barnsley (Office for National Statistics mid-2020 population estimates). The population is distributed fairly evenly across the different age bands, with 33.04% of total aged 0-4 years, 34.47% aged 5-9 years and 32.47% aged 10-14 years. These figures show a reduction overall in all age bands compared with the mid 2019 population estimates

Area Council	0-4 years	5-9 years	10-14 years	Total Children 0-14
Central	3163	3108	3454	9725
Dearne	1648	1501	1513	4662
North	2410	2611	2132	7153
North East	2838	2987	3173	8998
Penistone	1162	1548	1198	3908
South	2705	2775	2217	7697
BARNSLEY	13,926	14,530	13,687	42,143

Population estimates by area locality (mid-2020 estimates).

The highest number of children across all age bands live within the wards covered by the Central Area Council followed by the North-East Area Council and the South Area Council.

Population Projections

The Office for National Statistics (ONS) 2020-based population projections (released March 2020) estimate the child population (children aged 0-16 years old) is projected to decrease by 2026 by 1.1% to 42,677. Increases are forecast in the 10-14 age range and decreases in the younger age ranges.

In contrast, the total population is projected to increase by 5% in the same period

Child population forecast 2018 to 2026

Age range	2018	2023	% Change 2018-2023	2026	% Change 2018-2026
0-4	14,227	13,221	-7.1%	13,205	-7.2%
5-9	14,911	14,650	-1.8%	14,071	-5.7%
10-14	14,032	15,377	+9.6%	15,401	+9.8%
Child population 0-14	43,170	43,248	+1.8%	42,677	-1.1%
Overall population	245,199	253,424	+3.4%	257,456	+5.0%

Number of children with Special Educational Needs and Disabilities

Childcare providers have reported that 365 children who are accessing childcare have special educational needs and disabilities (SEND), this figure includes those children accessing Out of School Clubs.

The table below shows the Early Years Census figures for Barnsley compared with the National figures of children accessing early years childcare who are either have an EHCP or are accessing SEN support.

Number of children by special educational needs (SEN) provision ¹ for 15 hour entitlement, EHC plan and SEN support in Barnsley and England between 2019 and 2022									
		England				Barnsley			
		2019	2020	2021	2022	2019	2020	2021	2022
EHC plan	Number of registered two-year-olds	851	826	715	645	4	2	1	4
	Number of registered three- and four-year-olds	10,470	11,603	12,444	13,330	41	46	35	43
	Percent of two-year-olds registered	0.6%	0.6%	0.6%	0.5%	0.4%	0.2%	0.1%	0.5%
	Percent of three- and four-year-olds registered	0.8%	0.9%	1.0%	1.1%	0.7%	0.8%	0.7%	0.8%
SEN support	Number of registered two-year-olds	3,902	4,153	3,617	4,851	18	14	31	17
	Number of registered three- and four-year-olds	69,970	72,079	63,974	71,209	220	191	146	271
	Percent of two-year-olds registered	2.6%	2.9%	2.9%	3.6%	2.0%	1.7%	4.2%	2.1%
	Percent of three- and four-year-olds registered	5.5%	5.7%	5.3%	5.9%	4.0%	3.5%	2.7%	5.1%

The Early Year Census figures show that over the past four years the percentage of 2 year olds with an EHC is now in line with national figures at 0.5% but the figure for 3& 4 year olds is .3% lower. The figure of those on SEN support has dramatically increased

for 3&4 year olds but is .8% lower than the national average. The two year old figure has significantly dropped since last year and is 1.5% below the national average.

Housing Projections and Business Growth

As reported in last year's assessment there are a number of large housing developments planned across the borough with numbers of homes being built increasing significantly from 2024 through to 2027 and beyond.

Statistics provided by School Place Planning

Area Council/Wards	No. of houses	Sum of 22/23	Sum of 23/24	Sum of 24/25	Sum of 25/26	Sum of 26/27	Sum of Total
Central	14	129	170	244	317	340	1,200
Central	3	51	0	35	45	45	176
Dodworth	4	0	40	154	182	235	611
Kingstone	1	17	0	0	0	0	17
Stairfoot	2	26	35	45	45	45	196
Worsbrough	4	35	95	10	45	15	200
Dearne	13	98	179	291	207	219	994
Dearne North	5	70	115	156	130	105	576
Dearne South	8	28	64	135	77	114	418
North	14	114	188	201	275	205	983
Darton East	7	36	140	156	172	105	609
Darton West	3	38	0	0	40	45	123
Old Town	1	0	0	0	18	0	18
St Helen's	3	40	48	45	45	55	233
North East	23	210	274	300	369	364	1,517
Cudworth	5	44	54	19	50	86	253
Monk Bretton	8	49	90	178	229	172	718
North East	6	51	85	45	0	16	197
Royston	4	66	45	58	90	90	349
Penistone	11	131	125	144	117	117	634
Penistone East	5	43	24	2	2	2	73
Penistone West	6	88	101	142	115	115	561
South	24	112	372	450	482	367	1,783
Darfield	7	3	55	166	181	116	521
Hoyland Milton	4	24	47	36	24	0	131
Rockingham	10	20	150	180	232	206	788
Wombwell	3	65	120	68	45	45	343
Grand Total	99	794	1,308	1,630	1,767	1,612	7,111

Alongside, the planned residential developments are large business parks some already occupied by large employers who require a flexible workforce that can work non-standard hours, shifts, including evening, weekend and nights.

2. Supply of Childcare

There are a total of 199 active registered early years and childcare settings in Barnsley, and 55 maintained nursery classes, which is the same amount of settings as reported in the 2021-2022 Childcare Sufficiency Report. Collectively, these settings can provide a total of places 5786 (full time equivalent) but they are currently offering 5573 places. Settings that are not offering the full number of places they are registered for state that this is either due to recruitment issues, due to sustainability issues or both.

Childminding provision is available in all areas and day nursery provision in most wards. Wards with no day nursery provision include Dodworth and Stairfoot (Central area); Darfield (South area), although Darfield does have a Family Centre with a nursery. There is maintained nursery provision in all wards and areas.

AREA/WARD	Childminding	Day Nursery	Family Centre	Out of school	Sessional	Maintained Nursery
CENTRAL	19	9	1			15
Central	2	6				3
Dodworth	3					2
Kingstone	6	2				4
Stairfoot	6					3
Worsbrough	2	1	1			3
DEARNE	8	4	2			7
Dearne North	2	2	1			4
Dearne South	6	2	1			3
NORTH	30	5	1	3		11
Darton East	11	1		1		3
Darton West	7	2				1
Old Town	8	1		2		2
St Helen's	4	1	1			5
NORTH EAST	28	11	1	3	2	9

Cudworth	11	3		1		2
Monk Bretton	2	4				2
North East	7	3	1	1	1	3
Royston	8	1		1	1	2
PENISTONE	13	8	0	1	1	3
Penistone East	4	4		1		1
Penistone West	9	4			1	2
SOUTH	33	11	1			10
Darfield	11		1			2
Hoyland Milton	4	5				3
Rockingham	10	3				2
Wombwell	8	3				3
OVERALL	131	48	6	7	3	55

There are only three pre-school/sessional settings registered in Barnsley, two are located in the North East area and one in Penistone. All bar Penistone area has at least one family centre that offers sessional childcare places and family services, Penistone does not offer childcare but does offer family services. Preschool and sessional settings rely on government funding and do not meet the needs of most working parents therefore they are finding it increasingly difficult to survive.

Number of settings by type of provision – area and ward

Some childminder places may also be available for older children and 4 registered childminders did not contribute to the survey.

Number of early years providers and places

In total, there are 247 early years childcare providers in our local authority, currently offering a maximum of 4,788 early years childcare places:

Type of provision	Number of providers	Number of registered places	Number of places currently offered
Childminders	135	465	427
Nursery classes in schools	55	1,406	1,406

Private, voluntary and independent nurseries (inc 6 Family Centre Day Care)	57	2,917	2,742
Total	247	4,788	4,575

For private, voluntary and independent nurseries and childminders, the number of registered places represents the maximum number of children who can be on the premises at any given time. In practice, many providers choose to operate below their number of registered places.

Children may attend childcare full time or part time. This table records places for children who are attending full time, or for as many hours as the setting is open. In some cases, two or more children attending part time may use one full time equivalent place. For example, one child may attend in the morning and one child may attend in the afternoon.

Area Council	0-4 Population 2022	Total Number of Childcare Places 2022	Places offered	Maintained	Total Maintained and Offered	Childcare Ratio on places offered 2022	Childcare Ratio 20-21
Central	3163	758	634	373	1007	0.32	0.34
Dearne	1648	235	192	176	368	0.22	0.24
North	2410	393	371	258	629	0.26	0.24
North East	2838	800	723	247	970	0.34	0.43
Penistone	1162	493	457	79	536	0.46	0.47
South	2705	724	613	273	886	0.32	0.36
BARNESLEY	13,926	3403	2990	1406	4396	0.32	0.33

The ratio of childcare places has fallen again this year to an average of 0.32 with Dearne, North and North-East all falling below average. Although, if the settings were able to deliver the number of places they were registered for the percentages would have been the same in most areas as in 20-21 or in the case of Penistone and Central they would have been higher. The North-East ward is significantly lower than the 20-21 ratio at 0.34 this is mainly down to the closure of one large nursery.

Early years vacancies

Type of provision	Number of providers	Total number of vacancies (full time equivalent)
Childminders*	135	50
Nursery classes in schools	55	410
Private, voluntary and independent nurseries	57	379
Total	247	839

Vacancy rates are a snapshot, and often change rapidly. In some cases, providers may have a vacancy which is only available for a specific age group, or for a particular part time arrangement. [We ask providers to report vacancies to us so we can help promote them. Not all choose to do this]. In general, vacancy rates are higher in the autumn, when children move to school.

Early years atypical hours

Childcare is most commonly delivered during the typical working day – between 8am and 6pm on weekdays. Some parents require childcare outside these times in order to fit with their work or other responsibilities.

The number of providers offering childcare for atypical hours in our local authority is:

Type of provision	Number of providers	Available before 8am weekdays	Available after 6pm weekdays	Available weekends*
Childminders	135	60	9	1
Nursery classes in schools	55	0	0	0
Private, voluntary and independent nurseries	57	10	0	0
Total	243	70	9	1

* This includes availability at any time during the weekend, not necessarily for the whole weekend

Number of school age providers and places

In total, there are 191 providers of childcare for school age children during term time, and 139 providers of childcare for school age children during the holidays. This includes 118 childminders that provide care for school age children.

The table below shows the numbers of the different types of provider, their registered places as well as the numbers of places they state they were currently offering at the time of the survey.

Type of provision	Number of providers	Number of registered places	Number of places offered
Independent Out of School Clubs	7	227	212
Independent OSC Holiday Provision	5	187	172
School Breakfast Clubs	44	1756	1636
School After School Clubs	19	556	520
School Holiday Clubs	4	120	40

Childminders Term Time	117	595	539
Childminder Holiday Provision	112	516	509
PVI's Out of School Providers	22	335	267
PVI's Holiday Providers	17	272	204
Playgroups / Sessional Out of School	1	26	26

*Numbers do not include providers that had no response to the survey, this includes schools

Tracking supply of childcare for school age children is difficult because not all this type of provision is registered with Ofsted. It is possible that we have under-counted the provision of breakfast and afterschool clubs and holiday clubs. Parents may also use provision which is not considered 'childcare', for example sports or arts clubs after school or in the holidays.

School age vacancies

As stated above, there are 191 providers of childcare for school age children during term time, and 139 providers of childcare for school age children during the holidays including 118 childminders that provide care for school age children. Although vacancies change daily, the vacancies at the time of the survey for these providers were as follows

Type of provision		Number of providers	Number of places offered	Number of vacancies (FTE)
Independent Out of School Clubs	Before School	7	212	49
	After School			42
	Holiday	5	172	46
Schools	Before School	44	1636	469
	After School	19	520	129

	Holiday	4	40	0
Childminders	Before School	117	539	50
	After School			46
	Holiday	112	509	75
PVI's	Before School	22	267	19
	After School			24
	Holiday	17	204	47
Playgroups / Sessional	Before School	1	26	7
	After School			6
	Holiday			1

School age atypical hours

Childcare is mostly delivered during the typical working day – between 8am and 6pm on weekdays. Some parents require childcare outside these times in order to fit with their work or other responsibilities.

The number of providers offering childcare to school age children for atypical hours in our local authority is as follows:

Type of provision	Number of providers	Available before 8am weekdays	Available after 6pm weekdays	Available weekends 1
Independent Out of School Clubs	7	2	0	0
Independent OSC Holiday Provision	5	2	0	0

School Breakfast Clubs	44	14		0
School After School Clubs	19		0	0
School Holiday Clubs	4	1	0	0
Childminders	117	60	9	1
PVI's Out of School Providers	22	7	0	0
Playgroups / Sessional Out of School	1	0	0	0

*Numbers do not include providers that had no response to the survey, this includes schools

3.Funded Early Years Education

Introduction to funded early education

Two Year Old Funding

Some two year old children are eligible for a funded place; eligibility for funding is based on the national criteria. All eligible two year old's are able to access a free early education place from the term after their second birthday. Each eligible child is entitled to 15 hours of free education a week, up to 570 hours per year for a maximum of three terms.

The figures below show the take up rate comparison between Barnsley L.A, all Yorkshire and Humber LA's and the national figure

Take up of 2 year funding					
		2019	2020	2021	2022
England	DWP population estimate for 2-year-olds	219,316	207,392	201,562	188,318
	Number of registered 2-year-olds	148,751	143,439	124,543	135,410
	Percentage of eligible 2-year-old children registered	68%	69%	62%	72%

Yorkshire and The Humber	Yorkshire and The Humber	DWP population estimate for 2-year-olds	25,651	23,904	22,814	21,210
		Number of registered 2-year-olds	18,315	17,318	15,231	16,143
		Percentage of eligible 2-year-old children registered	71%	72%	67%	76%
	Barnsley	DWP population estimate for 2-year-olds	1,247	1,147	1,054	1,059
		Number of registered 2-year-olds	919	839	738	793
		Percentage of eligible 2-year-old children registered	74%	73%	70%	75%

Three and Four Year Old Funding

All three and four year olds and eligible two year olds are entitled to 570 hours free early education a year, delivered as a minimum as 15 hours a week over 38 weeks (school term time) but can be taken as a stretched offer with fewer hours a week over more weeks in a year. Since September 2017 eligible three and four year olds have been entitled to an additional 570 hours free childcare, taking the entitlement for some children to 30 hours per week or 1,140 hours a year. Parents of children accessing a funded place are able to pay for additional hours to meet their childcare needs. This offer is widely available within the sector.

Take up of 3&4 by percentage and number of children in Barnsley and national figures						
			2019	2020	2021	2022
England		Number of registered 3-year-olds	625,658	621,351	574,845	582,295
		ONS population estimate for 3-year-olds	682,934	681,154	665,192	644,115
		Percentage of 3-year-old children registered	92%	91%	86%	90%
Yorkshire and The	Yorkshire and The	Number of registered 3-year-olds	62,139	61,636	56,982	57,711

Humber	Humber	ONS population estimate for 3-year-olds	65,880	65,831	64,280	62,002
		Percentage of 3-year-old children registered	94%	94%	89%	93%
	Barnsley	Number of registered 3-year-olds	2,686	2,728	2,542	2,539
		ONS population estimate for 3-year-olds	2,883	2,895	2,912	2,740
		Percentage of 3-year-old children registered	93%	94%	87%	93%

4. Prices

The price of childcare is below all the national average figures by age and by hours, although slightly higher in most categories than the regional average. Nationally, it has been acknowledged that the cost of childcare in the U.K is higher than most other countries and is unsustainable. The Department for Education has consulted on how costs can be produced with one proposal being to increase the ratio of children to staff, the results from the consultation are yet to be published.

Table 1 - Price of 25 hours a week childcare for children aged under three at nurseries and childminders

Area	Nursery		Childminder	
	Under 2	2 year old	Under 2	2 year old
England	£140.68	£135.28	£124.83	£122.33
Yorkshire & Humber	£122.17	£118.23	£110.39	£108.09
Barnsley	£132.70	£131.42	£111.53	£112.67

Table 2 - Price of 50 hours a week childcare for children aged under three at nurseries and childminders

Area	Day Nursery		Childminder	
	Under 2	2 years	Under 2	2 years
England	£273.57	£265.38	£237.58	£236.01
Yorkshire & Humber	£241.88	£234.31	£210.07	£208.06
Barnsley	£251.55	£247.24	£218.92	£219.20

Area	Day Nursery & Childminder	
	3&4 year old	
	25 hours a week including the free entitlement (paying for 10)	50 hours a week including 30 hour entitlement (paying for 20)
England	£54.10	£105.76
Yorkshire & Humber	£48.49	£88.57
Barnsley	£48.10	£91.90

5. Quality of childcare in our local area

Ofsted inspection grades

The registration and inspection of childcare providers is carried out by the Office of Standards in Education (Ofsted). Local Authorities have a responsibility to ensure the childcare provided is of the highest quality as past research – EPPE and more recent studies show:

‘A high-quality early years education is vitally important. Children attend early years provision at a crucial developmental point in their lives. The education and care that they receive affects not only future educational attainment but also their future health and happiness’

Best Start in Life Part 1: Setting the Scene (Ofsted 14.11.2022)

The grade a childcare setting receives when it is inspected by Ofsted is a key indicator of quality of the care and education it provides. There are four different grades that can be given to childcare settings, outstanding, good, requires improvement and inadequate. The following table shows the percentage of providers achieving ‘outstanding’ and ‘good’ outcomes.

Percentage of childcare providers who held a ‘good’ or ‘outstanding’ inspection judgement

Area	2015	2016	2017	2018	2019	2020	2021	2022
Barnsley	89%	92%	96%	97%	98%	99%	98%	98%
Yorkshire and Humber	86%	91%	95%	95%	96%	97%	98%	97%
National	85%	91%	93%	95%	96%	96%	97%	97%

Figures Ofsted Statistics as at 31st August of each year

The Local Authority has provided support to all childcare settings, and this has resulted in above national and regional inspection outcomes.

Providers can also receive a met or not met outcome if they are inspected when they: have no children on roll or they have no children present on the day of the inspection. Out of School Clubs and those on the Childcare Register can only receive a met or not met outcome.

6. Parents and providers views of sufficiency of childcare in our local area

Parent survey

A parents survey was undertaken in July 2022 to ascertain the view of parents with regards to childcare availability and accessibility.

The survey was promoted and distributed by the Barnsley Families Information Service (FIS) and through the Barnsley Council website and 68 families responded to this survey and this covers 81 children with regards to the children that the families were needing childcare for.

5 of the 68 families that responded to the survey were looking for childcare close to their workplace therefore, 93% were looking for childcare close to their home.

The breakdown of the ages of the 81 children is as follows:

The ages of the children that families needed childcare for?		
Options	Response %	Response Total
Baby (under the age of 2)	47.1%	32
2-year-old	23.5%	16
3-year-old	19.1%	13
Over 5 years old	29.4%	20
Over 12 years old	0.0%	0

The parents survey asked what type of childcare they were looking for and the answers are as follows, please note, families could answer with more than one response.

Depending on the age of your child. What type of childcare are you/were you looking for?		
Options	Response %	Response Total
Childminder	33.8%	23
Day Nursery	72.1%	49
Out of school club	17.6%	12
Holiday club	20.6%	14
No initial preference	2.9%	2

When asked how difficult it was to find childcare, 65% said it was hard or very hard with just 12% saying that finding the childcare they were looking for was very easy.

Can you get sessions at the time you need or needed?		
Options	Response %	Response Total
Yes	47.1%	32
No	32.4%	22

I had to change my preferred days	16.2%	11
I'm on the waiting list	8.8%	6
I'm accessing at a different setting but will move when my preferred choice has places	8.8%	6

How far do you have to travel from your home address to access childcare?

Options	Response %	Response Total
Up to 1 mile	38.2%	26
Up to 2 miles	27.9%	19
Up to 5 miles	14.7%	10
Over 5 miles	19.1%	13

Parents were asked if a lack of childcare has stopped them or their partner from working in the way that they want to, the response was almost 50% with only 67 responses and 34 answering yes. Comments included many having to use flexible working including working from home where possible, reducing their hours or having grandparents looking after the child(ren).

Families were also asked where they looked for childcare initially:

What did you do when you first looked for a childcare setting?

Options	Response %	Response Total
Searched online	64.7%	44
Social Media	32.4%	22
Recommendations from families and friends	50.0%	34
Rang Families Information Service	20.6%	14
I knew the childcare in my area	30.9%	21

The responses state that 65%, considered the Ofsted ratings of settings to help them choose childcare. The survey also asked if the family accessed any Government initiative to help with the cost of childcare with 35% not accessing any support from the Government.

Which of the government initiatives do you use to help with your childcare costs?		
Options	Response %	Response Total
Free Childcare for Eligible 2-year-olds	13.2%	9
30 hours for 3 and 4 year olds	16.2%	11
Tax Free Childcare	41.2%	28
Support while you study	0.0%	0
None	35.3%	24

NB some families may access more than one initiative

Equality Impact Assessment

Childcare Sufficiency Assessment

Stage 1 Details of the proposal

Name of service Directorate	Children Services – Early Start, Prevention and Sufficiency
Name of officer responsible for EIA Name of senior sponsor	Melanie Szoke – Childcare Quality and Sufficiency Manager Claire Gilmore – Head of Early Start Prevention and Sufficiency
Description / purpose of proposal	The Childcare Sufficiency Assessment provides an assessment of the availability, sustainability and sufficiency of childcare places across the borough.
Date EIA started	June 2022
Assessment Review date	Review: December 2022, March 2023 and renew June 2023 as the new assessment is completed.

Stage 2 - About the proposal

What is being proposed?	A Childcare Sufficiency Assessment which supports local authorities in shaping the childcare market in their area. Working with providers from the private, voluntary, independent and maintained sectors, the local authority will look to create a strong, sustainable and diverse childcare market that meets the needs of parents. It focuses in particular on sufficient, sustainable and flexible childcare that is responsive to parents' needs.
Why is the proposal required?	The Childcare Act 2006 places a legal duty on all local authorities to ensure that there is sufficient childcare in their area.

What will this proposal mean for customers?

The Childcare Sufficiency Assessment supports parents to gain an understanding of the types of childcare and the places on offer in Barnsley, to inform decisions about childcare options for their family. It also supports childcare providers to understand the local childcare market and to help them make informed choices to better meet the childcare needs of families in Barnsley.

Stage 3 - Preliminary screening process

Use the Preliminary screening questions to decide whether a full EIA is required

- Yes - EIA required (go to next section)
- No – EIA not required (provide rationale below including name of E&I Officer consulted with)

Stage 4 - Scoping exercise - What do we know?

Data: Generic demographics

What generic data do you know?

The report incorporates data provided by setting on the amount of places they provide and the vacancy levels that can be accessed. The report assesses the places and vacancy data against the ONS population data for 0-14.

Data: Service data / feedback

What equalities knowledge do you already know about the service/location/policy/contract?

The CSA is completed to ensure there are sufficient childcare places across the borough and identifies any potential/actual gaps. It is the responsibility of childcare providers to ensure they meet the requirements of the EYFS which is the framework including legal duties in which they operate.

The Early Years Foundation Stage (EYFS) sets the standards that all early year’s providers must meet to ensure that children learn and develop well and are kept healthy and safe. It promotes teaching and learning to ensure children’s ‘school readiness’ and gives children the broad range of knowledge and skills that provide the right foundation for good future progress through school and life.

The EYFS seeks to provide: • quality and consistency in all early years settings, so that every child makes good progress and no child gets left behind • a secure foundation through planning for the learning and development of each individual child, and assessing and reviewing what they have learned regularly • partnership working between practitioners and with parents and/or carers • equality of opportunity and anti-discriminatory practice, ensuring that every child is included and supported

Data: Previous / similar EIA's

Has there already been an EIA on all or part of this before, or something related? If so, what were the main issues and actions it identified?

No

Data: Formal consultation

What information has been gathered from formal consultation?

The following information has been gathered by formal consultation:

- Information on the number of childcare places across the borough
- Information on the vacancies held by childcare providers
- Information from parents about unmet need

Stage 5 - Potential impact on different groups

Considering the evidence above, state the likely impact the proposal will have on people with different protected characteristics

(state if negative impact is substantial and highlight with **red text**)

Negative (and potentially positive) impacts identified will need to form part of your action plan.

Protected characteristic	Negative '-'	Positive '+'	No impact	Don't know	Details
Sex			✓		Data not collected on sex. There is no known adverse impact.
Age		✓			The report covers childcare needs for all pre-school and school age children and funded early education places for 2, 3 and 4 year olds.
Disabled <i>Learning disability, Physical disability, Sensory Impairment, Deaf People ,invisible illness, Mental Health etc</i>		✓			The childcare needs of Children with Special Educational needs and disability are covered. Children with disabilities are included in the 2 year old offer and the extended 30hour offer. The Council supports children with complex needs through high needs block funding and through the Early Education Funding via the Early Years Inclusion Grant. Targeted funding supports the delivery of appropriate places for children with a disability.
Race			✓		Data not collected on race. There is no known adverse impact as all childcare providers must meet he requirements of EYFS ensuring their

					environments represent the communities/children and families they support as well as the wider world.
Religion & Belief			✓		Data not collected on religious beliefs. There is no known adverse impact as all childcare providers must meet the requirements of EYFS ensuring their environments represent the communities, families and children they support as well as the wider world.
Sexual orientation			✓		Data not collected on sexual orientation. There is no known adverse impact.
Gender Reassignment			✓		Data not collected on gender reassignment. There is no known adverse impact.
Marriage / civil partnership			✓		Data not collected on marriage and civil partnership . There is no known adverse impact.
Pregnancy / maternity		✓			The report covers the childcare availability and gaps for children 0-5 years to support those who need to find childcare after having a baby.

Other groups you may want to consider					
	Negative	Positive	No impact	Don't know	Details
Ex services		✓			The report covers the childcare availability and gaps for those 0-5 which may be required by ex services families settling in the Barnsley area
Lower socio-economic		✓			The report specifically covers the places for 2 year olds some of whom may be eligible for paid places under the two year old entitlement for children from low socio economic families
Other ... Afghanistan Resettlement Programme		✓			Links will be made to establish how many families will be resettled in Barnsley and support to find childcare will be offered.

Stage 6 - BMBC Minimum access standards

If the proposal relates to the delivery of a new service, please refer to the Customer minimum access standards self-assessment (found at)

If not, move to Stage 7.

Please use the action plan to ensure that reasonable adjustments be taken to ensure the new service complies with the minimum access standards for disabled people.

Not yet live

The proposal will meet the minimum access standards.

The proposal will not meet the minimum access standards. –provide rationale below.

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Stage 7 – Action plan

To improve your knowledge about the equality impact . . .

Actions could include: community engagement with affected groups, analysis of performance data, service equality monitoring, stakeholder focus group etc.

Action we will take:	Lead Officer	Completion date
The assessment will be reviewed termly and refreshed annually as the new CSA is completed	Melanie Szoke	Termly until June 2023
The creation of new places will be monitored and further work will be completed on access for those children with EAL and SEND and also by area.	Melanie Szoke	June 2023

To improve or mitigate the equality impact . . .

Actions could include: altering the policy to protect affected group, limiting scope of proposed change, reviewing actual impact in future, phasing-in changes over period of time, monitor service provider performance indicators, etc.

Action we will take:	Lead Officer	Completion date

To meet the minimum access standards . . .(if relevant)

Actions could include: running focus group with disability forum, amend tender specification, amend business plan to request extra ‘accessibility’ funding, produce separate MAS action plan, etc.

Action we will take:	Completion date
Not yet live	

Stage 8 – Assessment findings

Please summarise how different protected groups are likely to be affected

Summary of equality impact	<p>The assessment will be reviewed termly and refreshed annually as the new CSA is completed</p> <p>The creation of new places will be monitored and further work will be completed on access for those children with EAL and SEND and also by area.</p>
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Summary of next steps	<p>This equality and impact assessment enables the L.A to consider the impact of the Childcare Sufficiency Assessment and its impact on different protected groups. As there was deemed to be sufficient childcare across the borough when the assessment was completed and the setting must provide equal access and suitable childcare to reflect and support children from all the different protected groups covered by the assessment there is currently no adverse impact identified for any group. But this will be monitored as there are some uncertainties about demand and availability due to the current workforce crisis. Therefore, further data will need to be collected to ensure the lower vacancy levels do not impact unfairly on any protected group.</p>
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Signature (officer responsible for EIA) Date	 1.06.2022
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** EIA now complete **

Stage 9 – Assessment Review

(This is the post implementation review of the EIA based on date in Stage 1 if applicable)

What information did you obtain and what does that tell us about equality of outcomes for different groups?

BARNSELY METROPOLITAN BOROUGH COUNCIL

REPORT OF: EXECUTIVE DIRECTOR PLACE HEALTH & ADULT SOCIAL CARE

TITLE: ADULT SOCIAL CARE FEE UPLIFT 2023/24 AND MARKET SUSTAINABILITY PLAN

REPORT TO:	CABINET
Date of Meeting	31st May 2023
Cabinet Member Portfolio	Place Health and Adult Social Care
Key Decision	No
Public or Private	Public

Purpose of report

The purpose of this report is to inform Cabinet of the approach and decision to fees uplift for care provision in 2023/24. This covers the full range of adult social care provisions, including residential care, home care, supported living, shared lives and direct payments.

Council Plan priority

Healthy Barnsley

Recommendations

That Cabinet:

Considers the approach taken in respect of the various adult care and support provision and approve the uplift in care provider fees for 2023/24 as outlined in section 3 of this report.

Notes the submission made to DHSC around the Market Sustainability Plan

1. INTRODUCTION

- 1.1 Section 5 of the Care Act establishes a duty on local authorities to ensure a sustainable market of care. This covers all care sectors and providers of care across a range of provisions such as residential / nursing, homecare, supported living, and day-care. It also includes a growing sector of individual people who use services through personal budgets to employ a personal assistant.

Legal context to fee setting

- 1.2. The Care Act 2014 requires the local authority to promote the efficient and effective operation of a market in services for meeting care and support needs, and in performing this duty, the local authority must have regard to ensuring the sustainability of the market.
- 1.3 In setting care home and domiciliary care fees rates, the Care and Support Statutory Guidance requires LAs to make sure that fee levels for care and support services are appropriate to provide the delivery of the agreed care packages with agreed quality of care and enable care providers to meet statutory obligations to pay at least the national minimum wage. Local authorities should have regard to guidance on minimum fee levels necessary to provide this assurance, taking account of the local economic environment.
- 1.4 An additional factor that was introduced this year was the inclusion of the market sustainability requirements within the Adult Social Care Funding Reforms (NB reforms have now been deferred to October 2025). During 22/23, the council was required to conduct a Fair Cost of Care exercise (for 65+ Older People, residential care and Homecare). The results of the exercise were required to be submitted to the Department of Health and Social Care (DHSC) and published on the council's website.
- 1.5 Additionally, all councils, as a condition of the funding for 23/24, have to submit a Market Sustainability Plan by March 23, setting out how funding will be used to support fees and a sustainable market.

Barnsley's approach to setting fee rates

- 1.6 The council operates a number of care cost models for determining the 'cost of care' annually and, therefore, the fee rate payable to care providers. The model and the calculated cost of care rate inform the engagement/consultation process with care providers. This approach aims to assure all stakeholders, including care providers, that arrangements for determining fees and uplifts are transparent, robust and provide value for money. The approach allows for uplifts to be considered on an annual basis, with consideration given to changes in business costs/conditions faced by providers.

- 1.7 The implementation of the national living wage (NLW) in 2016 meant that local authorities needed to consider annual wage increases in the decision-making process for setting fees or agreeing on uplifts. The Government has confirmed the national living wage for 2023/24 (effective from 1 April 2023) at £10.42 (for workers aged 23 and above).
- 1.8 The council continues to honour the commitment to support direct care workers through the decision in February 2020 (and supported by health partners), which is that all direct care providers were paid £1 above the national living wage under the Adult Social Care contracts. This continues to make sure that the majority of direct care workers are paid a minimum of £11.42 per hour across contracted services.
- 1.9 Cost of living has had a significant impact on the market. Pressures across food, insurance and fuel have driven up costs across many areas, including how support is provided to people in Barnsley. The following paragraphs outline the approach and the proposed fee uplift for the various adult social care community-based support provision to ensure ongoing market sustainability.

2. ADULT SOCIAL CARE MARKET SUSTAINABILITY

- 2.1 In December 2021, the government published a white paper, [People at the Heart of Care](#), that outlined a ten-year vision that puts personalised care and support at the heart of adult social care. To support the implementation of this vision, the government set out guidance to local authorities requiring councils to set out a Market Sustainability Plan and engage with providers to complete the Fair Cost of Care assessment (FCOC). Evidence of this was to be submitted to the government by October 2022 and will be used to support the future shaping of social care budgets.
- 2.2 The Fair Cost of Care exercise was completed, and submissions made to DHSC. Subsequently, the funding reforms and the funding to be made available to Councils to implement it were postponed for two years. However, Councils still had to submit an updated Market Sustainability plan that explained how they would support markets. This is included for information in **Appendix 1**.
- 2.3 Barnsley Council has continued to use its cost of care models it used in 22/23 as the baseline for determining fees for 23/24 as well as use the fair cost of care information as an additional source of information as part of the fee setting process.

ASC Market Sustainability and Improvement Funding

- 2.4 The 2023/24 funding settlement for local authorities includes an additional £400 million of new ringfenced funding for adult social care (£2.9M for Barnsley) to improve market sustainability and drive wider improvements in their areas. The funding includes a grant provided in 22/23 (£0.8M for Barnsley) to support the progress Councils have already made in increasing fees and cost of care exercises.
- 2.5 The published DHSC policy paper and guidance sets out expectations of how the funding should be spent conditions of the funding and the required reporting mechanisms. The following grant conditions would apply:

MSIF Grant Conditions	Indicative assessment of Barnsley's Position
<p>Condition 1 This is a ring-fenced grant and each local authority must allocate its full grant allocation on adult social care</p>	<p>The £2.9m allocated funding has been applied in full to adult social care.</p>
<p>Condition 2 the funding must be used to make improvements in one of the target areas. The government has selected 3 target areas, namely: (1) increasing fee rates (2) increasing ASC workforce capacity / retention (3) reducing adult social care waiting times</p>	<p>The allocated funding has been applied to increasing fee rates, which is one of the 3 target areas. (See Para 4.4).</p>
<p>Condition 3 Local authorities must provide the department with an initial and final report by 24 May 2023 and 22 May 2024 respectively to demonstrate that conditions and expectations of the grant have been met. Local authorities should use templates that are provided by DHSC</p>	<p>The template seeks confirmation of our use of the funding and Barnsley's fee rates for domiciliary care and 65+ residential / nursing for 23/24 and 22/23.</p>
<p>Condition 4 local authorities must also submit a new annex to the market sustainability plans. This annex will provide insight into local ASC market capacity, and assurance that plans are in place to meet local need for different types of care. Local authorities will need to report by way of a capacity plan and must submit this update to DHSC by 30 June 2023</p>	<p>Performance data on number of clients assessing care and units of care commissioned is available. Also, capacity data available to inform the capacity plan.</p>

3. PROPOSAL AND JUSTIFICATION

Residential and Nursing Care (Older People)

- 3.1 There are currently 32 providers and 43 Older People's Care Homes operating across the borough, providing 1870 beds. Of these homes, six are registered to deliver nursing care. Our current forecast spend (22/23) on residential and nursing care totals £25.384M (net of health funding).
- 3.2 In 2019, the council developed a cost-of-care model for determining the average cost of delivering residential care in Barnsley. The cost-of-care model was shared with the Barnsley Independent Care Home Association (BICHP) as part of the council's consultation on fees. This model was updated to reflect the cost of living pressures and include elements that reflected elements from the Fair Cost of Care modelling. This model was then discussed with the Care Association, and following feedback was revised.
- 3.3 Although the care home association (BICHP) will continue to lobby the council to offer a fee more aligned to the Fair Cost of Care outcomes, this remains unaffordable until funding is made available to pay for this. As such, the council has now set out

an 11.3% increase in the fee rates for residential and nursing care. The agreed fee rate for 22/23 reflects the 9.7% increase in National Living Wage and takes account of other cost pressures such as the Consumer Price Index (CPI) inflation, energy costs, etc.

- 3.4 Currently, the majority of care home providers within Barnsley are on the enhanced fee rate (that requires providers to pay the additional £1 above NLW). Some homes continue to reject the enhanced rate for affordability reasons due to the balance of council-funded and self-funded people they support. The Council has made efforts in the last couple of years to increase the fee rate to address the affordability concerns in relation to the enhanced rate. The additional costs are factored into the weekly fee paid by the council; however, where a provider has a majority of non-local authority-funded residents, the fees paid may not cover the additional costs.
- 3.5 The current weekly baseline fee (for those providers who have not accepted the £1 above national living wage) and enhanced rate (for providers who have accepted the £1 above national living wage) for residential care in Barnsley is as follows:

2023/24 Weekly Residential fee	Baseline rate	Enhanced rate
Standard residential care	£679.68	£728.71
Residential care (dementia)	£730.96	£788.74

*For Nursing care, the fees remain as above with the addition of the current FNC rate of £219.71 (as of 1st of April 2023).

- 3.6 The following table compares Barnsley's 23/24 standard residential care fee rates (based on the 11.3% uplift) with those of neighbouring South and West Yorkshire authorities:

	22/23	23/24	Annual uplift
Barnsley*	£652.82	£728.71	11.3%
Doncaster**	£582.78	£715.64	22.8%
Rotherham	£550.00	£606.00	10.2%
Sheffield	£547.00	Tbc	
Leeds	£601.00	£655.00	9.0%
Bradford	£595.98	£654.69	9.9%
Calderdale	£546.07	£631.06	15.6%
Kirklees***	£597.41	£676.36	13.2%

* Barnsley's rate includes the NLW+£1 care worker pay commitment

** Doncaster's 23/24 rates was uplifted to Fair Cost of Care rates

** Kirklees's rate includes an optional workforce related uplift scheme

Domiciliary Care

- 3.7 In November 2022 a new homecare framework contract was implemented and currently has 50 homecare providers. The average hourly rate in 22/23 was £20.67, which includes the requirement for providers to pay staff £1 above the national living wage, which all contracted providers signed up to. The gross cost to the Council of home care provision in 22/23 was £10.079M (net of health funding).
- 3.8 The Support to Live at Home (STLAH) contract allows for an annual uplift in the hourly fee to be considered by the council, considering market cost pressures and

affordability. This will include but is not limited to increases in the national living wage, pensions, rising costs of utilities, increasing fuel costs, and general inflation, e.g., Consumer Price Index (CPI) rate.

- 3.9 Providers have shared their concerns around the high levels of staff turnover, recruitment and retention, stating that they may be unable to meet the demands for good quality care as specified in the contract.
- 3.10 To address the above pressures, an uplift rate of 11.3% has been agreed for contracted home care providers. The 11.3% uplift to the hourly rate equates to a £2.33 increase per hour, giving an average hourly rate of £23.00, and covers the government-confirmed increase in national living wage (9.7%) and inflationary increases (10.1% CPI forecast rate) in non-staffing costs/overheads.
- 3.11 The following table compares Barnsley’s 23/24 average homecare hourly fee rates (based on the 11.3% uplift) with those of South and West Yorkshire authorities

Average Hourly rates*	22/23	23/24	Annual uplift
Barnsley**	£20.67	£23.00	11.3%
Doncaster	£20.54	£25.60	24.6%
Rotherham	£18.42	£22.47	22.0%
Sheffield	£19.30	tbc	
Leeds	£21.69	£23.66	9.1%
Bradford	£19.40	£20.92	7.8%
Calderdale	£20.26	£22.14	9.3%
Kirklees	£23.27	£25.14	8.0%

* Based on the average of the minimum and maximum framework rates

** Barnsley rates include the wage supplement of NLW+£1 to all care workers

Supported Living

- 3.10 Contracted providers deliver the council’s supported living provision via the Adult Community Support and Enablement Service (ACSES) framework contract. This aims to make sure that a larger range of needs can be met in the community, so fewer people will need to be provided for in settings such as specialist residential care or hospitals. There are currently seven contracted providers under the framework delivering core support (building-based provision) and standard care (individual client support).

The current hourly rates (22/23 baseline) under the ACSES contract vary between £18.08 and £22.73 to reflect the different provision types, with higher rates applicable to complex care provisions. The gross cost to the council of the supported living provision in 2022/23 (net of health contributions) is £8,346M.

- 3.11 The hourly fees were initially set at the point of contract procurement, with uplifts to be considered annually, taking into account market cost pressures, which will include but are not limited to national living wage increases. Expected cost pressures are similar to those for homecare providers outlined in paragraph 4.2.2
- 3.12 A uniform uplift of 9.6% has been agreed for all contracted providers in the ASCES framework contract and applied to the core and standard hours of care and sleep-in

arrangements.

Specialist Residential (LD/MH)

- 3.13 This covers specialist residential care providers (mainly learning disabilities and mental health) in and outside the borough who are not part of the older people residential care home framework contract. Gross spending to the council in 2022/23 (net of health funding) is £10.004M, with the fee payable ranging from £653 to £3,588 per week due to wide variation in needs.
- 3.14 Provision is usually arranged on a non-framework spot purchase basis, with fees negotiated separately and sometimes determined using the Care Funding Calculator (CFC). Fees for such provision are determined at the time of the placement subject to agreement with the provider (and form the basis of a contractual arrangement) and are influenced by the level of need for the person.
- 3.15 There is no standard methodology for agreeing annual uplift (as it is a non-contracted provision). It is based on individual requests from providers and agreed upon on a case-by-case basis, reflecting the diverse range of needs this group of people can have. However, work is currently ongoing with providers to establish a framework contract and an approach to determining fees (supported using the Care Funding Calculator).
- 3.16 A 10.3% fee uplift has been agreed for specialist residential care provision for 23/24. This uplift takes account of similar financial pressures as those in the older people residential framework contract, such as increases in National Living Wage, rises in energy costs, and general inflation (Consumer Price Index rate).
- 3.17 Given the wide variation in weekly fees and the range of specialist providers in use (in and outside the borough), the following approach has been agreed upon for 2023/24:
- Where costs have been set using the CFC and are currently within the agreed bandwidth, an update of the CFC will be completed. This would be subject to a case-by-case consideration following a request for uplift.
 - For past or old care packages where the CFC has not been used in setting the fee, the uplift would be limited to a maximum of 10.3% subject to a case-by-case consideration on request for uplift received from the provider.

Direct Payments

- 3.18 Direct payments (DP) represent funding given to eligible adult social care clients to promote independence, choice, and control. It allows service users to manage the care or support (For example: employ a personal assistant or use a home care agency of their choice) to meet their assessed needs that the council would otherwise have managed for them. Total direct payments made in 2022/23 (net of contributions and funding clawback during the year) amount to £7.486M.
- 3.19 An increasing number of DP recipients employ personal assistants to meet their personal care needs. Assistants are paid a varying range of hourly rates, where the

person who uses services is required as a minimum to comply with the national living wage requirements. However, the Council, by exception, will fund PAs at higher rates to reflect support needs.

3.20 Under the Care Act, there is a requirement to meet the assessed care needs of those eligible for support. Whilst there is no specific legal basis to uplift the DP for national living wage increases, failure to do so would leave the Council open to challenge. It would mean the DP rate is significantly below the new home care rate, and DP recipients would be unable to procure support to meet their assessed needs with the funding allocated to them. Given this, the following approach has been agreed for 23/24:

- Uplift (by 11.3%) the provisions for contracted homecare providers, used via a direct payment, in line with the average increase to homecare providers (see paragraph 3.9)
- Increase the rates paid for personal assistants by 9.7% (in line with the National Living Wage increase).
- Increase the rates paid for personal assistants on a higher rate than £1 above the national living wage by 4% in line with public sector pay assumptions.

Shared Lives Carers scheme

3.21 This scheme provides financial support to individuals and families (carers) who offer a person with a learning disability a short break/respite or long-term care in their own home. Shared lives carers are paid allowances (at different rates/banding that reflect needs) for the period of support/accommodation (long-term or respite) provided to service users. The total gross spend for 2022/23 on the scheme is £1.941M.

3.22 There is no legal basis for applying uplift for national living wage increases (as shared lives carers are deemed 'self-employed'). However, there is a justifiable reason to consider an inflationary uplift to allowances to cover the increase in general living costs (and support provided by carers).

3.23 In light of the above, it has been agreed to apply a 10.1% (CPI rate) inflation rate to the scheme costs. It is proposed that a higher uplift rate is applied to day-care/respite compared to long-term carers. This is to ensure fairness, address concerns on the impact of the cost of living increases, and bring day care/respite rates closer in line with neighbouring authorities shared lives rates. As all carers (except two) provide a mix of all services, no one cohort of carers would be disproportionately affected by the proposed changes in uplifted rates.

Other block and spot contracted provision

- 3.24 These cover a range of building-based care provisions provided by the independent sector and mainly relate to day-care, short stay placements or respite provision within a residential or nursing home setting or in an adult placement scheme. Total contracted spend across this range of provision is £1.830M in 2022/23.
- 3.25 Placements are usually arranged with specific providers through block contract arrangements based on service specifications and activity levels (e.g., number of beds). Alternatively, provision is arranged on a spot purchase / ad-hoc basis depending on the person who uses the services' needs.
- 3.26 Given the diverse nature of the service provided through these contracts (and the different contracting arrangements) an uplift up to the maximum of 10.3% has been agreed - to be considered and negotiated with providers on a case-by-case basis.

4. FINANCIAL AND RISKS

- 4.1 The council's Director of Finance (S151 Officer) or representative has been consulted as part of drafting this report.
- 4.2 The funding requirement built into the ASC budget for 23/24 for NLW / cost of care uplift across the range of care provision is **£7.1M**. The following assumptions inform the Council's budgetary provision:
- 22/23 forecast spend / outturn (Q3) used as the baselines
 - increase of 9.7% in National Living Wage (£10.42)
 - continuation of the increased pay (NLW+£1) to frontline care workers
 - rise in the cost of living and inflation (latest CPI inflation rate 10.1%)
 - exceptional factors, for example, rising energy/utility costs; etc
- 4.3 The following details the agreed fee uplift and funding requirement following changes to the Council's cost models/assumptions to address care providers' sustainability concerns:

	% Fee uplift rate	Funding Requirement £'000
OP residential care	11.3%	2.868
Specialist residential care	10.3%	1.030
Home care	11.3%	1.139
Supported living	9.6%	0.801
direct payment	11.3%	0.846
Block/spot contracts	10.3%	0.133
Daycare / Respite	10.3%	0.051
Shared Lives	10.1%	0.196
		7,065

- 4.4 The estimated uplift cost of £7.065M (based on forecast spend and activity levels in

2022/23) has been funded through the Council's MTFS process as follows:

- £2.9m – ASC improvement fund/market sustainability grant allocated for 23/24. This is in line with the grant conditions (see para 2.4 and 2.5), which expects councils to use this grant funding on adult social care.
- £2.2m – Other Council core resources (efficiencies).
- £2.0m – Council Tax Adult Social Care Precept (2%)

4.5 The following summarises some of the risks in relation to Adult Social Care budgets and cost of care for 2023/24:

- Rises in demand for care/support (i.e. activity levels) over and above the level assumed in the budget
- There is the risk that negotiated uplift rates (e.g. specialist residential provision) may come in higher than planned
- Actual operating costs/prices are higher than assumed in the cost models and, therefore, budgets – which may impact market sustainability.
- Increased cost pressures faced by care providers due to rising inflationary pressures (rise in general inflation and other costs, e.g. energy/utilities, etc.).
- Legal challenge (and associated legal costs) and reputational damage.
- Risk of providers leaving the care market and provider failure due to financial instability.
- Potential impact on prevention and early intervention, which keeps people from needing more expensive care packages/interventions.

5. LEGAL

5.1 The fee uplifts proposed in this paper align with existing contractual arrangements with care providers.

6. EQUALITY

6.1 Sustainable good quality provision should be available to all residents of Barnsley that need it, irrespective of individual financial circumstances.

7. SUSTAINABILITY

7.1 Sustainability and capacity levels in the care market are monitored to make sure the authority can fulfil its statutory duties to meet the needs of an adult who may need care and support. The council is responsible for dealing with provider failure and making sure they have continuity of care.

7.2 Ensuring care home fees are set within an appropriate cost model will support providers to remain sustainable, maintaining current provision and therefore giving the people of Barnsley a greater choice and avoiding the necessity of having to look outside the borough for a care home that can meet their needs.

8. EMPLOYEE

8.1 There are no implications for council employees associated with this report. The intended impact will be to improve the pay and conditions for those employed in the

independent sector market, encouraging better recruitment and retention of good quality staff.

9. COMMUNICATIONS

- 9.1 The Council's approach and decision on fee increases for 2023/24 would need to be communicated to care providers. This is to assist care providers in their planning and to help agree on terms of pay with their care staff.
- 9.2 Barnsley Council communications and marketing team will assist with messages and accompanying press releases, media communications and messages on Council platforms linking in with our Proud to Care campaign, highlighting the benefits of working in care.

10. CONSULTATIONS

- 10.1 Whilst no formal consultation is required to support fee uplifts, officers from the council have consulted with the Barnsley Independent Care Home Provider Association to discuss fee proposals for residential care homes. Further correspondence has also been received from a number of other care providers, and these will be responded to on a case-by-case basis.

11. ALTERNATIVE OPTIONS CONSIDERED

- 11.1 There is a duty on the Council to ensure the sustainability of the care market, including all care providers and that fees are set at a level that reflects the cost of providing care in the local area. This means that the Council needs to consider market costs and other pressures facing providers in setting fees and deciding on annual uplifts. Section 3 of this report outlines the various approaches to determining fee uplift to providers for the different types of provision

12. LIST OF APPENDICES

- 12.1 Appendix 1 - Market Sustainability Plan

13. REPORT SIGN OFF

If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made.

Financial consultation & sign off	Senior Financial Services officer consulted and date <i>Joshua Amahwe (24/03/2023)</i>
Legal consultation & sign off	Legal Services officer consulted and date <i>Marianne Farrell, Team Leader (Social Care) (5th April 2023)</i>

Report Author: Andrew Osborn (Interim Service Director)
Joshua Amahwe (Strategic Finance Business Partner)

APPENDIX 1

Annex C: market sustainability plan template

Section 1: Assessment of the current sustainability of local care markets
a) Assessment of current sustainability of the 65+ care home market
<p>The proportion of 65+ people with needs met by residential care/nursing is high in Barnsley; 789 compared to 584 nationally per 100,000 population.</p> <p>Barnsley has generally had an oversupply of residential beds within the market, with current occupancy rates averaging at around 71% during 21/22.</p> <p>There are currently 32 providers and 43 Older People’s Care Homes operating across the borough, providing 1870 beds. Of these homes, 6 are registered to deliver nursing care.</p> <p>As a result of the pandemic both commissioners and providers acknowledge a need to take action to ensure the long term financial viability of the care home market in Barnsley. The aim is to look to increase occupancy levels in care homes to around 90% through the reduction in overall bed numbers.</p> <p>Barnsley in the main is supported by homes offering “good” support, as rated by CQC. There are a number of homes rated inadequate or requiring improvement. A number of these homes also suffer low occupancy levels. This group of providers will be a key focus for discussions on rebalancing bed numbers in Barnsley.</p> <p>On a positive side, in the past 12 months there has been a slight increase in the homes rated Good compared to the previous 12 months. Currently 29 Providers are rated Good and 2 Outstanding, leaving 13 requiring improvements.</p> <p>Occupancy levels in care homes remains stable, with some homes boosted by the need to place people with them to support hospital discharges, However, there remains a surplus of residential care beds in Barnsley.</p> <p>Barnsley has 35 care homes who are registered with CQC to provide dementia care, however only seven of these self-describe as EMI.</p> <p>As of April 2021 the council had 442 service users in residential care with a recorded status of dementia.</p> <p>A number of providers are requesting additional 1:1 support for people they are struggling to support. We will look to work with providers to better understand and develop the offer around residential support for dementia and higher level of needs.</p> <p>Barnsley currently hosts four schemes designed to offer extra care, however until recently none of the schemes included on-site care arrangements.</p> <p>A 24-hour model of wellbeing and care was awarded to a single provider operating at two of our extra care schemes in April 2021. The council will consider the option of extending the model.</p> <p>Barnsley has implemented an enhanced fee to providers willing to pay staff £1 above the National Living Wage (NLW). Up until recently this had helped maintain recruitment across residential care but have seen less impact recently due to other sectors (e.g. retail) offering better pay.</p> <p>In 22/23 the Council awarded a 10.6% increase in residential care fees to address providers’ concerns regarding sustainability (to recognise pressures post pandemic in the cost of delivering care) and cost elements within the Council’s own care cost model that were perceived as not reflective of market costs. The Council directly passed onto providers, through the higher fees, the full allocation of the Market Sustainability Grant (£835k) to partly address the anticipated gap expected from the fair cost of care exercise.</p>

Annex C: market sustainability plan template

During 22/23 a number of Providers have contacted the Council with concerns around their financial sustainability. The cap on energy costs came at a vital point for some providers who have been able to continue to operate. To date only one home has closed during 22/23, which was due to quality concerns and organisational safeguarding, not financial sustainability. Providers have continued to struggle to recruit to ensure have sufficient staffing numbers to support people safely, which we believe has led to an increase in safeguarding referrals.

As a result of flow and capacity pressures related to hospital discharges and funding that was awarded to each Place, the residential market has been artificially supported around occupancy levels. Some of the homes with the lowest occupancy levels have found themselves being used extensively to support hospital discharges. This has complicated the picture of the current market given the short term nature of the current approach and will need to be managed with providers.

The delay of the funding reform proposals has had a limited effect on the market. The Council believe this may in part be due to the local use of top ups by providers, which has supported them to continue to charge higher rates. Further exploration of this approach is required to better understand how this is being used and also ensure it is not being used to pay for the cost of care.

b) Assessment of current sustainability of the 18+ domiciliary care market

At the start of 2022 there were four providers operating under the framework contract, however with the significant increase in demands for home care, the council has entered into spot contract arrangements with other homecare providers operating in Barnsley. The number of spot contracted providers picking up packages of homecare to support capacity has increased by 104%, from 21 providers (May 2021) to 43 in July 2022.

During 22/23 the Council moved from a framework contract with only 4 providers to an open framework contract that now has 50 providers registered.

The Council continues to promote a shift away from residential care which has led to a sustained increase in demand for homecare services and a matched decrease in the number of people supported in residential care.

Workforce challenges had been adversely affecting capacity in the homecare sector which has led to unallocated packages of care over the last 6 months, and short term residential care being offered. However this situation has dramatically improved in the past 3 months.

Currently, the Council is in a fortunate position where due to the number of providers registered on the framework contract there are no delays to people requiring home care support. The Brokerage team receive multiple responses from Providers to referrals.

As part of this the Council continues to develop and build its reablement model. During 2022 the Council extended the reablement offer so that anyone had a period of reablement support before any long term offer of support. This was adopted as part of the Councils broader demand management approach and has resulted in a reduction in the number of people needing long term support. There are vacancies within the reablement team, that we will continue to recruit into, but this is reflective of the general challenges to recruit in this sector.

The increased number of providers will increase concerns around performance, quality and general oversight. The use of spot provision had increased the risks around safeguarding concerns with some providers when issues have been identified. With more

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providers within the contractual model we will have greater oversight to how Providers are supporting people. Capacity to do this though will need to be reviewed and a proportionate approach taken given the large number of Providers

Workforce challenges are the biggest risk to sustained delivery of homecare. However, as a result of the new Framework model a number of new providers have declared an ability to offer support across Barnsley. Although we have no unallocated cases currently due to Providers having additional capacity it is unlikely to be a long term position as providers will move capacity to other areas where they can be allocated work, so the Council will need to manage and balance demand and capacity across Barnsley.

Low wages - Providers operating under council's framework contract have committed to paying their staff £1 above the National living wage. In Dec 21 a further uplift was awarded to providers to bring forward the NLW uplift expected from April 22. As per residential care, funding reforms budgets were used to support above in inflation fee increases for 2022/23. People also report of a lack of career opportunities. Other sectors are able to offer better pay, defined contracted hours and less responsibility and are a more attractive alternative to working in homecare. The winter discharge funding was used to support Providers retain capacity and find ways to increase capacity. They managed to do this through a variety of incentive payments or use of drivers to support staff not able to drive.

Training and Development - There continues to be a lack of investment in training and development of workers and no defined career pathways into health and social care.

Business continuity / winter planning – care providers can be reluctant to take on new packages of care as this limit the flexibility to use existing staff to cover absences. This trend has been partly mitigated through the use of winter discharge funding which has supported them to build additional capacity.

The delay of funding reforms has had limited impact on the home care market in Barnsley. With the introduction of the new framework contract providers have been keen to secure a position, knowing that this will be the first point for all referrals.

As per the residential sector, Barnsley has always required providers to pay staff £1 above NLW. This continues to help providers recruit compared to other areas, but increasingly other areas adopt this approach so the impact will start to diminish.

Section 2: Assessment of the impact of future market changes (including funding reform) over the next 1-3 years, for each of the service markets

Following engagement with Providers in Barnsley we believe there are approximately 800—1,000 people who are currently funding their own care and support, who would potentially meet the eligibility criteria under the Care Act. This is evenly split between residential and community-based support and represents around 40% of the demand

People funding their own care can already ask the Council to manage their care for them, but have to pay an administration fee on top of the care costs.

Barnsley already has a surplus of residential care beds and reasonable provision of nursing care beds. The changes are unlikely to impact on availability of beds.

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The Council will seek to discuss commissioning approaches and fees with regional neighbours to avoid one area experiencing significant increases in demand due to varying fees and an area becoming attractive for self-funders.

In the past Barnsley had waiting lists for people requiring domiciliary care. At its peak this was as high as 110 over the last winter period due to the impact of the pandemic. This has subsequently been removed with the new framework contract. There remains though a concern around the long term ability to maintain capacity in domiciliary care due to pay, terms and conditions. The Council will continue to work with Providers to maximise recruitment into the sector to build the required capacity.

Additionally, we will be working to identify other ways of supporting people by identifying community assets and creating new community capacity. Involving people who pay for their own care in these arrangements will support sustainability and promote choice and control.

We will also look to explore with providers how using digital solutions or other assistive technology options can improve the way support is delivered and reduce capacity requirements around double handed care.

Section 3: Plans for each market to address sustainability issues identified, including how fair cost of care funding will be used to address these issues over the next 1 to 3 years

(a) 65+ care homes market

Our commissioning approach to residential care focuses on 3 themes:

- Sufficiency – have a diverse range of good quality provision
- Quality – support meets the standards we expect, is safe and well-led
- Value for Money – have the right balance to cost and quality

Barnsley's population is growing, and aging. The borough is projected to be home to 262,376 people in 2030, and nearly a quarter – 23% - of these residents –will be over 65 (60,471 residents).

2,283 people were receiving BMBC funded LTS as of the end of January 2023. Of those 703 of those people were in residential placements.

o 889 of those were Homecare service users.

63% (1,669) of packages were for those aged 65+, and of those, 48% (796) were residential placements.

There are a number of factors that will influence the levels and nature of future demand for Older People's Care Homes:

- Our "Home First" approach
- More people living longer, with more complex needs
- Impact of Social Care Reforms

The ASC Use of Resources report, 20/21, shows that Barnsley's spend per adult across short- and long-term care is relatively low and is ranked 148 out of 151 Councils overall. Similarly, Barnsley ranks 131/151 LAs when looking at spend for adults aged 65+.

Annex C: market sustainability plan template

Where long term support to people aged 65+ is provided Barnsley remains more likely than most to meet that need with residential and nursing care homes. Barnsley is 17th of 151 authorities in this regard.

Sufficiency

Barnsley has more Care Home beds than it uses, with a current occupancy rate of approximately 80%⁶. Whilst used capacity over the last 12 months has increased from a low of ~70% during the pandemic, this is still lower than we would like - and compares to an occupancy rate of ~85% regionally, and nationally. Low occupancy rates are more likely to lead to provider failure due to financial instability

Quality

31 homes, with 1377 beds, are rated as Good or Outstanding by CQC (Care Quality Commission) including 3 homes who have not yet been inspected under new ownership but were previously rated as Good.

14 homes, with 630 beds Require Improvement

Of the nursing homes in the borough, 3 are rated as Good and 3 are rated as Requires Improvement.

Value for Money

We have operated a costing model for residential care for a number of years and last year increased fees by 10.6% to support providers to offer good quality care, employ and pay staff at above the NLW.

We have engaged with providers around the cost of care in fee setting discussions. The Council had some concerns around elements of the data fed back through the FCOC and therefore has not used the FCOC as the baseline position for fee setting in 2023/24. However, the FCOC work has been a helpful benchmark and as a reference point to use in fee setting discussions.

On this basis and following engagement with providers, the Council is implementing an average 11.3% uplift in care home fees for 2023/24. This was an enhanced offer from the 10.3% initially proposed to Providers, following discussions on fee uplifts and feedback from Providers on cost pressures not reflected in the cost of care model used. The Council will look to gradually move towards the FCOC in future years depending on what funding will be made available to the Council. The table below summarises the fee rates for 23/24 compared to previous year:

	Residential (non-dementia)	Residential (dementia)	Nursing (non-dementia)	Nursing
22/23 Fee Rate	£652.82	£708.65	£862.01	£917.84
23/24 Proposed Fee Rate	£728.71	£788.74	£948.42	£1,008.45
% Fee Increase	11.62%	11.30%	10.02%	9.87%

* Nursing rates include confirmed FNC rate of £219.71

For 23/24, the 11.3% fee rate inflationary uplift for +65 care home provision is estimated to cost the council £2.9M (full year effect). This will be funded from using part of the allocated market sustainability & Improvement Fund grant, Council Tax Precept and other council core resources (from generated efficiencies).

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	Market Sustainability & Improvement Fund grant	Council tax ASC precept	Other Council core resources (i.e. efficiencies)	Total
+65 care home fee uplift	£1.177m	£0.812m	£0.852m	£2.868m

Commissioning Intentions

We aim to deliver a sustainable market by offering sufficient placements of a high quality – supported by an appropriate cost of care model, able to meet the current and projected needs of the borough, including offering service user choice.

This will mean we will be:

- reducing the number of beds we have across the borough – particularly residential beds - to focus resources on increasing occupancy and quality in other homes – we will do this gradually and safely so as not to disrupt providers or stable and good packages of care.
- developing a collective vision and understanding of what quality residential provision of care for people with dementia and EMI looks like, as well as working with existing providers to increase capacity and quality of dementia care in the borough
- Exploring how the use of digital technologies in Care Homes to improve care – positively impacting on the experiences and outcomes of people receiving care and support, and on the safety and effectiveness of services.
- Work with providers to address financial pressures around energy efficiency. Care homes and nursing homes could reduce their overheads and have more money to invest into their services – contributing to market sustainability and cost of care modelling. Reducing their carbon footprint would also help with environmental sustainability.

The Council also recognises the role primary care and community health teams have around the delivery of support in residential care homes. The Council has started to discuss improvement plans with these stakeholders to produce a joint plan. This is intended to target concerns around hospital admissions, ambulance transfers, falls and medication.

The new ICB governance arrangements include a new Quality Committee. A sub-group of this focused on residential care. Regular updates on quality issues will be reported to this group to support escalation of issues affecting the quality of care and support for proposals for how to make improvements.

Workforce Development

All providers are feeding back pressures around workforce and recruitment. Pay remains the number one issue.

Additionally we are working with key infrastructure partners in Barnsley to create a Proud to Care Hub to support the sector around recruitment, career progression and training.

Annex C: market sustainability plan template

A number of homes currently have either new or interim Managers in place. This is key leadership role for care homes and often an issue around homes taken into organisational safeguarding. One of the areas being discussed is how we can support and engage with this group to ensure homes are well-led.

(b) 18+ domiciliary care market

Through 22/23 there was an imbalance between demand and market capacity which placed care providers in a relatively strong position.

2,283 people were receiving BMBC funded LTS as of the end of January 2023. Of those 889 were Homecare service users.

The Council has recently adopted an open framework of contracted providers to address three key areas:

1. Quality: allowing more providers to join the framework to deliver against a comprehensive service specification to provide greater oversight of service delivery, provider performance and accountability.
2. Finances: A new framework will allow us to set fees and use **the fair cost of care** exercise to inform the development of a fee structure, that will deliver cost savings for self-funders who chose to use the local authority to purchase their care and supports market sustainability.
3. Efficiencies: Simplifying financial and payment processes in finance and commissioning will release back-office time to support fee uplifts etc.

The new framework has been signed up to by the majority of Barnsley registered providers as well as a number from the surrounding area. This has meant we are now in a relatively good position where we have an over-supply of capacity with Providers having to compete with each other for packages through the framework.

We wanted to have more providers on the framework contract to improve oversight of their service delivery and quality and reduce the variation in higher fee rates. Through 23/24 we will start a programme of audit / inspections with providers based on a risk criterion.

The Council used 100% of the funding in 22/23 to improve the fees across all services in Barnsley. A 9% uplift was awarded to Home Care providers in 22/23. The Council will continue to prioritise home care and ensure fees for 23/24 reflect cost of living pressures. The table below outline the planned fee rate for 23/24 compared to the previous year:

22/23 Average Hourly Rate	£20.67
23/24 Average Hourly Rate	£23.00
Variance	£2.33
% change in fee rate	11.3%

The Council has previously agreed an enhanced fee level with providers to ensure home care workers get paid £1 above the NLW. This continues to be built into our fees model (included in the 23/24 rate) in order to continue to encourage and promote recruitment into these vital roles.

For 23/24, the 11.3% uplift for the domiciliary care average hourly rate is estimated to cost the council £1.1M (full year effect). This will be funded from using part of the allocated

Annex C: market sustainability plan template

market sustainability & Improvement Fund grant, Council Tax Precept and other council core resources (from generated efficiencies) – see table below:

	market sustainability & Improvement Fund grant	Council tax ASC precept	Other council core resources (i.e. efficiencies)	Total
Domiciliary Care	£0.467m	£0.322m	£0.338m	£1.139m

Recognising the variation in responses from Providers around the treatment of profit margins we would want to engage with providers in discussions around how these elements will enable providers to deliver on the integration agenda and how the fees structure would support this.

As such, we believe the FCOC exercise has helped to establish a useful baseline and reference point for discussion regarding cost of care based on the current model of delivery but want to work with Providers to agree a fee structure that support the broader commissioning intentions and the impact on support in key cost areas. An outcomes based approach is still a model the Council would like to explore, but due to the pandemic these discussions have had to be delayed but remain part of the future way of working we want to explore with Providers.

Providers have fed back that traditional commissioning models for home care continue to give them challenges in supporting them to recruit and more significantly retain staff. We see the opportunity to work with providers around the health and social care integration agenda as an opportunity to look at more helpful ways of commissioning home care.

We have met with Providers to share with them summary details from the FCOC. The Council has some areas it will look to clarify with providers but is committed to supporting the sector and moving towards an agreed FCOC based on what funding will be made available.

We will support Providers to look at how they can engage with the digital agenda. The ability to share information between partners is a key part of any community model of support, but there is wide variation across Providers in their current state of readiness to work in this way.

BARNSELY METROPOLITAN BOROUGH COUNCIL

REPORT OF: EXECUTIVE DIRECTOR OF GROWTH & SUSTAINABILITY

TITLE: PLANNING ENFORCEMENT POLICY - UPDATE

REPORT TO:	CABINET
Date of Meeting	31st May 2023
Cabinet Member Portfolio	Regeneration and Culture
Key Decision	Yes
Public or Private	Public

Purpose of report

To adopt an updated Planning Enforcement Policy.

Council Plan priority

Sustainable Barnsley

Recommendations

That Cabinet:-

Adopts the updated Planning Enforcement Policy.

1. INTRODUCTION

- 1.1 The Council adopted a Planning Compliance Policy in 2016, the purpose of which was to set out the council’s approach to planning compliance and the delivery of planning enforcement functions. The policy does not form part of the development plan for the borough in the way that, for example, the Local Plan does. Instead, it is used for operational purposes to guide officers and customers by articulating the prioritisation of enforcement matters and setting out the options and likely approaches that will be used, depending on the nature of the breach of planning control.
- 1.2 At the time the policy was adopted, the Planning Enforcement function sat within a wider Community Safety and Enforcement Service with one dedicated Planning Enforcement Officer supported by a team of generic officers who would fact find and evidence gather. In 2018, the function was transferred to the Planning and Building Control service who have since appointed a second

dedicated Planning Enforcement Officer. This was due to a desire to increase levels of enforcement action and also in recognition of the likely increase in development activity as a result of the adoption of the Local Plan.

- 1.3 The Government produces quarterly and annual statistics of formal Planning Enforcement Activity across England and this shows that, in recent years, the quantum of formal notices served by the Council has increased:

Enforcement Statistics, Year on Year

Year (Calendar)	Enforcement Notices Served	Ranking (out of 336 Authorities)
2018	13	78
2019	21	41
2020	19	22
2021	59	7

- 1.4 The 2022 statistics have just been published and show a decline to 37 enforcement notices issued, ranking the authority 20th nationally and 12th outside of London. The decline could in part be attributed to a message getting out that Barnsley is prepared to tackle planning breaches by serving enforcement notices, meaning more cases can be resolved informally without the need for formal action. Either way, the quantum of notices served in 2022 keeps Barnsley in the top 10% nationally and demonstrates the effectiveness of the existing policy.
- 1.5 The ultimate success of the enforcement function is dictated by the level of resource allocated and the culture of the team to tackle breaches of planning control where it is in the public interest. The additional staff have therefore worked closely with colleagues in Legal Services to ensure decisive action, such as successful injunctions that have been secured and an increase in the use of temporary stop notices.

2. PROPOSAL

- 2.1 Given that levels of formal enforcement activity have demonstrably increased since the policy was introduced, it is not considered that the policy requires a fundamental overhaul. Instead, it is proposed to merely update the policy to reflect minor changes nationally, such as the reference to enforcement in the National Planning Policy Framework and the introduction of national guidance which supplements it.
- 2.2 It is therefore proposed that the existing prioritisation within the Policy remains unchanged meaning highest priority is afforded to complaints regarding alleged:
- Unauthorised activity to listed buildings (demolition/alteration/disrepair)
 - Unauthorised demolition in a conservation area
 - Unauthorised development in the green belt
 - Works to trees covered by a Tree Preservation Order or in a Conservation Area
 - Development causing immediate/irreparable harm to protected ecology or causing serious danger to the public

2.3 Along with the minor changes and supplementary text to reflect the updated national policy and guidance, a new section is proposed to be added. This relates to circumstances where the service receives repeated complaints from the same individual(s) concerning matters which are not breaches of planning control or where the service has already communicated that it is not in the public interest to pursue formal enforcement action (and there have been no material changes since that decision was made to warrant re-opening the investigation). This is deemed necessary in order to ensure resources are used most efficiently and effectively.

3. IMPLICATIONS OF THE DECISION

3.1 Financial and Risk

3.1.1 Consultations have taken place with representatives of the Service Director – Finance (S151 Officer).

3.1.2 There are no direct financial implications arising from this report. There are future implications arising from preparing a full Local Plan update in respect of a budget required for evidence base, consultation and examination.

3.2 Legal

3.2.1 Consultation has been carried out with legal regarding this approach. They advise that the approach recommended is with the legitimate legal powers of the Council and takes proper account of the material factors affecting the decision.

3.3 Equality

3.3.1 As the report only proposes minor changes to the existing policy, a full Equalities Impact Assessment was not deemed necessary.

3.4 Sustainability

3.4.1 The effective and proper enforcement of planning control is essential to protect the local environment and the interests of residents, visitors and businesses in the borough from the harmful effects of unauthorised development. The updated policy will help to ensure this remains the case.

3.5 Employee

3.5.1 There are no employee implications arising from this report.

3.6 Communications

3.6.1 If the report recommendation is accepted, the updated policy will be uploaded to the website and a press release will be issued. Planning enforcement activity will also continue to be reported to Planning and Regulatory Board on a quarterly basis, with press releases issued as and when necessary.

4. CONSULTATION

4.1 As the policy is operational in nature and does not form part of the Council's Development Plan for the borough, there are no statutory requirements to undertake public consultation.

5. ALTERNATIVE OPTIONS CONSIDERED

5.1 The two alternatives to the recommendation were to either

- To not update the policy
- To write a brand-new policy.

5.2 In relation to why each was discounted, the policy is now 6 years old and there have been changes nationally which render some of the text out of date. As the update is not particularly onerous and unlikely to be affected by uncertainty surrounding planning reform, an update is considered worthwhile. However, as the policy has been effective since being introduced and does reflect best practice, it was not deemed necessary to go as far as to produce a brand-new policy.

6. REASONS FOR RECOMMENDATIONS

6.1 The reasons for recommendation to not update the Local Plan are in part covered within the earlier text, particularly within the introduction, the section explaining the proposal, the sustainability implications of the decision and in the consideration of alternative options. These are in turn derived from the monitoring data which informed the toolkit and the advice from the critical friend. In addition to these, it is worth signposting members to other extracts from the Inspector's report that are particularly relevant to the recommendation within the report:

7. LIST OF APPENDICES

Appendix 1 Existing Planning Compliance Policy
Appendix 2 Proposed Planning Enforcement Policy

8. REPORT SIGN OFF

Financial consultation & sign off	Senior Financial Services officer consulted and date <i>Ashley Grey</i> 30/01/2023
Legal consultation & sign off	Legal Services officer consulted and date <i>Bob Power</i> 30/01/2023

Report Author: Joe Jenkinson
Post: Head of Planning & Building Control
Date: 27th January 2023

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BARNSLEY METROPOLITAN BOROUGH COUNCIL
PLANNING COMPLIANCE POLICY



Barnsley Metropolitan Borough Council

Community Safety and Enforcement Service
Development Management Service
Legal Services

1. INTRODUCTION

The purpose of this policy is to set out the council's approach to planning compliance and the delivery of planning enforcement functions.

Planning law is intended to control the development and use of land and buildings in the public interest. The council's assessment of 'harm' cannot include private interests, such as potential loss of value to a property, commercial competition, loss of view, trespass or breach of covenant.

The need to secure planning compliance or to subsequently take enforcement action can only be considered where the 'Building Works' or 'Material Change of Use' being undertaken require planning permission.

The Planning and Compensation Act 1991 introduced time limits within which local planning authorities can take planning enforcement action against breaches of planning control. The time limits are:

- Four years for building, engineering, mining or other operations in, on, over or under land, without planning permission. This development becomes immune from enforcement action four years after the operations are substantially complete.
- Four years for the change of use of a building, or part of a building to use as a single dwelling. Enforcement action cannot be taken once the unauthorised use has continued for four years without any enforcement action being taken.
- Ten years for all other development. The ten year period runs from the date the breach of planning control occurred.

Carrying out works or changing the use of land or buildings without planning permission is not an offence. The council has discretionary powers to take action. In most cases people will be given the opportunity to apply for retrospective planning permission. However, where serious harm is being caused to the way that people live, the council will take robust enforcement action with a view to alleviating the harm.

The council must operate its enforcement activities in accordance with Government guidelines, council policy and procedures, the Enforcement Concordat, and the Regulators' Compliance code.

- The council must consider if the breach of control unacceptably affects public amenity and/or the existing use of land or buildings meriting protection in the public interest.

- Enforcement action is discretionary and so the council is not required to take action in every instance, however the particular circumstances of each case will always be considered.
- The council will not normally take formal action for minor breaches that cause no real harm.

2. COMPLAINTS

Complaints about alleged breaches of planning control will be accepted by letter, email, via the council's web site, or by telephone. In order for officers to effectively investigate complaints, certain information is required. Complainants will therefore be asked to provide specific details of their complaint on a 'planning request service form' (Appendix 1).

If on initial receipt of a complaint it is obvious that the complaint is not a planning matter or there is deemed to be no breach of planning control, the complainant will be notified. If the reported breach relates to a function or activity enforced by another council service the complaint will be forwarded to the relevant department.

Anonymous complaints may not be considered, as it is often not possible to investigate these due to lack of witnesses or evidence and the harm is difficult to determine. However, each complaint will be assessed and depending on the circumstance there may be occasions when anonymous complaints will be investigated.

3. ENFORCEMENT PRIORITIES

The council receives approximately 700 planning enforcement complaints each year.

In light of the often lengthy and complex nature of planning enforcement investigations, and to make the best use of limited resources, it is necessary to give priority to those cases where the greatest harm is being caused. Priorities are directed by the significance and impact of the breach, the level of harm caused and the need to react expediently.

The following sets out the council's priorities for investigating alleged breaches of planning control. The enforcement process is closely regulated by legal procedures, planning legislation and government guidance. This provides the framework for council's enforcement priorities.

As an investigation of a particular case proceeds it may become necessary to change the priority level.

PRIORITY 1

- Unauthorised activity to listed buildings (demolition/alteration/disrepair)
- Unauthorised demolition in a conservation area
- Unauthorised development in the green belt
- Works to trees covered by a Tree Preservation Order or in a Conservation Area
- Development causing immediate/irreparable harm to protected ecology or causing serious danger to the public

PRIORITY 2

- Operational development already in progress
- Development which is potentially immune from enforcement within 6 months
- Development causing serious harm to amenity
- Breaches of condition/non compliance with approved plans causing serious harm

PRIORITY 3

- Other operational development which is complete
- Changes of use resulting in some harm to amenity
- Breaches of condition/non compliance with approved plans causing no serious harm to amenity

PRIORITY 4

- Advertisements
- Changes of use, resulting in little or no harm to amenity
- Untidy land resulting in little or no harm to amenity
- A trivial or technical breach of control, which causes little or no harm to amenity or the environment

4. ENFORCEMENT OPTIONS

Powers to enforce planning controls are contained within the Town and Country Planning Act (as amended), the Planning and Compensation Act 1991 and the Control of Advertisements Act 1969 (as amended).

In deciding whether to take enforcement action the council will have regard to the development plan and any other material considerations including national policies on planning and enforcement as expressed through the National Planning Policy Framework and National Planning Practice Guidance.

The council will only take enforcement action when it is considered expedient to do so (having regard to the provisions of the development plan and any other material considerations) and where such action is considered necessary in the public interest. In taking enforcement action the council will act in a proportionate way and be prepared to use all of the enforcement powers available commensurate with the severity of the breach.

The European Convention of Human Rights confers rights that are embodied in the Human Rights Act 1998. It would be unlawful for the council to act in a way that is incompatible with a Convention right.

Option 1 - No further action

The council may, following initial investigation decide that there has been no breach of planning control, or that the breach is minor or insignificant in nature, or that there is insufficient evidence, or that it is not in the public interest or expedient to pursue the matter.

The council would refrain from initiating enforcement action where the development is considered acceptable on its own planning merits and where formal action would solely regularise the development.

Option 2 - Further investigation required

It may be necessary to carry out further investigations from the initial site inspection to determine whether a breach of planning control has occurred. This may involve additional site inspections, research, seeking advice from other services or agencies or further information from the complainant, site owner or other parties.

In certain cases, the council may request the person reporting the suspected breach of planning control to assist with the investigation by providing a written log detailing the dates, times, duration and nature of the suspected breach. If the person reporting the suspected breach of planning control is unwilling to assist, they will be advised that this may result in the council not being able to pursue the investigation due to insufficient evidence being available.

Option 3- Negotiate a solution

In situations where it has been established that a breach of planning control has occurred but that the harm can potentially be mitigated, the council will normally attempt to negotiate an acceptable solution to regularise the breach of planning control without recourse to formal enforcement action.

Such negotiations may involve the reduction or cessation of an unauthorised use of activity, or the modification or removal of unauthorised operational development. However, these negotiations will not be allowed to hamper or delay the consideration of enforcement action where the breach of control causes serious harm to amenity. Where the council is unable to negotiate an acceptable solution within a reasonable timescale, the council's Development Management Service will consider whether or not it is expedient to take formal enforcement action.

Option 4 - Retrospective application for planning permission

Where a breach of planning control has occurred, but no harm is being caused, or any harm might be removed or alleviated by the imposition of conditions on a planning permission, the person(s) responsible will be invited to submit a retrospective planning application within a specified time scale. In such application is made without prejudice to any final decision the council may take in the matter. If such an application is not submitted, the council will consider whether or not it is expedient to take formal enforcement action.

Option 5- Formal enforcement action

Where it has been established that a breach of planning control has occurred and it does not appear the harm can be mitigated by negotiations with the landowner and/or a retrospective planning application, the council will consider using its statutory powers to take action to remedy the breach. The use of these powers (listed below) is discretionary and will be used when it is considered expedient to do so, having regard to the development plan and any other material considerations. Any action taken must be proportionate to the breach of planning control.

5. FORMAL ENFORCEMENT ACTION

Planning Contravention Notice

This is a legal notice which brings any breach to the attention of the owner or occupier, and will require the alleged offender to provide such information as to:

- (a) any operations being carried out on the land, any use of the land and any other activities being carried out on the land; and
- (b) any matter relating to the conditions or limitations subject to which any planning permission in respect of the land has been granted, as may be specified in the notice.

The planning contravention notice will require that the information is provided within 21 days from the date that the notice is served.

Enforcement Notice

Enforcement Notices should only be served where it is expedient to do so, and all reasonable efforts to resolve the breach through negotiation have failed.

Enforcement Notices are formal legal documents served by local planning authorities that require the owner/s and/or occupier/s to undertake specific steps to remediate breaches of planning control by a set date. Enforcement Notices will generally require the removal/demolition of unauthorised operational

development on land and/or the cessation of the unauthorised use of land. If the notice is not complied with by the date the requirements of the notice take effect, the breach will become a criminal offence and the landowner and/or occupier can be prosecuted in the criminal courts.

The notice may be appealed to an independent government planning inspector, who can decide to uphold, amend or quash the notice.

Breach of Condition Notice

A Breach of Condition Notice can be served where the breach of planning control relates to non-compliance with a condition on a planning permission. Service of a Breach of Condition Notice provides a mechanism for the summary enforcement of a breach of condition or a limitation subject to which a planning permission has been granted.

The Breach of Condition Notice will specify the steps required to comply with the condition(s) or limitation(s), the date that it takes effect and the time period for compliance.

Section 215 Notice (Untidy Land Notice)

A Section 215 Notice can be served in cases where the amenity of an area is adversely affected by the condition of land or buildings.

The Notice will specify the steps required to be taken to remedy the condition of the land or buildings, the time period within which the steps must be taken and the date that it takes effect.

Prosecution

In most cases it will not be possible to prosecute unless a legal notice been served in respect of the planning breach and any requirements of the notices are outstanding after the deadline for compliance.

Before commencing any legal proceedings the council must be satisfied that there is sufficient evidence to offer a realistic prospect of conviction and that the legal proceedings are in the public interest.

Stop Notice

A Stop Notice can be served with an Enforcement Notice or afterwards, where it is considered expedient that the breach of planning control shall cease before the expiry of the period of or compliance specified in the Enforcement Notice. The failure to comply with a Stop Notice is itself a criminal offence.

A landowner or occupier may be entitled to compensation in respect of loss or damage caused by the stop notice procedure in situations where the appropriate enforcement notice is quashed, varied or withdrawn.

Court Injunctions

The council can consider submitting an application for an injunction in situations, where a breach of planning control is causing very serious harm to public amenity and the environment and in cases where urgent action is necessary to bring about the immediate cessation of a relevant activity.

Such action will only normally be considered if the breach is particularly serious and there are strong grounds for take such action.

Temporary Stop Notice

This differs from the normal Stop Notice powers because the Temporary Stop Notice does not have to wait for an Enforcement Notice to be issued. In addition the effect of a temporary stop notice will be immediate and the notice will cease to have effect at the end of the period of 28 days after which the notice is displayed. A Temporary Stop Notice cannot be used to prevent the use of a building as a dwelling that the council thinks is a breach of planning control. It will also set out the council's reasons for issuing the Temporary Stop Notice.

Direct Action

Where any steps required by an Enforcement Notice have not been taken within the compliance period (other than the discontinuance of the use of land), or where any steps required as part of a Section 215 (Untidy Land) notice have not been taken within the prescribed timescales, the Council will consider whether it is expedient to exercise its power under Sections 178 and 219 of the Town and Country Planning Act 1990 (as amended) to:

- (a) enter the land and take the steps; and
- (b) recover from the person who is then the owner of the land any expenses reasonably incurred by them in doing so.

6. SERVICE APPROACH

Complaints will initially be referred for investigation to the Community Safety and Enforcement Service where officers will consider the issues raised.

Where planning applications are under consideration with the council, have recently been approved, or are subject to discharge of condition applications, complaints and issues relating to the development at the site will be taken up by the relevant planning officer with the developer or agent responsible for the scheme. This approach is intended to resolve issues with the development at the earliest opportunity. Developers and agents are expected to work with the council

to ensure, wherever possible, issues about development are addressed in a timely manner.

Occasionally complaints can relate to more complex matters where it is necessary to obtain specialist input from planning officers and or other officers within the council to seek the best solution to the issues raised. In these cases the appropriate planning officer will direct the enforcement officers as to the most appropriate course of action. These will include:

- unauthorised works to listed buildings
- trees covered by Tree Preservation Orders
- demolition within a Conservation Area
- mineral and waste operations

Officers from the Community Safety and Enforcement Service will undertake an investigation into the complaint to gather any necessary information and evidence. The council's Development Management Service operates in connection with the council's statutory role as the Local Planning Authority. It may therefore be necessary for enforcement officers to consult with qualified planning officers to obtain an expert judgement and decision as to the course of action to follow.

7. SERVICE COMMITMENTS

Complaints will normally be acknowledged within 3 working days of receipt. Each case will be individually assessed. Complaints will be dealt with in accordance to priority, although every effort will be made to deal with complaints as quickly as possible.

It is not possible to give a standard time for dealing with a planning complaint, as investigation and enforcement can be a lengthy and complex process. Complainants will be informed of the status of the case throughout the investigation.

Every effort will be taken to ensure that those being regulated fully understand what action is being taken, the steps that are required to remedy the breach, and the possible implications should they fail to comply with the requirements of that action.

When the council decides not to take formal enforcement action the complainant will be notified of the reason for the council's decision.

NOVEMBER 2015

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PLANNING ENFORCEMENT POLICY



Barnsley – the place
of possibilities.

1. INTRODUCTION

The purpose of this policy is to set out the council's approach to planning compliance and the delivery of planning enforcement functions. Planning law is intended to control development and use of land and buildings in the public interest. The council's assessment of 'harm' cannot include private interests, such as potential loss of value to a property, commercial competition, loss of view, trespass or breach of covenant.

The need to secure planning compliance or to subsequently take enforcement action can only be considered where the 'Building Works' or 'Material Change of Use' being undertaken require planning permission.

The Planning and Compensation Act 1991 introduced time limits within which local planning authorities can take planning enforcement action against breaches of planning control. The time limits are:

- Four years for building, engineering, mining or other operations in, on, over or under land, without planning permission. This development becomes immune from enforcement action four years after the operations are substantially complete.
- Four years for the change of use of a building, or part of a building to use as a single dwelling. Enforcement action cannot be taken once the unauthorised use has continued for four years without any enforcement action being taken.
- Ten years for all other development. The ten year period runs from the date the breach of planning control occurred.

A breach of planning control is defined in S171A of the Town and Country Planning Act 1990 as:

The carrying out of development without the required planning permission; or failing to comply with any condition or limitation subject to which planning permission has been granted.

Carrying out works or changing the use of land or buildings without planning permission is not an offence. It should be noted, the council has discretionary powers to take enforcement action but is not mandated to do so. In most cases people will be given the opportunity to apply for retrospective planning permission or be asked to take corrective action informally in the first instance to resolve the issue. Early engagement with those undertaking the development which is subject of complaints can often assist in resolving matters in the first instance, often without recourse to formal action. However, where serious harm is being caused, which may, for example include harm to visual and residential amenity impacting the way

that people live, the council will take robust enforcement action with a view to alleviating the harm.

The council must operate its enforcement activities in accordance with National Planning Policy Guidance (NPPG) this includes guidance relating to 'Enforcement and Post Permission Matters'. The council will also have regard to the guidance contained within the National Planning Policy Framework, particularly paragraph 59 which states:

Enforcement (NPPG)

59. Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where appropriate.

Effective enforcement is important to:

- tackle breaches of planning control which would otherwise have unacceptable impact on the amenity of the area;
- maintain the integrity of the decision-making process;
- help ensure that public acceptance of the decision-making process is maintained.

- The council will not normally take formal action for minor breaches that cause no real harm.

2. REPORTING A BREACH OF PLANNING CONTROL

Reports about alleged breaches of planning control will be accepted by letter, email, via the council's web site, or by telephone. The service has a dedicated web page which contains further information about the planning service and the ability to submit a request online and can be found via this link:

<https://www.barnsley.gov.uk/services/planning-and-buildings/report-a-breach-of-planning-permission/>

For officers to effectively investigate complaints, certain information is required. Complainants will therefore be asked to provide specific details of their complaint to assist the investigation and substantiate what is taking place. Complaints will remain confidential, and the identity of the complainant will not be disclosed to third parties unless the council is compelled to do so by law.

If on initial receipt of a complaint it is obvious that the complaint is not a planning matter or there is deemed to be no breach of planning control, the complainant will be notified. If the reported breach relates to a function or activity enforced by another

council service, the complaint will be forwarded to the relevant department and/or the complainant will be notified of who is the most appropriate contact

Anonymous complaints will not be considered unless there are exceptional circumstances as it is often not possible to investigate these due to lack of witnesses or evidence and the harm is difficult to determine..

3. ENFORCEMENT PRIORITIES

The council receives approximately 700 planning enforcement complaints each year. Considering the often lengthy and complex nature of planning enforcement investigations, and to make the best use of limited resources, it is necessary to give priority to those cases where the greatest harm is being caused. This is set out below in the Local Enforcement Plan which has categorised compliant types into four priority areas. Priorities are directed by the significance and impact of the breach, the level of harm caused and the need to react expediently.

The following sets out the council's priorities for investigating alleged breaches of planning control. The enforcement process is closely regulated by legal procedures, planning legislation and government guidance. This provides the framework for council's enforcement priorities.

As an investigation of a particular case proceeds it may become necessary to change the priority level.

PRIORITY 1

- Unauthorised activity to listed buildings (demolition/alteration/disrepair)
- Unauthorised demolition in a conservation area
- Unauthorised development in the green belt
- Works to trees covered by a Tree Preservation Order or in a Conservation Area
- Development causing immediate/irreparable harm to protected ecology or causing serious danger to the public

PRIORITY 2

- Operational development already in progress
- Development which is potentially immune from enforcement within 6 months
- Development causing serious harm to amenity
- Breaches of condition/non-compliance with approved plans causing serious harm

PRIORITY 3

- Other operational development which is complete
- Changes of use resulting in some harm to amenity
- Breaches of condition/non-compliance with approved plans causing no serious harm to amenity

PRIORITY 4

- Advertisements
- Changes of use, resulting in little or no harm to amenity
- Untidy land resulting in little or no harm to amenity
- A trivial or technical breach of control, which causes little or no harm to amenity or the environment

4. ENFORCEMENT OPTIONS

Powers to enforce planning controls are contained within the Town and Country Planning Act (as amended), the Planning and Compensation Act 1991 and the Control of Advertisements Act 1969 (as amended).

In deciding whether to take enforcement action the council will have regard to the development plan and any other material considerations including national policies on planning and enforcement as expressed through the National Planning Policy Framework and National Planning Practice Guidance.

The council will only take enforcement action when it is considered expedient to do so (having regard to the provisions of the development plan and any other material considerations) and where such action is considered necessary in the public interest. In taking enforcement action the council will act in a proportionate way and be prepared to use all the enforcement powers available commensurate with the severity of the breach.

The provisions of the European Convention on Human Rights such as Article 1 of the First Protocol, Article 8 and Article 14 are relevant when considering enforcement action

Option 1 - No further action

The council may, following initial investigation decide that there has been no breach of planning control, or that the breach is minor or insignificant in nature, or that there is insufficient evidence, or that it is not in the public interest or expedient to pursue the matter.

The council would refrain from initiating enforcement action where the development is considered acceptable on its own planning merits and where formal action would solely regularise the development.

Option 2 - Further investigation required

It may be necessary to carry out further investigations from the initial site inspection to determine whether a breach of planning control has occurred. This may involve additional site inspections, research, seeking advice from other services or agencies or further information from the complainant, site owner or other parties.

In certain cases, the council may request the person reporting the suspected breach of planning control to assist with the investigation by providing a written log detailing

the dates, times, duration and nature of the suspected breach. If the person reporting the suspected breach of planning control is unwilling to assist, they will be advised that this may result in the council not being able to pursue the investigation due to insufficient evidence being available.

Option 3- Negotiate a solution

In situations where it has been established that a breach of planning control has occurred but that the harm can potentially be mitigated, the council will normally attempt to negotiate an acceptable solution to regularise the breach of planning control without recourse to formal enforcement action. Such negotiations may involve the reduction or cessation of an unauthorised use of activity, or the modification or removal of unauthorised operational development. However, these negotiations will not be allowed to hamper or delay the consideration of enforcement action where the breach of control causes serious harm to amenity. Where the council is unable to negotiate an acceptable solution within a reasonable timescale, the Planning & Building Control Service will consider whether it is expedient to take formal enforcement action.

Option 4 - Retrospective application for planning permission

Where a breach of planning control has occurred, but no harm is being caused, or any harm might be removed or alleviated by the imposition of conditions on a planning permission, the person(s) responsible will be invited to submit a retrospective planning application within a specified time scale. In such application is made without prejudice to any final decision the council may take in the matter. If such an application is not submitted, the council will consider whether it is expedient to take formal enforcement action.

Option 5- Formal enforcement action

Where it has been established that a breach of planning control has occurred and it does not appear the harm can be mitigated by negotiations with the landowner and/or a retrospective planning application, the council will consider using its statutory powers to take action to remedy the breach. The use of these powers (listed below) is discretionary and will be used when it is considered expedient to do so, having regard to the development plan and any other material considerations. Any action taken must be proportionate to the breach of planning control.

5. FORMAL ENFORCEMENT ACTION

Planning Contravention Notice

This is a legal notice which brings any breach to the attention of the owner or occupier, and will require the alleged offender to provide such information as to:

- (a) any operations being carried out on the land; any use of the land and any other activities being carried out on the land; and
- (b) any matter relating to the conditions or limitations subject to which any planning permission in respect of the land has been granted, as may be specified in the notice.

The planning contravention notice will require that the information is provided within 21 days from the date that the notice is served.

Enforcement Notice

Enforcement Notices should only be served where it is expedient to do so, and all reasonable efforts to resolve the breach through negotiation have failed.

Enforcement Notices are formal legal documents served by local planning authorities that require the owner/s and/or occupier/s to undertake specific steps to remediate breaches of planning control by a set date. Enforcement Notices will generally require the removal/demolition of unauthorised operational development on land and/or the cessation of the unauthorised use of land. If the notice is not complied with by the date the requirements of the notice take effect, the breach will become a criminal offence and the landowner and/or occupier can be prosecuted in the criminal courts.

The notice may be appealed to an independent government planning inspector, who can decide to uphold, amend or quash the notice.

Breach of Condition Notice

A Breach of Condition Notice can be served where the breach of planning control relates to non-compliance with a condition on a planning permission. Service of a Breach of Condition Notice provides a mechanism for the summary enforcement of a breach of condition or a limitation subject to which a planning permission has been granted.

The Breach of Condition Notice will specify the steps required to comply with the condition(s) or limitation(s), the date that it takes effect and the period for compliance.

Section 215 Notice (Untidy Land Notice)

A Section 215 Notice can be served in cases where the amenity of an area is adversely affected by the condition of land or buildings. The Notice will specify the

steps required to be taken to remedy the condition of the land or buildings, the period within which the steps must be taken and the date that it takes effect.

Prosecution

In most cases it will not be possible to prosecute unless a legal notice been served in respect of the planning breach and any requirements of the notices are outstanding after the deadline for compliance.

Before commencing any legal proceedings, the council must be satisfied that there is sufficient evidence to offer a realistic prospect of conviction and that the legal proceedings are in the public interest.

Stop Notice

A Stop Notice can be served with an Enforcement Notice or afterwards, where it is considered expedient that the breach of planning control shall cease before the expiry of the period of, or compliance specified in the Enforcement Notice. The failure to comply with a Stop Notice is itself a criminal offence.

A landowner or occupier may be entitled to compensation in respect of loss or damage caused by the stop notice procedure in situations where the appropriate enforcement notice is quashed, varied or withdrawn.

Temporary Stop Notice

This differs from the normal Stop Notice powers because the Temporary Stop Notice does not have to wait for an Enforcement Notice to be issued. In addition, the effect of a temporary stop notice will be immediate, and the notice will cease to have effect at the end of the period of 28 days after which the notice is displayed. A Temporary Stop Notice cannot be used to prevent the use of a building as a dwelling that the council thinks is a breach of planning control. It will also set out the council's reasons for issuing the Temporary Stop Notice.

Court Injunctions

The council can consider applying for an injunction in situations, where a breach of planning control is causing very serious harm to public amenity and the environment and in cases where urgent action is necessary to bring about the immediate cessation of a relevant activity. Such action will only normally be considered if the breach is particularly serious and there are strong grounds for take such action.

Direct Action

Where any steps required by an Enforcement Notice have not been taken within the compliance period (other than the discontinuance of the use of land), or where any steps required as part of a Section 215 (Untidy Land) notice have not been taken within the prescribed timescales, the Council will consider whether it is expedient to exercise its power under Sections 178 and 219 of the Town and Country Planning Act 1990 (as amended) to:

- (a) enter the land and take the steps; and
- (b) recover from the person who is then the owner of the land any expenses reasonably incurred by them in doing so.

6. SERVICE APPROACH

Complaints will initially be referred for investigation to a Planning Enforcement Officer for triage, who will consider the issues raised.

Where planning applications are under consideration with the council, have recently been approved, or are subject to discharge of condition applications, complaints and issues relating to the development at the site will be taken up by the relevant planning officer with the developer or agent responsible for the scheme. This approach is intended to resolve issues with the development at the earliest opportunity. Developers and agents are expected to work with the council to ensure, wherever possible, issues about development are addressed in a timely manner.

Occasionally complaints can relate to more complex matters where it is necessary to obtain specialist input from officers elsewhere in the service or other specialist officers within the council to seek the best solution to the issues raised. In these cases, the relevant officer will direct the enforcement officers as to the most appropriate course of action.

7. SERVICE COMMITMENTS

. Each case will be individually triaged and assessed. Complaints will be dealt with in accordance with their designated priority, although every effort will be made to deal with complaints as quickly as possible.

It is not possible to give a standard time for dealing with a planning complaint, as investigation and enforcement can be a lengthy and complex process. Complainants will be informed of the status of the case throughout the investigation.

Every effort will be taken to ensure that those being regulated fully understand what action is being taken, the steps that are required to remedy the breach, and the possible implications should they fail to comply with the requirements of that action.

When the council decides not to take formal enforcement action the complainant will be notified of the reason for the council's decision.

8. PERSISTANT OR VEXATIOUS COMPLAINTS

The service will consider reports of breaches of planning control as outlined above in line with the service priorities specified. In cases where the same report of a breach of planning control is made regularly or persistently and where the council has found no substantive difference to previous investigations and outcomes, these matters will not be investigated any further.

The service has limited resources and these resources must be used efficiently and effectively. Officer time will not be spent on investigations which are the subject of persistent or vexatious matters. Where an outcome has been communicated on a case, this will not be altered unless there are new or substantively different factors to consider or there has been a 'material' change at the site in question which would require future investigation.

The council has a formal complaints process and whilst the service will try and resolve matters wherever possible without rise to formal complaints, matters of a persistent or vexatious nature will be referred to our customer resolution team who can consider any matters raised and our decision making through the formal complaints process, details of which can be found via the following link:

<https://www.barnsley.gov.uk/have-your-say/complaints-and-compliments/>

Ultimately where matters cannot be resolved to the satisfaction of the customer or where the council's complaints process has been exhausted a complaint can be made to the Local Government and Social Care Ombudsman. In most cases the Ombudsman will only investigate matters within 12 months of you becoming aware of the matter subject of complaint or where you have been directly affected by the matter, known as 'personal injustice'. Further details can be found on the Ombudsman's website <https://www.lgo.org.uk/>

BARNSELY METROPOLITAN BOROUGH COUNCIL

REPORT OF: EXECUTIVE DIRECTOR OF GROWTH & SUSTAINABILITY

TITLE: ADOPTION OF UPDATED DESIGN OF HOUSING SUPPLEMENTARY PLANNING DOCUMENT (SPD)

REPORT TO:	CABINET
Date of Meeting	31st May 2023
Cabinet Member Portfolio	Regeneration and Culture
Key Decision	Yes
Public or Private	Public

Purpose of report

This report seeks authority to adopt an updated version of the Design of Housing Supplementary Planning Document (SPD's).

Council Plan priority

Sustainable Barnsley

Recommendations

That Cabinet: -

- 1. Refers the report to Full Council for approval to adopt the updated Design of Housing SPD.**

1. INTRODUCTION

1.1 The Local Plan, adopted on 3rd January 2019, contains policies to be considered when determining planning applications. Supplementary Planning Documents contain further advice and explain how Local Plan policies will be applied.

1.2 The Planning & Building Control Service monitors the effectiveness of our policies and guidance on an ongoing basis. In respect of Supplementary Planning Documents, this is to satisfy ourselves that:

- They remain in conformity with national legislation, planning policy and

- guidance
- They are helping to ensure that the Local Plan achieves its overall aims and objectives
 - They are enabling decisions to be upheld at appeal
 - They reflect any new social, environmental or economic priorities that may have arisen
- 1.3 Supplementary Planning Documents build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development.
- 1.4 As they do not form part of the Development Plan, Supplementary Planning Documents can be more readily updated but in doing so, the comments received have been fully considered to ensure that the amendments conform with national planning policy and guidance and that the content supplements existing policies in the plan (rather than replacing them or going beyond their remit) and that the amendments will not result in unnecessary financial burdens.
- 1.5 A number of Supplementary Planning Documents were adopted following the adoption of the Local Plan, including the Design of Housing SPD. Amendments are proposed to update the SPD.
- 1.6 Public consultation was carried out for a period of four weeks between 3 October and 31 October 2022. A total of 67 comments were received from 27 respondents.

2. PROPOSAL

- 2.1 It is proposed that the updated version of the Design of Housing SPD is adopted. Once adopted, it will supersede the version adopted in 2019.
- 2.2 Appendix 1 contains a summary of the comments made during consultation and how those comments have been taken into account. Appendix 2 contains the updated Design of Housing SPD. Changes that were proposed from the adopted version are in red and underlined or struck through. The changes proposed following consideration of consultation responses are shown as struck through or red underlined text and highlighted yellow. Section 4 below summarises the changes made following consultation.

3. IMPLICATIONS OF THE DECISION

3.1 Financial and Risk

Consultations have taken place with representatives of the Service Director – Finance (S151 Officer).

There are no direct financial implications arising from this report other than

minimal costs associated with the adoption process which involves placing a public notice in the press. These minimal costs will be met from the existing planning budget. No Appendix A is therefore required.

3.2 Legal

Preparation, consultation, and adoption of Supplementary Planning Documents is carried out in accordance with the Town and Country Planning (Local Planning)(England) Regulations 2012.

3.3 Equality

Full Equality Impact Assessment completed.

This complements the Equality Impact Assessment that was carried out to support the Local Plan which concluded that all policies and proposals apply to all sectors of the community equally and that it makes provision for a range of housing types to meet differing needs such as affordable housing. A further assessment was carried out when the suite of SPD's was adopted in 2019. This recognised that the key impacts were around providing translation and interpretation assistance to those individuals that require it to help them understand the SPD's. An action for future consultation was to arrange targeted consultation such as face to face meetings with the equality forums as appropriate, relevant to the subject of the SPD, to ensure our engagement is inclusive. Where appropriate, reasonable adjustments will be considered at venues where documents are made available to ensure accessibility requirements for all attendees are met. A presentation to the Youth Council was given during the consultation period.

3.4 Sustainability



As the minor changes to an existing SPD are the subject of this report, it is considered that in most instances the report has no impact. It is considered that a low positive impact is had on homes.

3.5 Employee

There are no employee implications arising from this report.

3.6 Communications

Communications support will be required to publicise the consultation through press releases and social media.

4. CONSULTATION

4.1 Public consultation was carried out for a period of four weeks between 3 October and 31 October 2022. A total of 67 comments were received from 27 respondents. Consultation was carried out in accordance with the Town and Country Planning (Local Planning) regulations, 2012. Stakeholders such as developers and agents that regularly operate in Barnsley, together with other people that have expressed an interest in being consulted on our planning documents were notified. The consultation was also generally publicised by a public notice in the Chronicle and in the Council's social media. The consultation document was also made available in Library@the Lightbox and all branch libraries and a flyer publicised on screens where possible. A presentation was given to the Youth Council. Issues raised by the Youth Council are summarised in appendix 1.

4.2 Some changes have been made as a result of comments. We have added in text around designing for the elderly and for those with dementia. We have added a reference to geodiversity in addition to biodiversity. We have made a number of amendments for clarity, including provision of a definition of a bedsit and a studio apartment.

5. ALTERNATIVE OPTIONS CONSIDERED

5.1 One alternative approach would be not to update the SPD's. The proposed changes provide useful updates and clarification. Therefore, adoption of the amended version is recommended.

6. REASONS FOR RECOMMENDATIONS

6.1 The proposed updated SPD contains helpful information and amendments that will provide clarity for service users.

7. GLOSSARY

SPD Supplementary Planning Document

8. LIST OF APPENDICES

Appendix 1: Summary of consultation responses

Appendix 2: Design of Housing SPD

Appendix 3: Equalities Impact Assessment

9. BACKGROUND PAPERS

Current Affordable Housing and Sustainable Travel SPD's

<https://www.barnsley.gov.uk/media/15706/affordable-housing-spd.pdf>

<https://www.barnsley.gov.uk/media/15728/sustainable-travel-spd-adopted-2019.pdf>

Barnsley Local Plan <https://www.barnsley.gov.uk/media/17249/local-plan-adopted.pdf>

If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

10. REPORT SIGN OFF

Financial consultation & sign off	Senior Financial Services officer consulted <i>Ashley Gray</i>
Legal consultation & sign off	Legal Services officer consulted <i>Bob Power</i>

Report Author: Paula Tweed
Post: Planning Policy Group Leader
Date: 27th February 2023

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Introduction

Public consultation took place on the updated Design of Housing Supplementary Planning Document for a period of four weeks between Monday 3 October to Monday 31 October 2022. A total of 67 comments were received from 27 respondents.

Who we consulted

- Duty to Cooperate Bodies
- Bodies and organisations with a topic specific interest
- Developers and Agents active in the Borough
- Housing Associations active in the Borough
- Parish Councils
- Equality Forums

How we consulted

- Emails or letters sent to the above consultees
- Press advert in the Barnsley Chronicle
- Press Releases (including use of the Council's social media) and press coverage through the course of the consultation period.
- Documents were made available on the Council's website
- Documents were made available at Library@the Lightbox and Branch Libraries across the Borough (online and paper form)

Response to Consultation

The tables below set out the main issues raised during consultation. They summarise the main points and any key changes made to the documents as a result of comments received.

General/ overarching comments

NUMBER OF COMMENTS:	
MAIN ISSUES RAISED	HOW THE ISSUES HAVE BEEN ADDRESSED
Welcomes the opportunity to comment, but no comments- from 3 consultees.	Comments noted
There needs to be consistency between numbering in the consultation survey and the SPD document.	Comments noted for future consultations.
Support for the proposed amendments, considers they make sense and improve the document.	Comments noted.

DESIGN OF HOUSING SPD	
<p>Key changes made as a result of comments: Addition of references to designing for dementia and designing for the elderly; cross referencing to other parts of document and other SPD's for clarity; definition of bedsit and studio apartment; addition of references to geodiversity.</p>	
NUMBER OF COMMENTS:	
MAIN ISSUES RAISED	HOW THE ISSUES HAVE BEEN ADDRESSED
Section 2 Introduction. Supports the overall principles of Building for a Healthy Life but wants to ensure flexibility, to ensure sites remain deliverable and viable.	We consider there to be sufficient flexibility in the Building for a Healthy Life principles and in how SPD's are applied. No change proposed.
Comment on wording of Local Plan policy GD1, the phrase "no significant effect on the living conditions and residential amenity of existing and future residents." Considers that this wording should be strengthened.	Policy GD1 is a policy in the adopted Local Plan. A Local Plan policy cannot be changed through SPD.
Relates paragraphs in SPD to proposals for development of site MU1.	Comments noted. No change proposed.

<p>Policy D1 'High Quality Design and Place Making' Supports that policy D1 aims to ensure that green infrastructure assets are respected and taken advantage, would welcome the inclusion of blue infrastructure within this policy.</p>	<p>Policy D1 is a Local Plan policy that can't be changed through SPD. No change proposed.</p>
<p>Does not think geodiversity assets are adequately addressed. Suggests two amendments to ensure geodiversity assets are considered:</p> <p>Page 2 Through its layout and design development should:</p> <ul style="list-style-type: none"> • Contribute to place making and be of high quality, that contributes to a healthy, safe and sustainable environment; Complement and enhance the character and setting of distinctive places, including Barnsley Town Centre, Penistone, rural villages and Conservation Areas including biodiversity and geodiversity assets. <p>And Page 13 Section 16. Existing trees and hedgerows and other features of ecological value 16.1. If there are mature trees, hedgerows, rock faces or other features of ecological or geodiversity value (including quarries, watercourses and ponds).</p>	<p>Comments noted.</p> <p>Page 2 text relates to Policy D1 which is a Local Plan policy and cannot be amended through SPD. Therefore no change proposed.</p> <p>P13 section 16 to be amended to read: 16.1. If there are mature trees, hedgerows, rock faces or other features of ecological or geodiversity value (including quarries, watercourses and ponds).</p>
<p>Concerns relate to protection and enhancement of the geodiversity of the landscape of South Yorkshire. Makes point that landscape character ultimately depends upon the geology and care should be taken not to obscure views of the surrounding landscape, so that the underlying geology and structure can be appreciated. Considers that a recurrent problem in South Yorkshire generally occurs when permission is given for development in former quarries</p>	<p>Local Plan policy BIO1 covers biodiversity and geodiversity.</p> <p>The proposed amendment to page 13 in respect of the comment will address this point.</p>
<p>In Section 2.2 the following should be added - avoid building within the potential root zone of existing trees unless effective root barriers are incorporated.</p>	<p>There is a separate SPD on trees which deals with protection of existing trees. A cross reference to the Trees and Hedgerows SPD can be added to section 14. However this is not appropriate in paragraph 2.2.</p> <p>Add new paragraph 14.9 14.9 The SPD on Trees and Hedgerows gives advice on protecting existing trees during</p>

	development.
Supports use of a Building for a Healthy Life criteria but suggests it includes an assessment of Personal health provision - ie availability of local Health services ie doctors and Hospital provision.	The Local Plan was supported by an Infrastructure Delivery Plan which considered the necessary infrastructure needed to support the Local Plan allocations. The delivery plan is updated through the Authority Monitoring Report. Infrastructure requirements is not appropriate in this SPD. No change proposed.
Section 3 Where there is a desire to avoid intensification of traffic near existing dwellings, is an earlier phase of a development subject to a previous application, considered to be an existing dwelling?	Previous permissions are classed as 'committed development' and would be accounted for in Transport Assessment (TA) where one is required. Where a TA isn't required, committed development would still be a material consideration. No change proposed to SPD.
Does not support use of internal spacing standards set out in South Yorkshire Residential Design Guide. Considers them dated and do not reflect Nationally Described Space Standards. Refers to Planning appeal decision.	This text is in the adopted version of the SPD and no change is proposed. Adoption of nationally described standards would be introduced through an update of the Local Plan. No change proposed.
<p>Section 6 Accessibility</p> <p>Objection to insertion of 26% of all new dwellings to be built to M4(2) accessible and adaptable standard, and 6% to be built to wheelchair accessible M4(3)(2)(b). Consider it will impact on delivery and viability.</p> <p>Agrees with BMBC in that M4(2) and M4(3) standard units are required on new developments and welcomes the proposed change. Acknowledge the proposed percentage of dwellings to be compliant and caveat that certain sites due to constraints such as ground levels may prove more difficult when designing and it is important that sites don't become stalled if they</p>	<p>Evidence of need set out in SHMA. Negotiations can take place on a case-by-case basis if a viability assessment demonstrates there are issues. No change proposed.</p> <p>Comments noted, no change proposed.</p>

can't achieve the required level of compliance	
Section 6 - Where accessible homes have to be provided, how will the exact number be determined on smaller developments - will the percentage requirement be rounded up or down?	We usually apply the general rule that if .5 or above the figure is rounded up. If below .5 it is rounded down. The following footnote will be added to clarify this point. <p>[1] Where calculated if this does not result in a whole number, where it is below .5 the figure will be rounded down. If above .5 it will be rounded up.</p>
In respect of section 7 (Character) the SPD makes reference to new developments complementing local character (paragraph 7.6) but doesn't clarify if this in respect of materials or appearance. Suggests some further exemplification of this would be helpful.	The SPD is intended to be read alongside Local Plan policy D1 which refers to character and materials, together with any relevant details in Neighbourhood Plan where applicable. Each case will be taken on its merits depending on the context of the site. It is therefore difficult to cover in the SPD. No change proposed.
Suggests further clarification in character section regarding how developments can complement local character.	Comments noted. Character can be wider than materials and appearance. The context of each site is different and therefore character can only be assessed on a site-by-site basis. No change proposed.
In relation to outside space, want to see innovative design for shared space and public realm for positive health & wellbeing and developing community cohesion. e.g. food growing or community gardens.	Covered in proposed changes to section 9.
Considers the definition of A 'larger house' should be 5 bedrooms ++. 4 bedrooms is too low .	This text in paragraph 8.2 refers to policy H9 which seeks to protect existing larger dwellings. This change tightened up the wording to clarify that we consider 4 bedrooms and above an appropriate definition of 'larger'. The SHMA (paragraph 4.50 - 4.55) considers demand for 'larger dwellings' in which it includes reference to both houses with 4 bedrooms and 5 or more bedrooms. No change proposed.

Section 9 Health and Wellbeing.

We would like to see much more of a “people focus” for building healthy, sustainable, and well-connected communities.

Replacement section 9 suggested below:

9.1 If considered at an early stage of design there are opportunities for developers to improve the health and wellbeing of the residents of new development.

9.2 Housing design should consider the needs of an ageing population with reference to World Health Organisation’s (WHO) Age Friendly standards <https://ageing-better.org.uk/age-friendly-communities/eight-domains> and recognise the importance of well-designed dementia ready housing, utilising the Alzheimer’s Society dementia friendly housing guide https://www.alzheimers.org.uk/sites/default/files/2020-06/Dementia%20Friendly%20Housing_Guide.pdf <https://www.gov.uk/guidance/housing-for-older-and-disabled-people->

9.3 The external layout for larger schemes should include walking and cycling routes linking through the development, or the creation of green corridors to improve air quality and mental wellbeing. For the design of open spaces, an inclusive approach should consider the needs of children and young people and the needs of an increasingly ageing population. This includes innovative design for shared space and public realm for positive health & wellbeing and developing community cohesion e.g. food growing or community gardens.

9.4 Sport England has produced guidance showing how to promote ‘active lifestyles’ in the design and layout of housing developments. Their ‘active design guide’ sets out 10 principles to help increase activity in everyday lives, helping to improve the health and wellbeing of local residents and neighbouring communities. (Please remove reference to Public Health England as it is now Office for Health Improvement & Disparities) The online resource, including case studies, is available via: <https://www.sportengland.org/facilities-planning/active-design/> (NB: *this link is not correct- please use the updated link below instead*)

In response to the requests for including greater awareness and guidance in housing developments regarding the needs of those with dementia and the needs of the elderly and a request to mention food growing & community gardens, the following changes, shown red and underlined are proposed to the sections on ‘Accessibility’ and ‘Health and Wellbeing’:

6. Accessibility

6.1 Given the aging population and identified levels of disability amongst the population, housing development should be built to the following accessible standards¹:

- 26% of all new dwellings should be built to M4(2) accessible and adaptable standard
- 6% of new dwellings should be built to wheelchair accessible M4(3)(2)(b)

6.2 An increasing proportion of the population is experiencing dementia. Advice specifically on the accessibility and usability of dwellings with regards to dementia is provided in the Dementia-friendly Housing Guide, produced by the Alzheimer’s Society, in the chapter ‘Place: the physical environment’ (pages 34 - 47). The online resource is available via: https://www.alzheimers.org.uk/sites/default/files/2020-06/Dementia%20Friendly%20Housing_Guide.pdf

(and at the bottom of the page:

¹ Accessible standards as set out in The Building Regulations 2010 Approved Document M Access to and use of buildings Volume 1: Dwellings (2015 edition as amended and including any subsequent amendments)

https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/spe003-active-design-published-october-2015-high-quality-for-web-2.pdf?VersionId=uCz_r6UyApzAZlaiEVaNt69DAaOCmkIQ

9.5 Supporting information on the promotion of health and wellbeing should be included in the design and access statement which accompanies a planning application.

9. Health and wellbeing

9.1 If considered at an early stage of design there are opportunities for developers to improve the health and wellbeing of the residents of new development. The pandemic has especially highlighted the value and importance to health and wellbeing of access to green spaces and walking & cycling connections to local facilities.

9.2 The external layout for larger schemes should include walking and cycling routes linking through the development, or the creation of green corridors to improve air quality and mental wellbeing. For the design of open spaces, an inclusive approach should consider the needs of children and young people and the needs of an increasingly ageing population. This includes innovative design for shared space and public realm for positive health & wellbeing and developing community cohesion, for example food growing or community gardens.

9.3 The Council uses the new edition of Building for Life 12, 'Building for a Healthy Life,' to guide the design and layout of developments of ten or more dwellings. This edition has been written in partnership with Homes England and the NHS and has a stronger health and wellbeing emphasis. For example, in the light of the pandemic, it recognises the importance of designing to encourage active travel (cycling and walking) to essential services and work and the importance of access to green spaces.

9.4 Sport England has produced guidance showing how to promote 'active lifestyles' in the design and layout of housing developments. Their 'active design guide' sets out 10 principles to help increase activity in everyday lives, helping to improve the health and wellbeing of local residents and neighbouring communities. The online resource, including case studies, is available via: https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/spe003-active-design-published-october-2015-high-quality-for-web-2.pdf?VersionId=uCz_r6UyApzAZlaiEVaNt69DAaOCmkIQ

9.5 The external environment for housing schemes should consider the needs of the elderly and people with dementia, for which proportions of the population are both rising. The external environment can have a major impact on the mobility, independence, and quality of life of older people and affects their ability to 'age in place.' It should enable social interaction and connect people with places and other people. An overriding principle of the Royal Town Planning Institute's advice note on 'Dementia and Town Planning' (Sept 2020) is that if you get an area right for people with dementia, you can also get it right for older people, for young disabled people, for families with small children, and ultimately for everyone.

9.6 Dementia friendly features include legible street layouts (with a hierarchy of street types, simple, well-connected street layouts with minimal use of cul-de-sacs and limited use of shared spaces), distinctive landmarks and other environmental features to aid orientation (and familiarity), clear street signage, open

	<p><u>space which is well defined and overlooked (preferably with seating), safe, well-lit and direct footpaths to local facilities (for example shops and services), access to local green space, and, where changes in level occur, a choice of ramp or steps, with handrails provided.</u></p> <p>9.7 Supporting information on the promotion of health and wellbeing should be included in the design and access statement which accompanies a planning application.</p>
<p>Section 9.2 - Developments should avoid creating open green spaces of little recreational value that only serve to create a future maintenance cost to residents</p>	<p>There is a separate SPD on design of Open Space on new housing developments. Paragraph 9.2 refers to the positive impact open space can have on mental health. No change proposed. Green spaces have different functions including residential amenity. No change proposed.</p>
<p>Section 9 Health and Wellbeing 9.3 Proposed inserted text regarding new Building for a Healthy Life. Generally support emphasis on active travel routes. Want flexibility to be provided where there are specific on site considerations that impact on deliverability and viability.</p>	<p>Comments noted. Negotiations can take place on a case-by-case basis if a viability assessment demonstrates there are issues. No change proposed.</p>
<p>Support for the 'Design Out Crime' inclusion on page 9, this is really valuable.</p>	<p>Comments noted.</p>
<p>Would like to see a clear statement about how the new development connects with community infrastructure in the surrounding neighbourhood.</p>	<p>Where a site is a local plan allocation infrastructure needs and connections to local services and facilities will have been considered through the housing site selection process.</p> <p>In part this will be covered by the Design and Access Statement. Change proposed to add a sentence to the end of paragraph 11.1 to read "<u>the Design and Access</u></p>

	<u>statement should take account of connectivity.</u> "
Section 11.2 - This states that new streets should be connected at both ends but many new developments only have one entrance/exit. More clarity on this is required. Do the principles of connectivity apply to vehicles , cyclists or pedestrians?	Apply to all. Some sites have constraints, for example contours. However general design principle that make streets as connected as possible but has to be taken on a case by case basis. No change proposed.
Section 11 - The reference to highway speeds should be modified to 'streets should be designed to <u>restrict</u> the appropriate vehicle speeds'	The text referred to is the header of the penultimate bullet in paragraph 11.2. There are further bullet points that set out what the appropriate speeds are considered to be. 'Achieve' when read in the context the detail of the speed restrictions in various scenarios is considered more appropriate wording. No change proposed.
Section 11- guidance needs to be included regarding the provision and design of visitor parking areas	We have a separate SPD that deals with parking issues, which are dealt with on a case by case basis. No change proposed.
Clause 11.2, bullet point 3 says: As far as possible, new streets should be connected at both ends to form a through street. Clause 11.3 adds: Long, straight roads should ... be avoided in housing layouts ... Streets that are not straight create hazardous situations where traffic has to slalom round parked cars and where parked on bends, cause line of sight issues. Wharfedale Road is a good example.	Comments noted. The text regarding avoiding long straight roads in housing layouts is to aid traffic calming. No change proposed.
Section 12 Design of Residential Car Parking and Garages <i>12.2 A range of parking solutions should be used appropriate to the context and the types of housing proposed.</i> General support for this change.	Comments noted.
<i>12.4 Continuous strips of front of dwelling parking are not acceptable. The starting point should be the guidance from Building for Life of a 50:50 hard/soft landscaping balance at the front of dwellings. The guidance from Building for a Healthy Life where front of dwelling parking is used is there</i>	Negotiations can take place on a case by case basis if a viability assessment demonstrates there are issues. No change proposed.

<p><i>should be a generous landscaping to settle parking into the street.</i></p> <p>General support, however want flexibility to be provided to where there are specific on site considerations that impact of deliverability and viability.</p>	
<p><i>12.8 New parking areas proposed to the front of existing historic dwellings, or dwellings in historic areas, will be resisted where they would result in the loss of characteristic or historic front boundary walls and gardens.</i></p> <p>General support however want flexibility to be provided to where there are specific on site considerations that impact on deliverability and viability.</p>	<p>Negotiations can take place on a case-by-case basis if a viability assessment demonstrates there are issues. No change proposed.</p>
<p>Section 14 Landscape Design. General support for proposed amendments to paragraph 14.3 <i>Trees</i>. However wants flexibility to be provided to where there are specific on site considerations that impact on deliverability and viability, coupled with expected development densities.</p>	<p>Negotiations can take place on a case-by-case basis if a viability assessment demonstrates there are issues. No change proposed.</p>
<p>Support for proposed paragraph 14.3 on tree planting. Support for this proposed approach and recognise the value of tree planting on new developments, particularly when seeking to increase bio-diversity.</p>	<p>Comment noted.</p>
<p>Disagrees with tree lined streets due to leaves on pavements, falling branches, roots breaking through footpaths gives local examples. Also raises issue of Council resources to maintain.</p>	<p>Paragraph 131 of the National Planning Policy Framework sets out that “<i>Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work</i></p>

	<p><i>with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.</i>”It is appropriate for the SPD to reflect this.</p> <p>The SPD cross references to guidance in South Yorkshire Residential Design Guide on tree type and planting depth etc. No change proposed.</p>
<p>Does not agree with recommended 1 tree per dwelling due to costs to residents of maintenance and insurance issues. Refers to a local example of tree removal.</p>	<p>We consider the average of one tree per dwelling is appropriate. This will not equate to every dwelling having a tree in front of it. No change proposed.</p>
<p>14.4 perhaps we should be going down the route of rewilding green verges encourage pollinators and may if managed properly reduce maintenance costs grass cutting etc .</p>	<p>Comments noted. This is done in some areas where appropriate. Not appropriate to specify in this SPD. No change proposed.</p>
<p>Welcome the restatement in the section 16 of the expectation that mature trees, hedgerows or other features of ecological value (including watercourses and ponds) would be incorporated into the design and layout of the development, and retained, wherever possible, for their visual and ecological value.</p> <p>The strengthening of the statement on Trees (14.3) in the Landscape Design Section is also welcomed. However the examples (parks and community orchards) given for the incorporation of trees 'elsewhere in developments' are unnecessarily restrictive, Parks and community orchards are quite formal features and more informal green spaces and green corridors are equally important.</p> <p>The change in sections 9.2 from 'could' to 'should' referring to the inclusion of walking and cycling routes linking through the development, or the creation of green corridors is welcome. However, the creation of green corridors is not only 'to improve air quality' but also to benefit wildlife and improve biodiversity. It would be appropriate to refer to this.</p>	<p>Comments noted</p> <p>Change to for example “ parks, community orchards, informal green spaces and green corridors” at 14.3</p>

<p>General support for paragraph 14.4 regarding landscape planting, however wants flexibility to be provided to where there are specific on-site considerations that impact of deliverability and viability. Viability may also be impacted should these trees attract significant commuted sums at S38 stage.</p>	<p>Negotiations can take place on a case-by-case basis if a viability assessment demonstrates there are issues. No change proposed.</p>
<p>Comment regarding proposed text at paragraph 14.4. Agrees with this proposed approach on larger / strategic developments to aid legibility and place making. Queries if the council will adopt boulevards of large, canopied specimen trees, and/or feature planting at junctions. If so asks for an indication of cost to be provided.</p>	<p>Comments noted. Landscaping schemes done appropriate to the development on a case by case basis. It wouldn't be appropriate to put an indication of cost in the SPD. No change proposed.</p>
<p>Landscape enhancement The SPD may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green infrastructure provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider how new development might makes a positive contribution to the character and functions of the landscape through sensitive siting and good design and avoid unacceptable impacts.</p>	<p>The requirement for landscape characterisation and townscape assessments is covered in section 7 on character. No change proposed.</p>
<p>Clause 14.5 says: While smaller 'garden' trees such as Rowan and Cherry can be attractive, larger trees should also be provided (e.g. Oak, Beech and Chestnut). Makes the point that large trees planted close to dwellings create shade and sometimes foundation problems and maintenance issues in the future.</p>	<p>Comments noted. The text "where appropriate" to be added at the end of the sentence.</p>
<p>Would welcome the presumption against the loss and for the creation, enhancement and protection of existing green and blue infrastructure. This should be framed within the context of the existing Habitat Network, as well as within the context of the Humber River Basin Management Plan and Water Framework Directive (WFD) objectives.</p>	<p>Not considered appropriate for this SPD. Covered in Local Plan policies, for example GI1 and CC5. May be more appropriate for an update of Biodiversity SPD. No change to Design of Housing SPD</p>
<p>Comments relating to development of a site that already has planning permission and is under construction. Design and impact of a boundary wall is raised as an example of what the SPD should seek to guard against.</p>	<p>Comments noted which relate to an existing development which was fully assessed on its own merits prior to its approval. The brick wall was approved</p>

	<p>as an alternative to the original proposal. It was agreed to match the materials of the development, which is consistent with some other brick boundary treatment in the vicinity. It is difficult to tell from photo provided, case officer to check on site that it has been built in accordance with approved plans.</p>
<p>Comment regarding Section 16 Existing Trees and Hedgerows and other features of ecological value. Wants to see further reference to providing overall biodiversity net gain (BNG) and refers to the 10% BNG being mandated by Environment Act and refers to NPPF.</p>	<p>We have a separate SPD on Biodiversity and Geodiversity. The suggestions would be more appropriate to be considered in the update of the Biodiversity SPD. No change proposed to Design of Housing SPD.</p>
<p>Section 16 If any trees are to be removed during the development then it is expected that these will be replaced elsewhere on site, or as nearby as possible, at a ratio of 6-1. This approach is supported by paragraphs 174 and 180 of the NPPF, the Natural Environment and Rural Communities Act 2006 and Article 10 of the Habitats Directive.</p>	<p>Add text to this effect to section 16</p> <p><u>16.5 If any trees are to be removed during the development then it is expected that these will be replaced elsewhere on site, or as nearby as possible, at a ratio of 6-1.</u></p>
<p>Section 18 Drainage & Flood Risk. Notes that one of the key changes in this version of the SPD is around the level of accessible homes. Conflict often arises on new development in areas at risk of flooding, between accessibility and the flood risk mitigation required to ensure new residential properties remain safe and dry for occupants. Paragraph 18.1 of the SPD already highlights the importance of considering flood risk issues from the outset, which we strongly support. Suggests it might be useful to make the link between accessibility and flood risk issues more explicit.</p> <p>Paragraph 18.1 also recommends early discussions on drainage with various parties. It should be noted that the lead local flood authority now lead on consideration of surface water management proposals, while the focus for the Environment Agency is the impacts on / from development with respect to fluvial and tidal flood risk.</p>	<p>Comments noted.</p> <p>Text to be added to make link between accessibility and flood risk more explicit. The following sentence to be added in paragraph 18.1.</p> <p>....Drainage and flood risk issues should therefore be considered at the outset as they will have an impact on the design and layout of residential schemes. <u>Flood risk mitigation should be carefully considered in relation to accessible properties.</u></p>

Section 25 (Backland development), no reference is made to development in / of back gardens; some control of this is desirable, as permitting development of gardens could be detrimental to the character of some areas.	Section 8 deals with protection of existing larger dwellings and cites Local Plan policy H9 which seeks to protect dwellings of 4 or more bedrooms.
Section 28 HMO's. Suggests we await the outcome of an appeal decision against Barnsley Council for the refusal of a C4 HMO. The main considerations of the appeal are the effect upon character, residential standards, effect upon residential amenity and garden sizes. Suggests we note the outcome as it may influence the wording of the SPD. It is the first HMO appeal since the A4D became effective.	Comments noted. The appeal decision has now been received which dismisses the appeal and supports the approach and Local Plan policy H9.
Seeks a definition of a 'bed sit' and 'studio apartment'. Alternatively, it is recommended that the words 'studio apartments' and 'bedsits' is omitted and replaced with the word 'flats'.	<p>Include a definition of bedsit and studio flat for clarity. The following definitions from the Oxford dictionary will be added:</p> <p><u>Bedsit – “ a one-roomed unit of accommodation typically consisting of combined bedroom and sitting room with cooking facilities”</u></p> <p><u>Studio apartment – “a flat consisting of a large single room serving as bedroom and living room, with a separate bathroom”</u></p>
Considers the SPD method to determine whether a proposal meets the 10% threshold is quite onerous and difficult to assess. Queries whether there is there a need to look at both a 50 metre radius and the street. Could it be one or the other? Suggests the planning officer ought to carry out the assessment. Suggests using methodology set out in the Doncaster Local Plan Policy.	The criteria is not one of the changes proposed in this consultation. The methodology is considered appropriate for Barnsley. No changes proposed as a result of this comment.
<p><u>Internal standards</u></p> <p>Shared internal spaces encourage tenant interaction and promote settled households. Considers asking for both a shared dining room and shared lounge is unnecessary and that one shared space such as a shared kitchen/diner would be sufficient.</p>	Comments noted. A good standard of residential amenity is important, therefore we do not wish to request the lowest common denominator in the SPD. Houses have a lounge and a dining room. No change proposed.

<p>Garden size will be determined by the property that is subject of the conversion. Many developers are attracted to Victorian properties which usually have back yards/ gardens that are smaller than 60m². The National Design Guide sets out how we should consider amenity areas, it does not set a minimum garden size. Disagrees that a size in m² should be specified in the SPD. Each case should be assessed on its merits. Considers that HMO properties need an outdoor space for limited activities such as hanging washing, sitting out and smoking tenants. .Considers HMO's to be occupied by adults so does not agree they should have a garden the same size as a family property and sometimes, and states that a small yard is more than adequate.</p>	<p>Comments noted. Access to outdoor space can have a positive effect on residential amenity and mental health and wellbeing. The minimum size requested is to ensure HMO residents enjoy the same level of residential amenity as occupants of new build properties. The 60m² is not restricted to family homes. The SPD supports policies D1 and GD1 which seek to ensure that developments <i>"Contribute to placemaking and be of a high quality, that contributes to a healthy, safe and sustainable environment"</i>; and will be approved if <i>"there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents."</i> No change proposed.</p>
<p>HMO's can have maintenance problems. The larger the garden, the likelihood of it not being maintained increases.</p>	<p>This is a landlord issue. The SPD supports policies D1 and GD1 which seek to ensure that developments <i>"Contribute to placemaking and be of a high quality, that contributes to a healthy, safe and sustainable environment"</i>; and will be approved if <i>"there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents."</i> No change proposed.</p>
<p>HMO's may have more bins than a C3 dwelling. A lack of appropriate bin storage for HMO's can have an adverse impact on the character of an area. Most HMO's use front gardens for bin storage. Bins are in full view from the street and they can overflow. Conversions should ensure that there is appropriate bin storage and feel that this has been overlooked in the HMO section of the SPD.</p> <p>Would like to see guidance for HMO's regarding adequate provision of refuse storage.</p>	<p>Section 19 covers recycling and waste provision. A waste management plan would be expected to factor in appropriate bin storage for a HMO.</p> <p>Change proposed: add a cross reference to section 19 in the HMO section.</p> <p><u>Recycling and Waste Provision</u></p> <p>28.8 <u>Any proposals for conversion to dwelling</u></p>

	<p><u>houses or apartments/flats, HMOs, bedsits or studio apartments should provide appropriate waste and recycling facilities. Please see section 19 of this document for further guidance.</u></p>
No comments on proposed changes to SPD. Relates SPD to proposals for development of site MU1.	Comments noted. No change proposed.
No comments on the proposed changes to the existing version adopted in May 2019. Outlines several parts of the SPD and considers these have been ignored in an ongoing development. Seeks additional text <i>“Protecting existing properties and their residents from such wholesale physical and psychological intrusion. Unusual design/ layout circumstances outlined need to be identified and fully protected.”</i>	Comments noted. Proposed text is not considered appropriate wording for SPD. The SPD supports policies D1 and GD1 which seek to ensure that developments <i>“Contribute to placemaking and be of a high quality, that contributes to a healthy, safe and sustainable environment”</i> ; and will be approved if <i>“there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.”</i> No change proposed.
Suggests this SPD could consider incorporating features which are beneficial to wildlife within development, and providing guidance on, for example, the level of bat roost or bird box provision within the built structure, or other measures to enhance biodiversity in the urban environment.	This detail is more appropriate for the Biodiversity and Geodiversity SPD. No change proposed to Design of Housing SPD.
Signpost to Standing Advice to help local planning authorities assess the impact of particular developments on protected or priority species.	Comments noted. No changes required to SPD in this instance.

Provides guidance should Strategic Environmental Assessment/Habitats Regulations Assessment be required.	Strategic Environment Assessment/ Habitats Regulations Assessment not required in this instance. Comments noted. No changes proposed to SPD.
Would like to see more detail regarding what level of trees are needed per length of highway.	Each scheme will be taken on its own merits. We do not think it is appropriate to specify a figure as this would be over prescriptive. No change proposed.
No mention of the trend to electric car ownership and related power supply requirements. Queries where is this dealt with.	The requirements for development to provide charging facilities for electric vehicles is now covered by Building regulations. A cross reference to the relevant Building Regulations is contained in both the Sustainable Travel and Parking SPD's. No change proposed.
Suggests further clarification in character section regarding how developments can complement local character.	Comments noted. Character can be wider than materials and appearance. The context of each site is different and therefore character can only be assessed on a site-by-site basis. No change proposed.
Disappointed that no reference to solar panels or issues to tackle the climate crisis	These issues are covered in a separate document the Sustainable Construction and Climate Change adaptation SPD which was recently consulted on.
There is no reference to the design or need for EV charge points	Since 15 th June 2022 EV charging points have been covered by Building Regulations. Cross references to the Building Regulations is contained in both the Sustainable Travel and Sustainable Construction and Climate Change Adaptation SPDs.
Considers that new houses should include green energy initiatives, especially solar power, heat pumps and provision for electric vehicle charging points.	These issues are dealt with in a separate SPD on Sustainable Construction and adapting to Climate Change. No change to Design of Housing SPD.

SPD 'Design of Housing Development Update'

Consultation with the Youth Council on proposed changes to SPD , 31st October 2022

6 Changes to SPD presented and discussed

1. Updating 'Building for Life 12' to 'Building for a Healthy Life'-
 - *Discussion about factors affecting scoring system,*
 - *Concerned that there is not enough affordable accommodation in Barnsley,*
 - *Concerned about loss of green spaces with housing developments- for example that a site in Darfield with a horse's field in it has been granted planning permission for housing despite local opposition.*

2. Accessibility standards-
 - *A wheelchair user stated current great difficulty of manoeuvring through doorframes that are not wide enough,*
 - *Currently it feels that 1 in 20 homes have the accessible features in the presentation (eg- flat entry or no more than 1:12 slope, capable of stair lift conversion, bathroom on each floor),*
 - *Stated that the proposed proportion of 6% of new dwellings to be wheelchair accessible standard seemed to be a low figure*

3. Health and Wellbeing-
 - *No comments*

4. Landscape Design-
 - *Questions on the suitability of some types of trees being supplied for street trees resulting in their removal- for example trees in highway verges lifting paving stones or tarmac, and unsuitable types of trees planted by private developers in front gardens trees (for example they grow too big for the site) which leads to them being removed by homeowners.*
 - *When purchasing a dwelling could you include a guide on how to maintain the trees*

5. Design of Parking-
 - *No comments*

6. Conversion of Buildings (e.g. offices/ retail) to dwellings-

- *It was noted that France has more experience of integrating shops with residential above, (compared to the segregation of different uses more common in Britain).*

Post Meeting Notes-

Additional question received from youth council- *'Since the only natural disasters we have are flooding, is it within the plans on streets to have more drains and more maintained ones too?'* The drainage team provided the following response which was forwarded to the Youth Council. Drainage on roads is designed to standards set out by the Department for Transport as set out in their "Design Manual for Roads and Bridges" this sets out the design of both the on street gullies and the pipework installed to transfer the water away from the gullies to the outfall. These standards are used nationally to ensure that design standards are maintained. These documents are reviewed on a regular basis to ensure they are kept up to date with current policies and guidelines. Indeed over the last few years the guides have been updated to include a new procedure for designing the spacing of gullies.

The bigger picture must also be taken into account in that because of issues with climate change we are seeing shifts in weather patterns and more extremes in weather patterns leading to more frequent flooding. All new drainage systems are designed so as not to increase the rate of flow into watercourses, rivers and the sea above the existing flow rate prior to development, this has led to a review of the design of pipes and storage structures on sewer and drainage systems to take into account climate change. So as to try not to increase the risk of flooding to areas which are already vulnerable.

With regard to the cleansing of gullies, Barnsley's current cleansing regime is that all gullies are cleared on a 10 month cycle (access allowing) and we also react to any requests for service. Barnsley along with many other boroughs in the country is looking into the asset management of its gully and drainage networks to rationalise the cleansing and prioritise more sensitive areas, ie. Areas prone to flooding/blockages, highly trafficked routes etc. as you can imagine this is a long and difficult process but once completed should lead to an improved level of service prioritising at risk areas.

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Supplementary Planning Document: Design of Housing Development

1. About this guidance

- 1.1** The National Planning Policy Framework (NPPF) indicates that Local Development Documents form the framework for making decisions on applications for planning permission. Decisions have to be taken in accordance with the development plan unless other material considerations indicate otherwise. NPPF advises that a local planning authority may prepare Supplementary Planning Documents to provide greater detail on the policies in its Local Plan. Supplementary Planning Documents are a 'material' consideration when planning applications are decided.
- 1.2** As required by the Planning and Compulsory Purchase Act 2004 we have prepared a Statement of Community Involvement (SCI) which sets out how we will involve the community in preparing our Local Plan and consulting on planning applications. In accordance with the SCI we have involved people who may be interested in this Supplementary Planning Document and asked them for their comments. We have produced a consultation statement which summarises all the comments people made to us and our response. This is available on request.
- 1.3** This document covers new housing development, conversion of non residential buildings to residential use and adapting residential properties to different house types, for example dwellings to flats and Houses in Multiple Occupation.

2. Introduction

Policy D1 High Quality Design and Place Making

Design Principles:

Development is expected to be of high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley, including:

- Landscape character, topography, green Infrastructure assets, important habitats, woodlands and other natural features;
- Views and vistas to key buildings, landmarks, skylines and gateways; and
- Heritage and townscape character including the scale, layout, building styles and materials of the built form in the locality.

Through its layout and design development should:

- Contribute to place making and be of high quality, that contributes to a healthy, safe and sustainable environment; Complement and enhance the character and setting of distinctive places, including Barnsley Town Centre, Penistone, rural villages and Conservation Areas;

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- Help to transform the character of physical environments that have become run down and are lacking in distinctiveness;
- Provide an accessible and inclusive environment for the users of individual buildings and surrounding spaces;
- Provide clear and obvious connections to the surrounding street and pedestrian network;
- Ensure ease of movement and legibility for all users, ensure overlooking of streets, spaces and pedestrian routes through the arrangement and orientation of buildings and the location of entrances;
- Promote safe, secure environments and access routes with priority for pedestrians and cyclists;
- Create clear distinctions between public and private spaces;
- Display architectural quality and express proposed uses through its composition, scale, form, proportions and arrangement of materials, colours and details;
- Make the best use of high quality materials;
- Include a comprehensive and high quality scheme for hard and soft landscaping; and
- Provide high quality public realm.

2.1 In terms of place making development should make a positive contribution to achieving qualities of a successful place such as character, legibility, permeability and vitality.

Policy GD1 General Development

Proposals for development will be approved if:

- There will be no significant adverse effect on the living conditions and residential amenity of existing and future residents;
- They are compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land;
- They will not adversely affect the potential development of a wider area of land which could otherwise be available for development and safeguards access to adjacent land;
- They include landscaping to provide a high quality setting for buildings, incorporating existing landscape features and ensuring that plant species and the way they are planted, hard surfaces, boundary treatments and other features appropriately reflect, protect and improve the character of the local landscape Any adverse impact on the environment,

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natural resources, waste and pollution is minimised and mitigated;

- Adequate access and internal road layouts are provided to allow the complete development of the entire site for residential purposes, and to provide appropriate vehicular and pedestrian links throughout the site and into adjacent areas;
- Any drains and, culverts and other surface water bodies that may cross the site are considered;
- Appropriate landscaped boundaries are provided where sites are adjacent to open countryside;
- Any pylons are considered in the layout; and
- Existing trees that are to remain on site are considered in the layout in order to avoid overshadowing.

2.2 This document primarily supplements Local Plan policy D1 High Quality Design and Place Making, and sets out the principles that will apply to the consideration of planning applications for new housing development, including conversions, infill and backland development.

2.3 Paragraph 130 of the National Planning Policy Framework states:

"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used)."

2.4 Further detailed guidance on residential development is provided in the South Yorkshire Residential Design Guide, which is available on the Council's website. The guide includes information requirements, design guidelines and technical requirements. The guide looks at the design of residential development at three scales: the wider neighbourhood scale, the streets scale and the finer scale of plots, blocks and buildings.

2.5 The Council uses Building for a Healthy Life, (the latest edition of, and new name for Building for Life 12), to structure discussions with housebuilders, to help steer and assess the design and layout of developments of ten or more dwellings. The 12 considerations within Building for a Healthy Life should guide housebuilders from an early stage of their design and form the basis for any discussions with the Council on design at pre-application stage. A Building for a Healthy Life assessment should be incorporated into any design and access statement accompanying a planning

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application for ten or more dwellings. The assessment should respond to and expand upon the 12 considerations set out in Building for a Healthy Life.

- ~~2.5~~ The Council uses Building for Life 12 to structure discussions with housebuilders, to help steer and assess the design and layout of developments of ten or more dwellings. It sets out twelve questions about new housing developments plus recommendations of things to achieve and avoid. It should be used by housebuilders from an early stage of their design. Any design and access statement should include a Building for Life assessment, answering the twelve questions.
- 2.6 You are advised to discuss your proposal with the Council at an early stage. Formal pre- application discussions can help avoid problems and delays once an application is submitted. Further information, including the pre-application advice protocol and charges for this is available on the Council's web site.

General Criteria

- 2.7 The Council will assess your proposal against the guidelines set out below. However, if your scheme matches these guidelines it does not necessarily mean that your application will be approved or that you have fulfilled your responsibility to achieve quality development. The guidelines should ensure that development which would have an unacceptable impact will be avoided. However, in some instances higher standards may be required and in other cases standards may be relaxed if there are mitigating circumstances and the development would result in overall benefits to the community and the environment.

3. Relationship with existing dwellings and space between proposed dwellings

- 3.1 The layout and design of new housing development must ensure that high standards of privacy, light and outlook are provided for existing and proposed residents.
- 3.2 Developers in the first instance should consider design led solutions to ensure layouts deliver high standards by avoiding:-
1. Close overlooking of the windows in any existing dwelling or its garden from the proposed development.
 2. The introduction or intensification of vehicular and pedestrian movements close to an existing dwelling, its garden or its boundary.
 3. The overbearing or overshadowing effect of new buildings on an existing dwelling or its garden.
- 3.3 In order to ensure adequate levels of privacy are provided/maintained, to ensure residential development does not result in unacceptable levels of overshadowing or loss of outlook and in order to provide adequate amenity space, development will usually be expected to comply with the external spacing standards set out below.

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4. External spacing standards

1. Where front elevations face a road the dwellings should be an appropriate distance apart. The Council will accept a minimum of 12 metres where the dwellings are of the same storey and it will achieve a streetscape that reflects local character.
2. The minimum back-to-back dimension between facing habitable rooms, (i.e. any room used or intended to be used for sleeping, cooking, living or eating purposes), should be 21 metres. Where housing abuts the edge of existing settlements, the back-to-back dimension towards existing housing should be greater than 21 metres. Advice will be given on a case by case basis, based on the privacy and outlook of the existing dwelling.
3. Where the proposed dwelling(s) is/are more than two storeys in height (excluding rooms in the roofspace), the back-to-back separation distance(s) should increase by 3 metres for every additional storey.
4. Proposed habitable room windows at first floor level and above should be a minimum of 10 metres from the boundary of any private garden which they would face and habitable room windows in existing dwellings at first floor level and above should be a minimum of 10 metres from any proposed private garden which they would face. A reduced distance may be accepted for bungalows provided they meet garden size standards and ensure adequate levels of amenity for occupants in terms of outlook, privacy and daylight.
5. Proposed walls without habitable room windows (usually side elevations) should be at least 12 metres from original habitable room windows. Where the proposed dwelling is more than two storeys in height (excluding rooms in the roofspace), the separation distance should increase by 2 metres for every additional storey.
6. Rear gardens of proposed dwellings should be at least 50m² square metres in the case of two bedroom houses/bungalows and 60m² square metres for houses/bungalows with three or more bedrooms. Smaller gardens may be acceptable in corner plots if privacy and daylighting can be maintained.
7. Distances between new buildings and existing dwellings may be relaxed depending on a number of factors including site level relationships, (i.e. if at a lower level), existing screening or landscaping between the existing and proposed buildings and location. Each case will be judged on its merits but detailed information must be submitted to demonstrate that adequate levels of amenity would be retained for existing residents and provided for residents of proposed dwellings (e.g. cross sections, sun path diagrams).
8. Shared private space for flats must be a minimum of 50m² square metres plus an additional 10m² square metres per unit as balcony space or added to shared private space. Where private space cannot be provided balconies must be provided. Balconies must be a minimum of 3m² square metres. The amount of shared private space to be provided will also depend on the quality, quantity and

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accessibility of local public open space.

9. Full compliance with standards is expected in predominantly residential areas whereas they may be slightly relaxed in town centre situations/higher density areas.

5. Internal spacing standards

- 5.1 All developments should achieve the internal spacing standards set out in the South Yorkshire Residential Design Guide – Technical Requirements section 4A.2 (pp130-131).

6. Accessibility

- 6.1 Given the aging population and identified levels of disability amongst the population, housing development should be built to the following accessible standards¹:
 - 26% of all new dwellings should be built to M4(2) accessible and adaptable standard
 - 6% of new dwellings should be built to wheelchair accessible M4(3)(2)(b)²

6.2 An increasing proportion of the population is experiencing dementia. Advice specifically on the accessibility and usability of dwellings with regards to dementia is provided in the Dementia-friendly Housing Guide, produced by the Alzheimer's Society, in the chapter 'Place: the physical environment' (pages 34 - 47). The online resource is available via: https://www.alzheimers.org.uk/sites/default/files/2020-06/Dementia%20Friendly%20Housing_Guide.pdf

7. Character

- 7.1 Development must respect local context, history, built heritage, character and communities, ensuring that proposed developments preserve or enhance local physical, environmental, social, cultural, historical and economic characteristics.
- 7.2 The design of new developments must be based on an appraisal of existing landscape and settlement character. The primary design source for maintaining character should be the character area in which the site is located if this is a positive source. Where there is no specific positive source to draw on, the development should be designed to create character. Using the lack of local character as a justification for poor and characterless design will not be accepted.
- 7.3 The design of all new development must be based on an appraisal that identifies any existing positive features within the site and assesses the advantages and disadvantages of retaining them.

¹ Accessible standards as set out in The Building Regulations 2010 Approved Document M Access to and use of buildings Volume 1: Dwellings (2015 edition as amended and including any subsequent amendments)

² Where calculated if this does not result in a whole number, where it is below .5 the figure will be rounded down. If above .5 it will be rounded up.

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- 7.4** The design of all new development must be based on an appraisal of the townscape of the site and surrounding area and their relation to topography. All new development should be designed as a considered response to topography and townscape.
- 7.5** Views into and out of the site should be considered at an early stage of the design process. Where the site is visible from a distance, especially where the local topography varies, a visual impact assessment should be undertaken to help influence the layout and design of the development.
- 7.6** The use of standard layouts, plot sizes and building designs which relate poorly to their surroundings and could be anywhere in the country should be avoided. Where standard house types are used they should be adapted to complement local character, beyond just changing external materials.
- 7.7** The design of new developments should be specific to their location and should seek to co-ordinate the landscape framework, street pattern, route hierarchy and townscape to create a coherent public realm and open space network.
- 7.8** Innovative design solutions that depart from the local context may be allowed if they are considered to have a positive impact on the character of the area.
- 7.9** Within larger schemes the pattern of house types and designs should be varied to create visual interest and support character areas within the development.
- 7.10** In all proposals elevations and fenestration should be designed in such a way that they provide relief, depth texture and modelling. This helps to provide visual interest, break down the massing of dwellings and contribute to the character of a development.
- 7.11** Window and door openings should have sufficient recess in the reveal to give visual articulation. Typical cross sections of windows and doors at 1:5 or 1:20 scale should show a minimum 50mm set back within the reveal. Exceptions can be made where flush detail is part of a deliberate and coherent architectural composition.
- 7.12** A Design and Access Statement should include the above analysis.
- 7.13** Further guidance on character is given in the South Yorkshire Residential Design Guide, for example on pages 62-66.

8. Protection of existing larger dwellings

- 8.1** Local Plan policy H9 Protection of Larger Existing Dwellings resists development within the curtilage of existing larger dwellings where it will have an adverse impact on the setting of the original dwelling, and the size of the remaining garden area.
- 8.2** For the purposes of this policy we consider 'larger dwellings' to be those that have four or five **more** bedrooms, or are capable of accommodating four or five **more** bedrooms without significant adaptation.

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9. Health and wellbeing

- 9.1** If considered at an early stage of design there are opportunities for developers to improve the health and wellbeing of the residents of new development. The pandemic has especially highlighted the value and importance to health and wellbeing of access to green spaces and walking and cycling connections to local facilities.
- 9.2** For example on larger schemes the layout could should include walking and cycling routes linking through the development, or the creation of green corridors to improve air quality. For the design of open spaces an inclusive approach may should look not only at the needs of children and young people but also at the needs of an increasingly elderly population.
- 9.2** The external layout for larger schemes should include walking and cycling routes linking through the development, or the creation of green corridors to improve air quality and mental wellbeing. For the design of open spaces, an inclusive approach should consider the needs of children and young people and the needs of an increasingly ageing population. This includes innovative design for shared space and public realm for positive health & wellbeing and developing community cohesion, for example food growing or community gardens.
- 9.3** The Council uses the new edition of Building for Life 12, 'Building for a Healthy Life,' to guide the design and layout of developments of ten or more dwellings. This edition has been written in partnership with Homes England and the NHS and has a stronger health and wellbeing emphasis. For example, in the light of the pandemic, it recognises the importance of designing to encourage active travel (cycling and walking) to essential services and work and the importance of access to green spaces.
- 9.4** Sport England has produced guidance showing how to promote 'active lifestyles' in the design and layout of housing developments. Their 'active design guide' sets out 10 principles to help increase activity in everyday lives, helping to improve the health and wellbeing of local residents and neighbouring communities. The guide has been developed in partnership with Public Health England. The online resource, including case studies, is available via: <https://www.sportengland.org/facilities-planning/active-design/> https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/spe003-active-design-published-october-2015-high-quality-for-web-2.pdf?VersionId=uCz_r6UyApzAZlaiEVaNt69DAaOCmklQ
- 9.5** The external environment for housing schemes should consider the needs of the elderly and people with dementia, for which proportions of the population are both rising. The external environment can have a major impact on the mobility, independence, and quality of life of older people and affects their ability to 'age in place.' It should enable social interaction and connect people with places and other people. An overriding principle of the Royal Town Planning Institute's advice note on 'Dementia and Town Planning' (Sept 2020) is that if you get an area right for people with dementia, you can also get it right for older people, for young disabled people, for families with small children, and ultimately for everyone.
- 9.6** Dementia friendly features include legible street layouts (with a hierarchy of street types, simple, well-connected street layouts with minimal use of cul-de-sacs and limited use of

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shared spaces), distinctive landmarks and other environmental features to aid orientation (and familiarity), clear street signage, open space which is well defined and overlooked (preferably with seating), safe, well-lit and direct footpaths to local facilities (for example shops and services), access to local green space, and, where changes in level occur, a choice of ramp or steps, with handrails provided

- 9.5 Supporting information on the promotion of health and wellbeing ~~could~~ **should** be included in the design and access statement which accompanies a planning application.

10. Designing out crime

- 10.1 Measures to design out crime should be considered at an early stage of the design process. These should include maximising opportunities for natural surveillance and ensuring a clear definition of public and private spaces. Development should take account of the guidance within the Secured by Design website. Please see the link below.

~~<http://www.securedbydesign.com/industry-advice-and-guides/>~~
<http://www.securedbydesign.com/guidance/design-guides>

11. Streets

- 11.1 The design and layout of new residential streets should reflect the principles of Manual for Streets, which are expanded upon in pages 75-82 of the South Yorkshire Residential Design Guide. **The Design and Access statement should take account of connectivity.**

- 11.2 Developments should therefore comply with the following:

- The design of all new development must be based on an appraisal of the surrounding street pattern, which identifies the hierarchy of routes and the pattern of movement through the area.
- The design of the street pattern should form a connected network of streets. There should be enough connections with surrounding streets and neighbourhoods and within new development to create a layout that is walkable, offers direct connections, choice and flexibility.
- As far as possible, new streets should be connected at both ends to form a through street. Cul-de-sacs should only be used sparingly, where they are the only appropriate design solution and should be short and straight. Proposals should allow for the future expansion of the movement network to enable future phases of development to be fully integrated.
- All new streets should be defined by the fronts of plots with buildings orientated to face the public highway, space or private street space to create an active frontage. Blank side elevations facing onto streets should be avoided.
- Where the development site abuts an existing public highway, the new development should where possible front the existing street.
- Management and maintenance of the public highway, as well as private street spaces, must be considered from the outset and general principles agreed with the adopting authority at the concept stage.
- By default, development should form perimeter blocks by creating connected streets and maintaining well defined frontages. The design of blocks should not be

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uniform but should reflect the character of the different surrounding streets that make up the block.

- The character of new streets should not be uniform but should vary as part of a hierarchy, depending on their location in order to integrate development into the locality, to retain local distinctiveness and create vibrant, legible and memorable places. Longer streets with continuity of elements tend to have a stronger sense of integration whereas short blocks, arbitrary curves and the lack of a continuous building line create a greater sense of fragmentation and can be disorientating.
- Street spaces should have an appropriate sense of spatial enclosure suitable to their location and role. Height to width ratios of between 1:2 and 1:4 provide good spatial enclosure. Ratios of less than 1:4 will usually need street trees to create an adequate sense of enclosure. Higher ratios (e.g. 1:1) may be appropriate in central urban areas with higher buildings and proportionately wider streets.
- Streets should have a clear definition between the public and private realms. External private space between the frontage line and building, such as front gardens or shared private gardens, is best if defined by a physical boundary or 'means of enclosure'.
- All streets should be designed to achieve the appropriate vehicular speeds:
 - No more than 20mph where principally serving residential areas;
 - No more than 15mph for shared space streets where segregation between motor vehicles and other road users is reduced;
 - Higher design speeds of up to 30mph may be appropriate on existing routes within built up areas, on bus routes and on larger developments where the extent of 20mph streets would exceed around 1km but proposals for design speeds exceeding 20-mph will be determined on a case by case basis.
- We expect residential developments to incorporate access for buses where reasonable and practical.

11.3 Speed restraints can significantly affect the layout of a housing development. Vertical deflection, (for example speed humps), are not permitted by the highway authority in Barnsley. Instead the emphasis is on using horizontal deflection, (for example corners), to restrain speed. Long, straight roads should therefore be avoided in housing layouts where speed restraint is required. Early consultation with Highway Development Control on the layout of residential schemes is therefore advised.

11.4 Developments will be expected to meet the technical requirements relating to street and parking geometry contained in the South Yorkshire Residential Design Guide, in Annex 4B (p133-154).

12. Design of residential car parking and garages

12.1 Developments will be expected to meet the standards for parking design set out in the South Yorkshire Residential Design Guide considering parking as an integral part of the design of residential development. Particular attention should be given to sections S2.5 On-street parking (p102) and B1.6 Off-street parking (p116-117). Developments will also be expected to meet the technical requirements set out in annex 4B Street and

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parking geometry (p133-154).

- 12.2** A range of parking solutions should be used, appropriate to the context and the types of housing proposed.
- 12.3** Parking areas to the front of dwellings should be designed to reduce their dominance. ~~Building for Life considers that~~ An over reliance on in front of plot parking ~~that tends to~~ can create over wide streets dominated by parked cars and driveways, unless there is sufficient space to use strong and extensive landscaping to compensate for the lack of builtform enclosure, ~~is avoided.~~
- 12.4** Continuous strips of front of dwelling parking are not acceptable. The starting point should be the guidance from Building for Life of a 50:50 hard/soft landscaping balance at the front of dwellings. The guidance from Building for a Healthy Life where front of dwelling parking is used is there should be a generous landscaping to settle parking into the street.
- 12.5** The maximum number of front of dwelling parking spaces acceptable in a row is four. These should be used sparingly in a development and be separated from other parking spaces by a considerable width of soft landscaping, i.e. more than the width of a parking space.
- 12.6** Side of dwelling parking spaces should not occur on the corners of junctions, as they weaken the streetscene.
- 12.7** The design and location of garages should be subservient to dwellings. Integral garages should be set back from the frontage of the dwelling. In semi-detached dwellings any integral garages should be located at the outer edges of the dwellings and not in the centre, to reduce their visual dominance. Detached garages should ideally be located behind the frontage of their dwelling; they should not be a dominant feature of the streetscene. Garages, integral or detached, should not form the end view of any vistas or be prominent in important views.
- 12.8** New parking areas proposed to the front of existing historic dwellings, or dwellings in historic areas, will be resisted where they would result in the loss of characteristic or historic front boundary walls and gardens.

13. Front gardens and boundary treatments

- 13.1** The area between dwellings and the highway provides one of the best opportunities for enhancing the appearance of a housing development. Careful attention to matters such as paved surfaces rather than tarmac, tree and shrub planting, and the erection of walls and railings can have a major impact. The use of a physical boundary or 'means of enclosure' helps to define the extent of private space which has been shown to help with crime prevention and helps to reduce the visual impact of any off-street, front of dwelling, parking. Where front garden physical boundaries exist in neighbouring areas these should continue to be used in new development. In order to reduce opportunities for crime it is appropriate for front gardens to be overlooked by other dwellings.

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14. Landscape design

- 14.1** Careful attention must be given at any early stage to the design of a comprehensive landscape scheme. The scheme should be designed to help the development fit into its surroundings and soften its visual impact. The planting of trees, hedges and shrubs in prominent locations will improve the appearance and saleability of a site and may in time prove ecologically valuable.
- 14.2** A landscaping scheme should be submitted with your planning application. The benefits of employing a qualified Landscape Architect cannot be overstated. Generally the Council will not require a landscaping scheme for a single dwelling.
- 14.3** **Trees:** New streets should be tree lined and opportunities should be taken to incorporate trees elsewhere in developments (such as parks, and community orchards, informal green spaces and green corridors). To maximise the benefits of tree planting, the Council will expect a minimum of 1 tree per dwelling, including street trees to be designed into the public realm where appropriate. More than 1 tree per plot will be expected for larger dwellings. Planting can be particularly advantageous on prominent frontages, to the front of individual houses and on the edge of green space and open countryside. ~~The development should achieve an overall tree planting based on an average of one tree per plot. While smaller 'garden' trees such as Rowan and Cherry can be attractive, larger trees should also be provided (e.g. Oak, Beech and Chestnut). Planting will usually be most advantageous on prominent site frontages, to the front of individual houses and on the edge of open space and open countryside.~~
- 14.4** Landscape planting should be considered as an integral part of the design and layout of housing development, and should include linear features, for example boulevards of large, canopied specimen trees, and/or feature planting at junctions or community focal spaces along streets where they can aid legibility and place making.
- 14.5** While smaller 'garden' trees such as Rowan and Cherry can be attractive, larger trees should also be provided where appropriate (e.g. Oak, Beech and Chestnut).
- 14.6** Where trees are proposed in the street, they should reflect the technical guidance on pages 170-182 of the South Yorkshire Residential Design Guide.
- 14.7** **Shrubs:** Tree planting will be most successful when underplanted with shrubs and/or ground cover. This helps protect the tree from vandalism and accidental damage until it is established. Careful shrub planting can also form an attractive feature in itself.
- 14.8** **Hedges:** Hedges are an attractive alternative to walls, fences and open plan frontages. Prickly hedges such as hawthorn can also provide a deterrent to burglars.
- 14.9** The SPD on Trees and Hedgerows gives advice on protecting existing trees during development.

15. Walls and fences

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- 15.1** The type of fencing or walls around back gardens will generally be the choice of future residents. However, higher quality boundary treatments will usually be required where they are visible from public vantage points. This is particularly so for front and side boundaries, which will be clearly visible from the street. Where residential development is proposed adjacent to Listed Buildings, in or adjacent to Conservation Areas or in other areas where the local vernacular is dominated by natural materials, it will usually be necessary to use natural materials on prominent boundaries.
- 15.2** A freestanding retaining wall retaining over 1.5 metres of ground would need approval under the South Yorkshire Act 1980. Retaining walls forming part of a building will normally require approval under the Building Regulations. For further information you should contact the Building Control Section on (01126) 772678.

16. Existing trees and hedgerows and other features of ecological value

- 16.1** If there are mature trees, hedgerows, rock faces or other features of ecological or geodiversity value (including quarries, watercourses and ponds) the Council will expect them to be incorporated into the design and layout of the development, and retained, wherever possible, for their visual and ecological value.
- 16.2** The retention of these features can greatly improve the appearance of a new housing development, giving it an instant maturity and making a significant contribution to its character and distinctiveness. Their careful integration into the landscape framework of the development can help further enhance habitats for wildlife.
- 16.3** A tree survey of the site should inform the layout of any development and should accompany a planning application.
- 16.4** For further advice refer to the SPD's 'Trees and Hedgerows' and 'Biodiversity and Geodiversity'.
- 16.5** If any trees are to be removed during the development then it is expected that these will be replaced elsewhere on site, or as nearby as possible, at a ratio of 6-1.

17. Public rights of way

- 17.1** It is important that you check whether any public rights of way cross the site. Most public paths are shown on the Definitive Map. However, if a path or track is not shown on the Definitive Map, but exists on the ground and has been used for many years, it may also be a public path and should be treated as such.
- 17.2** Existing rights of way should be incorporated into the site design. Paths should, where possible, be on convenient and attractive routes through landscaped, or open space areas and away from vehicular traffic. Shady alleys between high fences, particularly at the rear of private gardens should be avoided.

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- 17.3** It is important that public rights of way are direct, safe, lit and DDA compliant to ensure that people are not discouraged from using public transport due to access to the bus stop and railway station. It is essential where applicable that development is designed to integrate into the existing PROW network to encourage sustainable travel behaviour.
- 17.4** Public rights of way also provide the opportunity for informal recreation to take place.

18. Drainage and flood risk

- 18.1** New residential development will be expected to comply with Local Plan policies CC3 and CC4, which relate to flood risk and Sustainable Drainage Systems. Drainage and flood risk issues should therefore be considered at the outset as they will have an impact on the design and layout of residential schemes. **Flood risk mitigation should be carefully considered in relation to accessible properties.** In many cases it will be possible to include sustainable urban drainage systems as part of wider Green Infrastructure provision but early discussions will be essential to ensure that the design meets the requirements of the various parties involved in drainage matters (e.g. The Council's Highways & Engineering Service, Yorkshire Water & the Environment Agency). Detailed technical drainage guidance can also be found on pages 155-161 of the South Yorkshire Residential Design Guide.

19. Recycling/waste provision

- 19.1** The Council encourages waste minimisation, re-use and recycling. All new development must be designed to accommodate the waste and recycling regimes in force, for example providing sufficient space for the full range of waste and recycling bins.
- 19.2** Policy WCS7 of the Joint Waste Plan requires a waste management plan for all developments except minor planning applications. A waste management plan should include design and layouts that allow effective sorting and storing of recyclables and recycling and composting of waste, and facilitate waste collection operations.
- 19.3** In design terms bins should not be visible from within the public realm and shared private space when stored. Communal bin storage areas should be in robust materials that will withstand vandalism.
- 19.4** In most instances access must be provided to the rear garden for the storage of wheelie bins, via a clear pathway unimpeded by cars parked within the boundary of the dwelling. For terraced properties the use of ginnels to provide direct rear garden access should be considered as they are more likely to be used than fenced pathways along the rear of adjoining gardens.

20. Obscure glazing

- 20.1** A simple rule that needs to be applied is that if a site can only be developed by introducing unusual design features then it probably should not be developed in the first place.

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- 20.2** It is often argued that overlooking can be overcome by using obscure glazing, borrowed light or high level windows. If such solutions are proposed this can only apply to non-habitable rooms such as landings or to secondary windows in a habitable room. For the amenity of future occupiers it is not reasonable to create habitable rooms that have no outlook. Furthermore, in the summer occupiers will want to open windows and this is more sustainable than mechanical ventilation.

21. Signage and street furniture

- 21.1** As far as possible use the overall design of the street to make it obvious how the space should be used in order to avoid unnecessary signage. Use signage only to fulfil legal requirements and provide essential information not obvious from other sources. As far as possible attach signs to walls and buildings.
- 21.2** Specify simple, high quality street furniture and signage that is appropriate to the character of the area. Street furniture as well as buildings should share characteristics with the locality in order to maintain character. Traditional materials are more likely to be more suited to rural locations and contemporary styles more suited to central areas.
- 21.3** Further guidance on signage and street furniture is provided in the South Yorkshire Residential Design Guide on pages 187 & 188.

22. Technical requirements

- 22.1** The South Yorkshire Residential Design Guide provides further guidance on technical requirements including those on: highway structures (p162-163), street lighting (165-166), public utilities (p167-170), (surface) materials (p184-186), adoption of highways (p189- 193), construction waste (p194) and management (p95). Highways Development Control will refer to this section in checking through detailed proposals, which will normally be the subject of planning conditions.

23. Removal of permitted development rights

- 23.1** Residential developments are often designed to maximise density and make the most efficient use of land. In such circumstances the separation distances between buildings are close to the minimum recommended such that future extensions, insertion of windows, additional outbuildings etc. could be highly detrimental to nearby occupiers. Where this would be the case, normal permitted development rights may be taken away so that the impact of such matters can be assessed.

24. Infill development

- 24.1** As well as the general criteria, including the external spacing standards, infill development should aim to comply with the following:
- Dwellings should be orientated to have a frontage to the existing public highway. Sides and backs and garages should be sensitively located so the frontage of the new development integrates with the existing street scene.

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- The space between the proposed dwelling and adjacent dwellings should reflect the prevailing character of the street.
- The siting of the dwelling should reflect the building line of the dwellings on the same side of the street.
- The eaves and ridge heights of dwellings should usually be comparable with the heights of adjacent dwellings.
- Parking provision should be accommodated in a similar manner to how it is accommodated elsewhere on the street (e.g. if existing dwellings are set forward on their plots with parking at the side, the proposed dwelling should not be set back with parking at the front).
- Architectural features, fenestration and materials should reflect the positive elements elsewhere on the street.
- Infill development should not be piecemeal so as to prejudice potential comprehensive development of a larger area of land.
- Landscaped features such as trees, particularly those prominent in the street scene, should be retained and provided with sufficient space for future growth.

25. Backland development

25.1 As well as the general criteria, including the external spacing standards, backland development should aim to comply with the following:

- Tandem development, with one dwelling directly in front or behind another sharing the same access, will almost always be resisted.
- Piecemeal development, which could prejudice the potential comprehensive development of a larger area of land, should be avoided.
- Backland development is most effective where it includes a number of dwellings served by an adopted highway, which is capable of being used by refuse and other servicing vehicles. Long, narrow private drives (typically in excess of 30m), which would result in excessive 'man carry distances' should be avoided.
- Backland development may be more acceptable in circumstances where there is an existing use at the rear of dwellings and where residential development would benefit the amenity of existing residents and the character and appearance of the locality.

26. Corner sites

26.1 Corner sites can be particularly difficult to design sensitively and, as well as the general criteria, they should usually comply with the criteria relating to infill and backland development. In addition, the following matters should be considered:

- Two dwellings set at right angles can be wasteful in terms of site coverage and also create rear gardens that are overlooked and should be avoided.
- If a pair of semis is set at 45 degrees to the road frontages this can result in triangular rear gardens providing inadequate private amenity space and awkward parking areas on the frontage. This should be avoided.

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- If a single aspect dwelling is proposed one frontage invariably ends up with a blank side wall and a long fence or wall facing the highway. This can be softened by introducing some side aspect windows and setting the wall or fence back behind a planted verge. A dwelling that is specifically designed to occupy a corner plot with two active frontages is therefore likely to be the best solution.

27. Conversions of buildings to dwelling houses or apartments/flats (excluding HMOs, bedsits³ or studio apartments⁴)

27.1 The conversion of buildings to dwelling houses or apartments/flats will be supported where internal spacing standards, garden sizes (where relevant) and external separation distances meet the requirements set out in the general criteria and where:

- There will be no unacceptable noise nuisance for either existing neighbouring residents or occupants of the proposed dwelling(s)
- Satisfactory provision is made for off-street car parking in accordance with the Council's standards or, exceptionally the development is considered unlikely to give rise to unacceptable conditions of congestion or safety on the adjoining public highway(s) by reason of inadequate off street car parking.
- The appearance of the building or its curtilage would not be altered to the detriment of the visual amenities of the area.

28. Conversions of buildings to residential accommodation Houses in Multiple Occupation (HMOs), studio apartments or bedsits

28.1 The following guidance applies to proposals for conversion of non residential buildings or smaller dwellings (i.e. those not protected by policy H9 – refer to paragraph 8.2 of this guidance) to HMOs, studio apartments or bedsits. Such proposals will be allowed where the following criteria are satisfied: Conversion of buildings to dwellings, flats or houses in multiple occupation (HMOs) will be allowed where the following criteria are satisfied:

- On the street in question, HMOs and studio apartments/bedsits account for less than 10% of the residential properties.
- HMOs and studio apartments/bedsits account for less than 10% of the residential properties within a 50 metre radius of the site.
- That the proposal would not result in 3 or more HMOs being located immediately adjacent to each other or the sandwiching of a dwelling house between two HMOs.
- The building and curtilage are of sufficient size to provide suitable facilities for residents.

³ Bedsit – “a one-roomed unit of accommodation typically consisting of combined bedroom and sitting room with cooking facilities” Definition from Oxford dictionary

⁴ Studio apartment – “a flat consisting of a large single room serving as bedroom and living room, with a separate bathroom” Definition from Oxford dictionary.

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- In the case of HMOs, each one should have a shared lounge and shared dining room, and garden sizes should be comparable with the general criteria for dwellings (i.e. a minimum of 60 square metres).
 - ~~For dwellings and HMOs, garden sizes and external separation distances should reflect the requirements set out in the general criteria.~~
 - In all cases, amenity space, external and internal spacing standards and separation distances should adhere to the requirements within the general criteria.
- There will be no unacceptable noise nuisance for either existing neighbouring residents or occupants of the proposed residential unit(s).
 - Satisfactory provision is made for off-street car parking in accordance with the Council's standards or, exceptionally the development is considered unlikely to give rise to unacceptable conditions of congestion or safety on the adjoining public highway(s) by reason of inadequate off street car parking.
 - The appearance of the building or its curtilage would not be altered to the detriment of the visual amenities of the area.

Approach to determining planning applications

- 28.2** Based on the information provided, and on the Council's own records, the Council will calculate the number of HMOs and bedsits in the relevant area for each individual planning application. The applicant should undertake their own estimate of the number of HMOs and bedsits to accompany the planning application and provide all their supporting data.

How to apply the threshold

- 28.3** The percentage concentration of HMOs, studio apartments and bedsits surrounding the application site will be calculated through three main stages:

Stage 1 – identify residential properties

- 28.4** The residential properties identified are those located within the defined area of impact surrounding the application site i.e. the street in question or a 50m radius measured from the centre of the site curtilage. To be clear which residential properties are identified, all sub-divided properties including flatted blocks within the same curtilage are counted as one whole property at the first stage

Stage 2 – Count HMOs

- 28.5** The residential properties identified at stage 1 will be investigated to check whether they are an existing HMO or bedsits as well as whether or not there are live planning permissions for HMOs and bedsits.

Supplementary Planning Document: Design of Housing Development

Stage 3 – Calculate concentration

- 28.6** The concentration of HMOs and bedsits surrounding the application site as well as those with live planning permission is calculated against the ‘total number of residential properties’.

The approach to sandwiching

- 28.7** This document seeks to avoid dwellings being sandwiched between HMOs and bedsits. However, this would not apply where the properties are separated by an intersecting road or where properties have a back to back relationship in different streets.

Recycling and Waste Provision

- 28.8** Any proposals for conversion to dwelling houses or apartments/flats, HMOs, bedsits or studio apartments should provide appropriate waste and recycling facilities. Please see section 19 of this document for further guidance.

Equality Impact Assessment

Supplementary Planning Documents

Stage 1 Details of the proposal

Name of service	Regeneration and Culture
Directorate	Growth and Sustainability

Name of officer responsible for EIA	Paula Tweed
Name of senior sponsor	Joe Jenkinson

Description / purpose of proposal	<p>This EIA covers all the Supplementary Planning Documents and Planning Advice Notes prepared by the Council to date since the adoption of the Local Plan on 3rd January, 2019.</p> <p>It has been updated since the first version to include those SPD's updated and produced since the first draft in 2019.</p>
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Date EIA started	24/10/19
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Review date	<p>Latest review done 3/3/23</p> <p>Further reviews to be done to include other SPD's</p>
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Stage 2 - About the proposal

What is being proposed?	<p>Following adoption of the Local Plan on 3rd January, 2019, the Council prepared and adopted 26 Supplementary Planning Documents (SPD's) and Planning Advice Notes (PAN's 2019).</p> <p>The Local Plan was subject to an Equalities Impact Assessment (EIA). This EIA considers the implications of all the SPD's and PAN's prepared to date.</p>
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The documents considered in this EIA are listed below:

Adopted May 2019

- Financial Contributions for schools SPD
- Barn Conversions SPD
- Trees and Hedgerows SPD
- Shop Front Design SPD
- Advertisements SPD
- House Extensions and other Domestic Alterations SPD
- Residential Amenity and the siting of buildings SPD
- Design of Housing Development SPD
- Open Space Provision on New Housing Developments
- Removal of Agricultural Occupancy Conditions SPD
- Mortar Mixes for pointing historic buildings
- Hot Food Takeaways SPD
- Walls and Fences SPD
- Lawful Development Certificates
- Affordable Housing
- Heritage Impact Statements
- Biodiversity and Geodiversity
- Hot Food Takeaways PAN

Adopted November 2019

- Sustainable Travel SPD
- Planning Obligations SPD
- Parking SPD
- Section 38 Agreements PAN
- Section 278 SPD
- Development on land affected by contamination SPD
- Elsecar Conservation Area Design and Maintenance Guide SPD
- Cawthorne Village Design Statement SPD

Adopted July 2022

- Update to Sustainable Travel SPD
- Update to Affordable Housing SPD

Proposed to be adopted July 2023

- Update to the Design of Housing SPD
- New Sustainable Construction and Climate Change Adaptation SPD

Proposed for consultation in Summer 2023

- Update to Biodiversity and Geodiversity SPD
- Update to Financial Contributions to Educational Provision SPD
- Update to House Extensions SPD

Why is the proposal required?

Supplementary Planning Documents (SPD) and Planning Advice Notes (PAN) provide further advice and guidance to people submitting planning applications. They set out guidance on various policy topics and how Local Plan policies will be applied.

What will this proposal mean for customers?

The documents mean that anyone submitting a planning application will have more clarity on certain topics. The documents deal with a wide range of issues including design so will have implications for future residents of new homes, users of businesses etc.

Stage 3 - Preliminary screening process

Use the questions in the Guidance (**Preliminary screening process**) to decide whether a full EIA is required

X Yes - EIA required (go to next section)

No – EIA not required (provide rationale below)

Stage 4 - Scoping exercise - What do we already know?

Data: Generic demographics

What generic data do you know about the people who will be affected by the proposal?

This could be internal data held such as ward profiles, JSNA results, if the proposal is inward facing look at the current workforce data,

Are there any external data publications relevant to the proposal? For example from the Office of National statistics, Census data, Public Health England, Charity publications
The documents will be used by anyone who submits a planning application in the borough. For example this could be residents who wish to extend their home, or could be developers undertaking larger scale developments, for example building houses or employment land.

Data: Service data / feedback
What do you already know about the equality impact of the service/location/policy/contract? This could be from complaints / compliments, stakeholder feedback, staff anecdotal evidence etc.

Data: Previous / similar EIA's
Has there already been an EIA on all or part of this before, or something related? If so, what were the main issues and actions it identified?
An EIA was undertaken on the whole of the Local Plan and the policies it contains. The SPD's link to the Local Plan policies relevant to the particular topic. The Local Plan EIA concluded that all policies and proposals apply to all sectors of the community equally. The policies make provision for a range of housing types to meet differing needs for example affordable housing etc. The Design policy D1 seeks to ensure development is designed to be accessible to all.
The full document can be found here: Need to provide a new link or embed document

Data: Formal consultation
Has there been a formal consultation process? External engagement with equality forums? If so, what were the main issues and actions it identified?
There is a formal consultation process required to produce supplementary planning documents. Approval to consult on draft documents is sought from cabinet. A minimum of a four week public consultation process then takes place which is advertised in the press, on social media. Documents are made available on the Council's website. Hard copies are made available at the Library@thelightbox and all branch libraries. Once the documents are amended in light of comments made, Cabinet and Full Council approval is sought to adopt them.
Consultation on the documents that were adopted in May 2019 took place between 4 th March 2019 and 1 st April 2019.

Consultation on the 8 documents that have yet to be adopted took place between 16/9/19 and 14/10/19. The consultation information was sent to all the Equality Forums for this latest consultation. No response was received.

The same formal consultation process described above has taken place on the updated Sustainable Travel and Affordable Housing SPD's late 2021. The Equality Forums were sent the updated documents and asked if they wish to engage in the consultation.

The same consultation process was followed for the Design of Housing SPD and the Sustainable Construction and Climate Change Adaptation SPD. The Equality Forums were sent the documents and asked if they wished to engage. No engagement took place, although we were able to attend the Youth Council to give presentations on both documents and comments taken into account.

Stage 5 - Potential impact on different groups

Considering the evidence above, state the likely impact the proposal will have on people with different protected characteristics

(state if disproportionately high negative impact and highlight with red text)

Positive and negative impacts identified will need to form part of your action plan.

Protected characteristic	Negative ' - '	Positive ' + '	No impact	Don't know	Details
Sex			X		All the documents are available for all to use
Age			X		<p>All the documents are available for all to use</p> <p>The updated Design of Housing SPD is requiring that a percentage of dwellings are built to the following Building Regulations standards based on evidence in our Strategic Housing Market Assessment which notes the aging population and levels of disability in Barnsley.</p> <p>26% of all new dwellings should be built to M4(2) accessible and adaptable standard</p> <p>6% of new dwellings should be built to wheelchair accessible M4(3)(2)(b)</p> <p>Text has been added to the updated Design of Housing SPD to provide further guidance on design that takes into account those suffering with Alzheimer's or dementia.</p>

<p>Disabled</p> <p><i>Learning disability, Physical disability, Sensory Impairment, Deaf People ,invisible illness, Mental Health etc</i></p>		X			<p>A reference is included in the Parking SPD to ensure adequate parking is provided to cater for the needs of people with disabilities to ensure that all parking is designed in accordance with current regulations and standards including Building Regulations, Equalities Act, relevant British Standards and the South Yorkshire Residential Design Guide as appropriate.</p> <p>The Sustainable Travel SPD seeks contributions towards public transport and active travel enhancements and improvements to ensure developments are accessible to all. Whilst the document does not deal with the design of particular schemes, a cross reference has been added to ensure that all schemes that contributions are collected towards using this document, meet the needs of disabled people and are designed in accordance with current regulations and standards including Building Regulations, Equalities Act, relevant British Standards and the South Yorkshire Residential Design Guide as appropriate. This is still the case in the updated version.</p> <p>The updated Design of Housing SPD is requiring that a percentage of dwellings are built to the following Building Regulations standards based on evidence in our Strategic Housing Market Assessment which notes the aging population and levels of disability in Barnsley.</p> <p>26% of all new dwellings should be built to M4(2) accessible and adaptable standard</p> <p>6% of new dwellings should be built to wheelchair accessible M4(3)(2)(b)</p>
<p>Race</p>			X		<p>All the documents are available for all to use. Translation and interpretation assistance will be made available upon request.</p>

Religion & Belief			X		All the documents are available for all to use. Translation and interpretation assistance will be made available upon request.
Sexual orientation			X		All the documents are available for all to use
Gender Reassignment			X		All the documents are available for all to use
Marriage / civil partnership			X		All the documents are available for all to use
Pregnancy / maternity			X		All the documents are available for all to use

Other groups you may want to consider					
	Negative	Positive	No impact	Don't know	Details
Ex services			X		As above
Lower socio-economic			X		As above
Other ...					

Stage 6 - BMBC Minimum access standards

If the proposal relates to the delivery of a new service, please refer to the Customer minimum access standards self-assessment ([found at](#))

If not, move to Stage 7.

Please use the action plan at Stage 7 to document steps that need to be taken to ensure the new service complies with the Equality Act duty to provide reasonable adjustments for disabled people.

- The proposal will meet the minimum access standards.
- The proposal will not meet the minimum access standards. –provide rationale below.

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Stage 7 - Next Steps

To improve your knowledge about the equality impact . . .

Actions could include: community engagement with affected groups, analysis of performance data, service equality monitoring, stakeholder focus group etc.

Action we will take:	Lead Officer	Completion date
Arrange targeted consultation such as face to face meeting with the equality forums as appropriate. Disability Forum likely to be the most relevant to the subjects covered by SPD's.	Paula Tweed	As required when new SPD's are prepared or adopted SPD's reviewed

To improve or mitigate the equality impact . . .

Actions could include: altering the policy to protect affected group, limiting scope of proposed change, reviewing actual impact in future, phasing-in changes over period of time, monitor service provider performance indicators, etc.

Action we will take:	Lead Officer	Completion date
N/A		

To meet the minimum access standards . . .(if relevant)

Actions could include: running focus group with disability forum, amend tender specification, amend business plan to request extra 'accessibility' funding, produce separate MAS action plan, etc.

Action we will take:	Lead Officer	Completion date
N/A		

Stage 8 – Summarised findings

Please summarise the main findings and next steps identified in this EIA.
The outcomes of this EIA must be documented in cabinet report. You could also include the EIA as an appendix to the report or reference it as a background paper.
You must also record which stakeholders need informing and how you will do this.

Summary of equality impact

The key equality impacts will be around providing translation and interpretation assistance to those individuals that require it to help them understand the SPD/PAN.

A reference is included in the Parking SPD to ensure adequate parking is provided to cater for the needs of people with disabilities to ensure that all parking is designed in accordance with current regulations and standards including Building Regulations, Equalities Act, relevant British Standards and the South Yorkshire Residential Design Guide as appropriate.

The Sustainable Travel SPD seeks contributions towards public transport and active travel enhancements and improvements to ensure developments are accessible to all. Whilst the document does not deal with the design of particular schemes, a cross reference has been added to ensure that all schemes that contributions are collected towards using this document, meet the needs of disabled people and are designed in accordance with current regulations and standards including Building Regulations, Equalities Act, relevant British Standards and the South Yorkshire Residential Design Guide as appropriate. This is still the case in the updated SPD.

The updated Design of Housing SPD is requiring that a percentage of dwellings are built to the following Building Regulations standards based on evidence in our Strategic Housing Market Assessment which notes the aging population and levels of disability in Barnsley.

26% of all new dwellings should be built to M4(2) accessible and adaptable standard

6% of new dwellings should be built to wheelchair accessible M4(3)(2)(b)

Text has been added to the updated Design of Housing SPD to provide further guidance on design that takes into account those suffering with Alzheimer's or dementia.


Summary of next steps

As stated earlier should any further documents be produced or when SPD's are reviewed, we will seek to arrange targeted consultation such as face to face meeting with the equality forums as appropriate. Disability Forum likely to be the most relevant to the subjects covered by SPD's/ PAN's.

No face to face consultation took place on the Sustainable Travel SPD and Affordable Housing SPD due to Covid 19.

How stakeholders will be informed

SPD's/PAN's are only applicable to individuals

	<p>submitting planning applications.</p> <p>Any language/access issues will be addressed based on the merits of the individual application submitted.</p>
<p>Signature (officer responsible for EIA) Date 8/11/21 Updates added 9/5/22 Latest updates added 3/3/23</p>	

BARNSELY METROPOLITAN BOROUGH COUNCIL

REPORT OF: EXECUTIVE DIRECTOR OF GROWTH & SUSTAINABILITY

TITLE: SUSTAINABLE CONSTRUCTION AND CLIMATE CHANGE ADAPTATION SPD

REPORT TO:	CABINET
Date of Meeting	31st May 2023
Cabinet Member Portfolio	Regeneration and Culture
Key Decision	Yes
Public or Private	Public

Purpose of report

This report seeks authority to consult on a new Supplementary Planning Document Sustainable Construction and Climate Change Adaptation

Council Plan priority

Sustainable Barnsley

Recommendations

That Cabinet:-

- 1. Refers the report to Full Council for authority to adopt the Sustainable Construction and Climate Change Adaptation Supplementary Planning Document.**

1. INTRODUCTION

- 1.1 The Local Plan, adopted on 3rd January 2019, contains policies to be considered when determining planning applications. A number of Supplementary Planning Documents were adopted following the adoption of the Local Plan. These contain further advice and explain how Local Plan policies will be applied.
- 1.2 The Planning & Building Control Service monitors the effectiveness of our policies and guidance on an ongoing basis. In respect of Supplementary Planning Documents, this is to satisfy ourselves that:

- They remain in conformity with national legislation, planning policy and guidance
 - They are helping to ensure that the Local Plan achieves its overall aims and objectives
 - They are enabling decisions to be upheld at appeal
 - They reflect any new social, environmental or economic priorities that may have arisen
- 1.3 Supplementary Planning Documents build upon and provide more detailed advice and guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are, however, a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development.
- 1.4 It is proposed to adopt a new SPD called Sustainable Construction and Climate Change Adaptation. This makes clear what our expectations are for developments in respect of sustainability in order to ensure that, as far as possible, new development reflects our zero 40 and zero 45 targets.

2. PROPOSAL

- 2.1 It is proposed that the document is adopted. The Local Plan contains a number of climate change related policies and the SPD provides further guidance on what is expected of developments in relation to these policies. It also indicates where we would welcome and encourage higher standards than those prescribed nationally. Section 4 below provides a brief summary of the changes made in response to issues raised during consultation.

2.2 Public Consultation

Public consultation took place between Monday 28th November 2022 and Friday 6th January, 2023. Consultation was carried out in accordance with the Town and Country Planning (Local Planning) regulations, 2012. 85 comments were made by 14 respondents. Appendix 1 summarises the main issues raised and how comments have been taken into account as well as the reasons why some comments were dismissed.

- 2.3 Appendix 2 contains the final version of the document it is proposed to adopt. Changes proposed following consultation are shown in red underlined text and highlighted yellow.

3. IMPLICATIONS OF THE DECISION

3.1 Financial and Risk

- 3.1.1. Consultations have taken place with representatives of the Service Director – Finance (S151 Officer).
- 3.1.2 Costs will relate to publicity and printing and are estimated to be no more than £1,000. This expenditure will be financed from the Planning budget.

3.1.3 No Appendix A is required.

3.2 Legal

3.2.1 Preparation, consultation and adoption of Supplementary Planning Documents has been carried out in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.

3.3 Equality

3.3.1 Full Equality Impact Assessment completed.

This complements the Equality Impact Assessment that was carried out to support the Local Plan which concluded that all policies and proposals apply to all sectors of the community equally and that it makes provision for a range of housing types to meet differing needs such as affordable housing. A further assessment was carried out when the suite of SPD's was adopted in 2019. This recognised that the key impacts were around providing translation and interpretation assistance to those individuals that require it to help them understand the SPD's. An action for future consultation was to arrange targeted consultation such as face to face meetings with the equality forums as appropriate, relevant to the subject of the SPD, to ensure our engagement is inclusive. Where appropriate, reasonable adjustments will be considered at venues where documents are made available to ensure accessibility requirements for all attendees are met. A presentation to the Youth Council was given during the consultation period.

3.4 Sustainability

The Sustainability wheel below indicates that implementation of the SPD will have a high positive impact on reducing greenhouse gas emissions and prevention and adaptation to climate change. It is anticipated that its implementation will have a positive impact on all other aspects of the sustainability wheel, with the exception of the air quality, biodiversity and land use change, which it is not expected to affect.



3.5 Employee

3.5.1. There are no employee implications arising from this report.

3.6 Communications

3.6.1 Communications support will be required to publicise the consultation through press releases and social media.

4. CONSULTATION

4.1 Public consultation took place between Monday 28th November 2022 and Friday 6th January, 2023. The minimum consultation period for Supplementary Planning Documents in four weeks. Given that the consultation was going to run over the festive period we added an additional week. Consultation was carried out in accordance with the Town and Country Planning (Local Planning) regulations, 2012. Stakeholders such as developers and agents that regularly operate in Barnsley, together with other people that have expressed an interest in being consulted on our planning documents were notified. The consultation was also generally publicised by a public notice in the Chronicle and in the Council's social media and 'Our Barnsley Weekly Newsletter' that residents can sign up for. The consultation document was also made available in Library@the Lightbox and all branch libraries and a flyer publicised on screens where possible. A presentation was given to the Youth Council. A note summarising issues raised by the Youth Council is contained in appendix 1.

4.2 85 comments were made by 14 respondents. Appendix 1 summarises the main issues raised and how comments have been taken into account or the reasons they have been dismissed. A number of changes have been made to the document. Some changes have been made to improve clarity, for example the text on Future Homes Standard and the relationship of the SPD to Building Regulations. Text has been added to clarify the potential conflict that may arise between living roofs and the installation of PV. A cross reference to the Local Validation Requirements in respect of energy statements has been added. The amended version also seeks to make more the clear what is required and what is advisory.

5. ALTERNATIVE OPTIONS CONSIDERED

5.1 One alternative approach would be not to adopt this document. The proposed content is considered helpful to developers in setting out the local planning authority's expectations and requirements in respect of sustainable construction and ensuring development is resilient to, and can adapt to, climate change.

6. REASONS FOR RECOMMENDATIONS

6.1 The proposed Sustainable Construction and Climate Change Adaptation SPD contains helpful information and guidance that will provide clarity for service

users.

- 6.2 The SPD will also maximise the effectiveness of the relevant climate change policies in the Local Plan. This is reflective of Council's Climate Emergency Declaration and the Zero 40 and Zero 45 programmes.

7. GLOSSARY

SPD Supplementary Planning Document

8. LIST OF APPENDICES

Appendix 1: Summary of comments made and how they have been taken into account

Appendix 2 Draft Sustainable Construction and Climate Change Adaptation SPD

Appendix 3 Equalities Impact Assessment

9. BACKGROUND PAPERS

Barnsley Local Plan <https://www.barnsley.gov.uk/media/17249/local-plan-adopted.pdf>

If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

10. REPORT SIGN OFF

Financial consultation & sign off	Senior Financial Services officer consulted <i>Ashley Gray</i>
Legal consultation & sign off	Legal Services officer signed off <i>Bob Power</i>

Report Author: Paula Tweed
Post: Planning Policy Group Leader
Date: 09 May 2023

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Introduction

Public consultation took place on the new Sustainable Construction and Climate Change Adaptation for a period of five weeks between Monday 28th November 2022 to Friday 6th January 2023. The consultation period was extended from the usual four weeks to account for the closedown over the Christmas period.

A total of 85 comments were received from 14 respondents.

Who we consulted

- Duty to Cooperate Bodies
- Bodies and organisations with a topic specific interest
- Developers and Agents active in the Borough
- Housing Associations active in the Borough
- Parish Councils
- Equality Forums

How we consulted

- Emails or letters sent to the above consultees
- Press advert in the Barnsley Chronicle
- Press Releases (including use of the Council's social media) and in the 'Our Barnsley Weekly Newsletter'.
- Documents were made available on the Council's website
- Documents were made available at Library@the Lightbox and Branch Libraries across the Borough (online and paper form)

Response to Consultation

The tables below set out the main issues raised during consultation. They summarise the main points and any key changes made to the documents as a result of comments received.

General/ overarching comments

NUMBER OF COMMENTS: 85		
MAIN ISSUES RAISED	Number	HOW THE ISSUES HAVE BEEN ADDRESSED
Was not aware of the consultation.	2	Consultation was publicised. People that have previously requested to be involved were notified direct.
Concern that consultation ran over the festive period. Requested that consultation be extended/re-advertised/ re-run.	2	The required consultation period for Supplementary Planning Documents is four weeks. We extended the consultation period for a week to cover the close down during Christmas and New Year.
<p>No Statement of Community Involvement available and questions whether consultation met the regulations. Quotes regulation 12 and regulation 35.</p> <p>Requests that Statement of Community Involvement is made available on our website.</p>	1	<p>We have a Statement of Community Involvement available on our website. Hard copies are also available at Library@thelightbox and branch libraries. The text in the draft SPD that refers to this summary document, which is a statement of consultation. This text is included in the consultation document as it would be text in an adopted version. No earlier consultation had taken place. We consider the regulations have been fully met.</p> <p>The Statement of Community Involvement that sets out how we will undertake consultation on planning documents is on</p>

		<p>the website. https://www.barnsley.gov.uk/media/15691/sci-april-2020.pdf</p> <p>This document is the statement of consultation that sets out the consultation responses received on the Sustainable Construction and Climate Change Adaptation SPD.</p>
Welcomes opportunity to comment, no substantive comments to make.	1	Comment noted.
<p>General support</p> <ul style="list-style-type: none"> • Welcomes content as a means to help further improve the sustainability of development taking place within Barnsley. • Strongly support. Wants to see more consideration of the ecosystem that is being destroyed or damaged by the construction, and this should be valued at more than its utility as a carbon sink or flood plain, because the ecosystem has value in itself, as well as the services it provides to us, so there needs to be a powerful reason to lose it. • Supports the reference in the SPD to the Future Homes Standard and Future Building Standard, and the recognition that the SPD is intended to be complementary to the applicable Building Regulations (i.e. as existing and in future). Supports the Council in expecting all new development to adhere to Building Regulations standards as a minimum, and encouraging higher standards where possible. • Happy with all sections of the SPD in summary. Would like to see large new buildings making use of wood, supports using recycled aggregate for foundations and for surfacing of paths etc. Considers it important that organisations such as councils, colleges and universities lead by example and actively promote the use of timber in buildings, in addition to methods in the SPD. • Supports reference to geodiversity in policy RE1 quoted in the SPD. 	4	Comments noted.

<p>SPD goes beyond remit of SPD's</p> <ul style="list-style-type: none"> • Highlights that PPG confirms SPDs should build upon, and provide more detailed guidance on adopted local plan policies and that SPDs cannot introduce new planning policies. • Quotes local plan regulations. Considers documents containing development management policies intended to guide the determination of planning applications is a local plan and must follow relevant local plan procedures, including independent examination. Considers the requirements of the proposed SPD in relation to whole life carbon assessments, facing materials, living roofs, water consumption, zero onsite emissions and waste bin provision are all policies which intend to guide the determination of planning applications. • considers the point that the proposals should not be part of an SPD but in a development plan is supported by the Inspector's Report on the Examination of the Barnsley Local Plan (December 2018) which concluded that references to "sustainable design and construction techniques...would be more effective as a standalone policy" • National Planning Policy Guidance (NPPG) clearly states that LPA's can only introduce set higher energy efficient standards in their development plan policies, subject to not exceeding Level 4 of Code for Sustainable Homes (CfSH). • Seeks clarity on which policy requires a Whole Life Carbon Assessment • there is a lack of connectivity between several points within the SPD and the adopted Local Plan policies, resulting in the SPD appearing to create new planning policies via an inappropriate method. • Objects to new requirements 	9	<p>We consider that the requirements we have included in the SPD are not creating new policy and can be included in SPD using Local Plan climate change policies, particularly policy CC2 Sustainable Construction as a hook.</p> <p>The Council considers the SPD is providing more detailed advice to support the existing Local Plan climate change policies such as CC2 Sustainable Construction. It is not seeking to create new policy.</p> <p>The reference made to the Local Plan Inspector's report relates to an earlier version of the plan which contained CC1 and CC2 as one policy. CC2 is the 'standalone' policy referred to in that context.</p> <p>SPD welcomes and encourages higher standards where possible. It is not making them mandatory.</p> <p>The additional requirements the SPD seeks are Whole Life Carbon Assessments and Living roofs. We consider these requirements to be reasonably related to, and further detail to support implementation of Local Plan CC2 Sustainable Construction.</p>
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<ul style="list-style-type: none"> Apart from the odd new requirement over and above the local plan requirements, section 9 on Modern Methods of Construction is a list of options to consider when building new homes. Suggests could be an informative instead of SPD 		
<p>Recommends that the referenced points be removed and a formal review of the Local Plan be undertaken.</p>	<p>1</p>	<p>The Local Plan has been reviewed and the position has been established. Full Council has agreed that no update in whole or in part is to take place until 2027 unless required earlier.</p>

<p>Viability issues</p> <ul style="list-style-type: none"> • SPD should not add unnecessarily to the financial burdens on development. • Suggests a viability assessment of SPD • Concern about impact on viability • the proposed policy requirements will increase both the cost of preparing planning applications and build costs which will impact on the viability of development and therefore housing delivery. • Considers the Council will need to consider the costs associated with the use of these sustainable materials, the potential impact that they may have on the viability of development, need to balance the sustainability of these materials with other policy requirements and other sustainability considerations. • Considers document too prescriptive • If the Council is to introduce a policy in relation to WLC it will have to closely consider how it will be monitored and what the implications are for the preparation of any assessment, particularly in relation to how easily accessible any data is, and that it will have to take into consideration that much of the responsibility for emissions will lie in areas outside of the control of the homebuilding industry, including material extraction and transportation, occupation and maintenance, demolition and disposal. The Council will also have to consider how the policy will interact with other policies for example in relation to energy efficiency or resilience to heat, as well as the viability and delivery of development. Also concerned around the costs in relation to this requirement in providing the assessment and in addressing any issues it may highlight. 	2	<p>Negotiations can be made in individual cases where there is evidence that viability is an issue. Should viability be proven to be an issue this can be considered at planning application stage. No change proposed.</p>
Use of SPD/ purpose	3	The requirements of the SPD are related to Whole life carbon

<ul style="list-style-type: none"> • Concern about how SPD will be used in decision making. • A lot of the content is aspirational, guidance and signposting to other legislation. Questions the purpose of the SPD. • Not clear which policies individual points link back to, a linking policies to relevant text within SPD would be helpful 		<p>assessments and green roofs. For clarity these have been put into text boxes.</p> <p>Other parts of the SPD seek to welcome and encourage higher standards, where possible, it doesn't say they are mandatory.</p> <p>Add cross referencing to relevant Local Plan policies.</p>
<p>Considers the statement in Policy RE1 on Low Carbon and Renewable Energy that all development “<i>should at least achieve the appropriate carbon targets as defined in the Building Regulations.</i>” applied to the building regulations in play at the time of the local plan adoption, although given the lead in time for preparing the local plan, in reality could have been applied to a earlier version of the Building Regulations prior to 2019. Building Regulations has since been amended, where a higher benchmark has been set on existing requirements and new requirements have been introduced. For example Part F, L, O and S that came in to effect in June 2022. It is therefore fundamentally obvious and clear that all development which is in compliance with today's building regulations not only at least achieves the appropriate carbon targets in the Building Regulations in place either prior to or in 2019, but will be in excess of that standard. Thus, this policy will automatically be met via building regulations and will continue to exceed them as and when they are amended.</p>	<p>1</p>	<p>Comments noted. Development must as a minimum adhere to the latest Building Regulations standards applicable to it at the time of gaining approval, not the standards that were in force at the time of Local Plan preparation. From the presence of ‘at least’ in the adopted policy, it is clear that higher standards will be welcomed, which is what we are seeking to encourage in this SPD. No change proposed.</p>
<p>At 10.3, the SPD is being used to introduce a new requirement via planning condition on all new residential development to comply with Part G of the Building Regulations. First, this is a new requirement and is not something contained within the local plan. Secondly, it is being sought by condition, which in itself, would fail the six tests as it is a duplication of other legislation. Instead, the Council could ask developers to consider this and the only legal way in which this could be introduced into a decision notice is as an informative and not a condition.</p>	<p>1</p>	<p>Comments noted. Requirement to be deleted.</p>

MAIN TECHNICAL ISSUES RAISED	HOW THE ISSUES HAVE BEEN ADDRESSED
Considers the statement about renewable energy schemes not being approved if they harm landscape/ appearance is too strong, and a balance needs to be struck so that we can develop sufficient low carbon generating capacity.	This comment appears to relate to the text in Local Plan policy RE1. The wording of a Local Plan policy cannot be changed through SPD. No change proposed.
Requests inclusion of a criteria to facilitate active travel. Home and business design and location needs to move away from assuming everyone has one or more cars, to providing space for safe active travel.	We have a separate Sustainable Travel SPD. No change to the Sustainable Construction and Climate Change Adaptation SPD.
Requests a ban of plastic grass and excessive hard surfacing.	This cannot be done through this SPD. It can encourage designs to ensure surfacing is permeable and encourage real grass to be planted. The following sentence will be added to the end of paragraph 10.4. <u>10.4Support will be given to permeable surfaces and real grass as opposed to artificial grass.</u>
(2.3) Thinks there is nothing wrong with minimising waste and pollution, and adapting to climate change, making economic sense as well as environmentally. Mitigation is a different issue and even where possible can/will be expensive.	Comments noted no change to SPD proposed.
(2.6) Queries why the Council's Sustainable Energy Action Plan (SEAP) sets out a range of measures to achieve net zero by 2030 and 2045. Queries why the rush, involving excessive cost, when national government's targets are so much less aggressive. Considers the bulk of emissions are from electrical energy and transport, largely outside the control of BMBC, so how can BMBC achieve these goals without relying on progress outside their control?	The Sustainable Energy Action Plan commits the council to being zero carbon in its operations by 2040 and 2045 for the rest of the borough. For further details please visit: https://www.barnsley.gov.uk/media/19254/seap.pdf Comments noted no change to SPD proposed.
(Policy CC1) Giving preference to development of previously developed land in sustainable locations sounds good but relates that point to a Local Plan allocation.	Comments noted no change to SPD proposed.
(Policy CC1) Promoting investment in Green Infrastructure to promote and	Comments noted no change to SPD proposed.

encourage biodiversity gain sounds good but taking farm land out of use and using a computer model to “prove” an increase in biodiversity after that land has been concreted over is just words.	
(Policy CC4) All major developments will be expected to use Sustainable Drainage Systems (SuDS) to manage surface water drainage, unless it can be demonstrated that all types of SuDS are inappropriate...To conserve and enhance the Boroughs water resources ...	This comment is an extract from Local Plan policy CC4. No change to SPD proposed.
Section 3.1 refers to the existing local plan policies, yet as already stated it is not clear as to which policies are being given additional information and guidance to help developers comply with them. Policy SD1 on the Presumption in favour of Sustainable Development highlights the approach taken in the NPPF. We would ask that the SPD is clearer on which part of the SPD relates to Policy SD1. Policy CC1 on Climate Change sets out ways in which development can help to reduce climate change. Clearly the SPD includes a section on the types of construction that could be used to assist this. However, clarity is required to clearly show what part of the SPD relates to this policy and how.	In our opinion it is clear which policies the SPD supplements and we have avoided going into further detail to avoid the document becoming excessively long.
The webinars taking place at the end of 2021 showed that this can be tricky to implement, with mixed results. There is plenty of evidence that efficient use of even conventional gas heating can be difficult for some users. Much more discipline will be required of users of green alternatives. Queries what will be done to ensure that any changes actually result in reduced energy use without user issues.	The manufacturers of technology and retailers have a responsibility to consumers to ensure that consumers understand how to operate modern technology. Many technologies are being simplified by the use of apps, which show consumption. Like when purchasing anything else, the consumer can also play their part in understanding the technology and there are lots of organisations and campaigners out there such as the Energy Saving Trust, Ofgem and Help for householders which gives advice to consumers on how to use their technology and reduce energy usage. Comments noted no change to SPD proposed.
Queries what proportion of the housing stock will be low energy rated by 2045 and in what number of social housing and private housing will low energy modification not be feasible?	Comments noted no change to SPD proposed.
Asks what assumption is being made on the decarbonisation of the grid by the 2030 and 2045 milestones? It is understood that there will still be a	Assumptions have been made based on information and ambitions published by Central Government. The British Energy Security Strategy provides a clear, long-term plan to accelerate the

<p>large gas consumption in power generation in 2050.</p>	<p>transition from fossil fuels and the local authority uses this information to inform assumptions. Comments noted no change to SPD proposed.</p>
<p>There is growing criticism of categorising biofuels as “green”. What impact would prohibition have on current and planned use?</p>	<p>Comments noted no change to SPD proposed.</p>
<p>Quotes an article on electricity production: “The Climate Change Committee, which advises the UK government on decarbonisation, says that an astonishing 62 per cent of emissions reductions should come not from new carbon-free energy infrastructure or production processes, but from ‘behaviour change and individual choices’. Considers this is a euphemism for using less energy, which in turn means producing less, consuming less, travelling less and enjoying a lower standard of living.”</p>	<p>Comments noted no change to SPD proposed.</p>
<p>Queries how this scenario fits in with Local Plan development ambitions. Gives an example of a site that has reached contractor appointment stage, so costs can be ascertained. Queries what is the cost impact of this design compared to conventional construction and the minimum requirements specified in the consultation document?</p>	<p>This answer can only be ascertained by obtaining detailed quotes for work, however there are useful sites such as the Renewable Energy Hub UK that tackle this subject in further detail. New standards can help customers to ease the cost of living and this is an attractive selling point. Research carried out by the Home Builders Federation has shown that being ‘eco-friendly’ and having a good Energy Performance Certificate were rather as the second and third most important factors, nearly a quarter of respondents stated that they are worried about the energy performance of their current home and many others reported that energy efficiently would be a crucial factor in their next home move. By building more sustainable homes, developers are helping to reduce carbon emissions and supporting their customers to reduce the consumption and impact of the growing cost of living due to increased utility prices.</p> <p>Comments noted no change to SPD proposed.</p>
<p>WCD-version-06272215121.pdf (clintel.org) Considers that time, effort and money is being spent on "How?" queries whether "Why" should be considered first.</p>	<p>We consider the ‘why’ has been scientifically proven. No change to SPD proposed.</p>

<p>Considers the overall aims of the 'Sustainable Construction and Climate Change Adaptation' should be applauded. Would welcome further communication to give their experience of similar SPDs and policies being consulted upon by Councils across the Country and the positives and pitfalls of points raised in the consultation draft SPD.</p>	<p>Comments noted.</p>
<p>Section 4 of the new SPD relates to 'Whole Life Carbon' however there is no reference within the section as to what existing adopted policy this section of the SPD is building upon or providing further advice or guidance on. Instead, the SPD tries to insert a new requirement that 'A whole life carbon assessment will be required for all major developments.' Looking at the referenced policies within the SPD that the document is supposed to supplement, none of these make any reference to whole life carbon assessments, or even any reference to carbon and development. As such the SPD is introducing a whole new assessment level beyond existing policy requirements whilst further adding to the workload of overstretched council officers assessing applications. Furthermore, whole life carbon assessments are costly endeavours and will result in significant financial disruption for most developers, from changing supply chains to construction methods, and for smaller developers, paying for the individual assessments. This is in direct conflict with the NPPG regarding finances and creating new policy requirements.</p>	<p>The Whole Life Carbon assessment requirement is not considered onerous as the Council is requesting a copy of the assessment that should be being carried out by RICS members, therefore no further costs should be incurred.</p> <p>We consider this issue is linked to sustainable construction and therefore Local Plan policy CC2 on sustainable construction provides the necessary hook.</p>

<p>Section 4. Whole Life Carbon Supports the provision to encourage assessment of carbon emissions on a 'whole life' basis for new developments and agrees that the RICS 'Whole life carbon assessment for the built environment' (November 2017) document currently provides the appropriate guidance for this. However, given this document is now more than five years old suggests that the SPD should be worded to include reference to any subsequent version of this document or other appropriate best-practice document that may supersede this document in due course. On the basis that 'whole life carbon assessments' may be undertaken by suitably qualified professionals (including and excluding members of RICS) it is suggested that the reference to RICS members is omitted i.e. to avoid potential confusion of who the model/guidance is applicable to. Alternative wording for paragraph 4.2 is therefore suggested as follows: <i>"...The whole life carbon assessment will be expected to follow the model set out in the RICS professional statement 'Whole Life Carbon Assessment for the Built Environment, 2017' or, if applicable, the latest subsequent version of this document or other recognised document setting out best practice for whole life carbon assessment. ", which RICS members must act in accordance with.</i> We note that whilst the SPD requires an assessment to be undertaken for all major developments (which the Local Validation Requirements document requires to be submitted with a planning application), it does not provide any indication of how the Council may respond to the content of any submitted assessment (i.e. in consideration of the planning application) or how the applicant should utilise the information therein to steer and document decisions made in the design and development process. Considers that the inclusion of further guidance in this respect is likely to be beneficial.</p>	<p>Amend paragraph 4.2 to read:</p> <p>4.2 A whole life carbon assessment will be required for all major developments (10 dwellings or above and 1000m² or above for commercial developments or change of use developments). The whole life carbon assessment will be expected to follow the model set out in the RICS professional statement 'Whole Life Carbon Assessment for the Built Environment, 2017 <u>or, if applicable, the latest subsequent version of this document or other recognised document setting out best practice for whole life carbon assessment.</u> ", which RICS members must act in accordance with. https://www.rics.org/globalassets/rics-website/media/news/whole-life-carbon-assessmentfor-the--built-environment-november-2017.pdf The professional statement mandates a whole life approach to reducing carbon emissions and sets out specific mandatory principles and supporting guidance for the interpretation and implementation of European standard EN 15978 methodology, which is the European standard that specifies the calculation method, based on life cycle assessment and other quantified environmental information, to assess the environmental performance of a building, and gives the means for the reporting and communication of the outcome of the assessment.</p>
<p>Queries that section 4.2 says that all major development must provide a WLCA, yet how can a complete assessment be done for outline planning applications?</p> <p>Sets out issues of concern relating to timing of and data associated with producing Whole Life Carbon Assessments.</p>	<p>We consider this linked to policy CC2 Sustainable Construction. We are asking for submission of a RICS Whole Life Carbon Assessment. Comments noted. Text of paragraph 4.2 to be further amended as follows:</p> <p>A whole life carbon assessment will be required for all <u>with full or hybrid applications or assessment of approval of reserved matters</u> for major developments (10 dwellings or above and 1000m² or</p>

<ul style="list-style-type: none"> • timing of when these are produced, if they are to be meaningful, at planning application stage or through condition? Advised to talk to development industry regarding timing , particularly in light of part Z • issues surrounding data, to be able to do a proper Whole Life Carbon Assessment (WLCA) eg manufacturers are still lacking in creating and verifying their data for Environmental Product Declarations (EPDs). • Lack of Bill of Quantities (BoQs) • Reasons why in the UK we do not have enough of what is needed to carry out WLC assessments: <ul style="list-style-type: none"> ○ a. EPDs taking around 3 years to be created and verified. ○ b. The manufacturer hasn't calculated the Life Cycle Assessment (LCAs) of their product/doesn't have any carbon data. ○ c. There is no mandatory requirement for construction products to generate EPDs. 	<p>above for commercial developments or change of use developments). <u>Where we receive an outline application, if minded to approve, a condition will be added requiring submission of a Whole life carbon assessment alongside the reserved matters.</u> The whole life carbon assessment will be expected to follow the model set out in the RICS professional statement 'Whole Life Carbon Assessment for the Built Environment, 2017", <u>or, if applicable, the latest subsequent version of this document or other recognised document setting out best practice for whole life carbon assessment.</u> which RICS members must act in accordance with. https://www.rics.org/globalassets/rics-website/media/news/whole-life-carbon-assessment-for-the--built-environment-november-2017.pdf</p>
<p>Section 5. BREEAM Certification for Non-Residential Buildings Supports the stated requirement for all non-residential buildings to achieve a minimum BREEAM standard of 'very good' (consistent with Local Plan Policy CC2) and the encouragement to achieve higher standards where possible.</p> <p>Signposts an error in paragraph 5.2, which states 'non-residential <i>dwellings</i>', but should presumably state 'non-residential <i>buildings</i>'.</p>	<p>Correct sentence to read Local Plan Policy CC2 Sustainable Construction requires <u>expects</u> all non-residential dwellings <u>development</u> to be developed to <u>achieve</u> a minimum BREEAM standard of 'very good'.</p>
<p>Section 6 Future Homes Standard</p> <p>The SPD states that the Council expect new development to adhere to Building Regulation Standards, both current and proposed future amendments, as a minimum. It goes on to state that the Council welcome and encourage higher standards where possible. Considers that the use of national standards and the use of the building regulations as a way to measure these standards is appropriate, and the potential for developers to go above these if they so wish to. However, this encouragement should not be taken as a requirement.</p>	<p>Comments noted. No change proposed.</p>
<p>(6.1) [New homes] will need to be zero carbon ready with no retrofit work required to benefit from the decarbonisation of the electricity grid and the electrification of heating. The intention is to future proof new homes for low</p>	<p>Comments noted no change to SPD proposed.</p>

<p>carbon heating systems and meet higher standards of energy efficiency.</p> <p>Considers Section 6 ‘Future Homes Standards’ unclear what policy this section is supposed to build upon or providing further advice and guidance on.</p> <p>Paragraph 6.1 does not clarify what the ‘current standard’ is which new development is supposed to be 75-80% lower on CO2 emissions. Equally the document is unclear if the ‘current standard’ is to be the standard as of 6th January 2023, or if it will be the standard at the point of submission of an application, point of determination, or the point of adoption of the SPD. Irrespective of the date, any will have significant consequences for the design of any dwelling and the viability of any development conflicting with the NPPG on increasing financial burdens on development from substantially reducing emissions beyond what could be current standards.</p> <p>6.4 is unclear, SPD states development will have to adhere to proposed future amendments of Building Regulations, however future regulations will not be known until adopted. This further confuses development and as building regulations is adhered to, the requirement appears superfluous.</p> <p>SPD states ‘all development’ must adhere to Building Regulations as a minimum, yet there is an exception for Listed and Historic Buildings, queries whether SPD seeks to countermand the Planning (Listed Buildings and Conservation Areas) Act 1990. Considers that Section 6 conflicts with both the NPPG and other legislation, whilst increasing financial burdens on development and creating new policy requirements beyond what is within existing adopted local plan policies.</p> <p>i(6.1) The Government has brought in the Future Homes Standard, which from 2025 will require CO2 emissions produced by new homes to be 75-80% lower than homes that are built to current standards. Homes will need to be zero carbon ready with no retrofit work required to benefit from the</p>	<p>Future Homes Standard is a requirement from 2025 for all homes to be built to higher standards than current building regulations, therefore the building regulations in force at the time of consultation including any relevant interim changes that came in June 2022.</p> <p>The sentence is intended to mean that whatever point in time the SPD is being read, the current building regulations in force at that time must be adhered to, and that higher standards than those Building Regulations would be welcomed and encouraged. This sentence is phrased in this way to be clear that Building Regulations will be updated during the life of the SPD, and development does not have to adhere to Building Regulations that were in force at the time the SPD was adopted.</p> <p><u>Change paragraph 6.4 to read “We expect new development to adhere to relevant Building Regulations Standards (and any future updates of these), as a minimum. We welcome and encourage higher standards where possible.”</u></p> <p>The SPD is not seeking to ‘countermand’ the Planning (Listed Buildings and Conservation Areas) Act 1990. The Building Regulations relevant to the particular type of development will be applied. ‘Relevant’ has been added to paragraph 6.4 to cover this point.</p> <p>Zero 45 – plans to help existing stock be retro fitted. Comments noted no change to SPD proposed.</p>
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<p>decarbonisation of the electricity grid and the electrification of heating. Queries whether low energy modification is feasible.</p>	
<p>Section 6.3 is the most fundamental and most important part of the SPD. It states that <i>“The existing Building Regulations and future revisions are a crucial element in achieving zero carbon development. The planning guidance set out in this document is intended to complement the relevant existing and future building regulations.”</i> Building regulations is crucial in carbon reduction and is constantly being updated. It provides a national platform for all developers, to not only help provide consistency and clarity for all, but Government seek to ensure that what is being asked for is deliverable and at the time of asking, by consulting and talking to the industry prior to both consultation and the introduction of new material. Forthcoming future building regulations are subject to change and refinement through the passage of time. Therefore, from a timing perspective it is difficult to understand how a local plan prepared (including whole plan viability assessment) in the years up to 2019, has policies which align with future building regulations in 2025 and beyond. Especially as the proposed changes and uplift to Part L for 2025 are yet to be confirmed and therefore the detail is yet to be finalised. Thirdly, if the SPD is intended to complement both existing and future building regulations, it does pose the question as to what purpose does the SPD actually serve?</p>	<p>In developing the SPD we have aimed to take a holistic approach to include some text that we consider helpful. We felt it would have been remiss of us in a Sustainable Construction and Climate Change adaptation SPD to not demonstrate cognisance of Future Homes and Future Buildings standards. It is not unreasonable to say that we would welcome proposals that include higher standards than those currently required by Building Regulations. Some developers may be interested in going beyond the minimum required by Building Regulations, if creating exemplar eco homes for example. No change proposed.</p>

<p>Section 7. Energy Efficiency and Adaptation Supports the inclusion and explanation of the 'energy hierarchy' in the draft SPD as this is an approach to building design and specification recognised and followed by the respondent where applicable.</p> <p>Notes that the SPD does not provide any instruction or guidance to an applicant for planning permission in relation to what may be expected or required to be submitted with a planning application, and how the Council may respond to this in the consideration of an application. If it is a requirement of the Council that planning applications include a description/account of how the energy hierarchy has been considered in the design and specification of a proposed building then this should be stated. It is noted that the Local Validation Requirements document includes for this within the 'guidance and details' for an Energy/Sustainability Statement. It is suggested that some of this content should be copied to section 7 of the SPD for clarity.</p>	<p>Comments noted. Include the following text as a new paragraph 7.6 to cross reference to the Local Validation Requirements.</p> <p><u>An Energy/Sustainability Statement should demonstrate how the proposed development would minimise resource and energy consumption. The detail that should be provided in this statement is set out in the Local Validation Requirements. Link to be provided when updated version on website and available.</u></p>
<p>(7.3) The zero-energy goal is becoming more practical as the costs of alternative energy technologies decrease and the costs of traditional fossil fuels increase.</p> <p>This statement suggests it's just a matter of price comparison, without recognising the unreliability of renewables, which will require continued use of gas and possibly coal for the foreseeable future. Adding in the cost of enabling the use of renewables makes those sources expensive, not cheap</p>	<p>Comments noted no change to SPD proposed.</p>
<p>Section 8. Sustainable Materials Supports the inclusion of the summary of criteria relevant to selecting sustainable materials as set out at paragraph 8.1. These criteria should be applicable in principle to the consideration of materials for any type or use of building.</p> <p>Concerned by the statement at paragraph 8.2 that the criteria '<i>strongly point to the use of local natural materials being the best option</i>' (specifically including those listed) without any contextual reference to the nature and use of the building. For instance, none of the materials listed</p>	<p>Comments noted</p> <p>At the beginning of paragraph 8.3 add 'Where appropriate' Use of these natural materials is to be preferred <u>where appropriate</u>, subject to detailed specification, sustainable sourcing, context and appropriate design.</p>

<p>could be applicable to the construction of a modern warehouse or industrial building. Whilst no objection to the Council's preference for use of these listed natural materials on appropriate building types, it is questioned whether there is adequate evidence to support the assertions that the criteria (paragraph 8.1) '<i>strongly point toward local natural materials being the best options</i>' and for the items specifically included within the list.</p> <p>For the SPD to be of greater assistance in this respect, it should be revised to provide qualification of the materials list as to the circumstances in which they may (or may not) be applicable. Consideration should also be given to whether these materials are compatible with modern methods of construction and energy efficiency solutions.</p>	
<p>Section 8 on Sustainable Materials is clearly one way in which carbon reduction can be achieved, albeit this is something we are already looking at. Each site is different and it is not only the cost that is an important factor but access, topography, ground conditions and availability too, meaning that materials always have to be considered on a site by site basis. We have acquired a timber frame company and where it is feasible to do so, we do use timber frame construction. We are also testing new technology and new ways of constructing new homes for the future, via our Z House and Energy 2 House on the University of Salford campus. We note that section 8.3 seeks a preference for the use of natural materials, but that use is dependent on a number of factors.</p>	<p>Comments noted.</p>

<p>At Section 8.4 it says that “<i>the Council strongly recommends that material should be specified from suppliers who participate in an applicable responsible sourcing scheme such as the BRE BES 6001:2008 Responsible Sourcing Standard</i>” What dialogue and research has the Council undertaken with the development industry including trades and suppliers to see whether this is both achievable and feasible?</p>	<p>We are adopting the RICS best practice. This will be underpinned by research. This consultation process afforded consultees the opportunity to give us their views on whether this is achievable and feasible. No change proposed.</p>
<p>Section 8.5 reiterates what most developers do already in terms of considering material selection early in the process to ensure proposals are buildable and affordable. However, given the considerable passage of time over a number of years starting with 1) the early stages of design consideration through to 2) pre-application discussions 3) determination of a planning application 4) discharge of conditions 5) starting on site, a lot of things can change, some of which are outside of a developers control.</p>	<p>Comments noted. No change proposed.</p>
<p>Section 9 is long and does not support or provide any policy context but instead describes and explains what several features of MMC are and sustainable technologies that development can incorporate.</p> <p>Paragraph 9.9 adds an onerous requirement on potential future developments. The paragraph states that all new roofs of 25m2 with a flat or pitch of less than 25 degrees should be a living roof, which would add financial burden for development. Similarly, living walls, although attractive, are costly endeavours to install and have significant maintenance issues for the average homeowner. As such, the viability, both financially and physically for their longer-term retention should be considered and acknowledged by the Council.</p> <p>Typo with “41 P a g e” in the text of paragraph 9.11.</p>	<p>We consider the section on modern methods of construction to be helpful.</p> <p>Typo in paragraph 9.11 corrected.</p>
<p>(9.16) Biomass systems burn wood, plants or other organic matter in the form of pellets, chips, logs etc. to provide warmth in a single room or to power central heating and hot water boilers. It is considered a renewable energy and low carbon option,</p>	<p>This comment is simply an extract from the SPD with no additional comment. No change to SPD proposed.</p>
<p>Paragraph 9.22 is unclear regarding the bullet points. The SPD should be</p>	<p>Under the district heating heading this para states:</p>

<p>clear if the points are connected to development providing district heating proposals or development in general. If the latter, these points, specifically point 2 would create a challenging burden with financial implications for development, again in breach of the NPPG.</p>	<p>9.22 Examples of heat networks include a facility that provides a dedicated supply to the heat network, such as a combined heat and power plant; or heat recovered from industry (such as disused minewater), canals and rivers, or energy from waste plants.</p> <ul style="list-style-type: none"> • New development should minimise energy efficiency and space heating requirements, irrespective of district heat network connection • Development should make all reasonable efforts to meet net zero onsite emissions prior to connection to any district heat network • Where net zero cannot be met onsite, exemptions for district heat networks will be considered where there is a clear and demonstrable net zero transition plan to 2030. <p>First bullet relates to all, the 2nd and 3rd bullets relate to where District Heating is being implemented</p> <p>Suggested response: Bullet points 2 and 3 relate to proposals where a district heat network is being installed. Negotiations can take place on individual applications if viability is proven to be an issue.</p>
<p>Section 9. Modern Methods of Construction Supports the inclusion of modern methods of construction within the SPD and agrees with the recognition (at paragraphs 9.2/9.3) that the benefits of off-site and modular construction need to be balanced against the potential disadvantages. Whilst the SPD does not state or imply that modern methods of construction are expected to be employed, it is considered to be useful in discussing the broad options available. In the interest of reflecting gender equality, it is suggested that the term ‘tradesman’ in paragraph 9.3 is replaced by ‘tradespeople’.</p>	<p>Comments noted. Paragraph 9.3 to be amended to read: Potential issues include (significant) restrictions on design options, fixing the design earlier in the process, taking work away from local tradesman tradespeople and reducing the future adaptability of buildings.</p>
<p>Supports the inclusion of the explanatory text relating to a range of potential building installation and technologies able to enhance sustainability including energy generation and efficiency. Again, it is noted</p>	<p>Amend paragraph 9.9 to read: 9.9 The Council considers that the following should apply to all new</p>

<p>that the SPD does not state that the inclusion of any given installation or technology is required or expected to be provided, which is appropriate as the differences between development types and locations etc. will influence whether any particular installation or technology is suitable.</p> <p>Flexibility may be required to achieve an optimised solution and compatibility between different installations and technologies, for instance the installation of rooftop solar PV panels and/or a green roof. Concerned that the statement at paragraph 9.9 bullet point 1 which essentially says that <i>‘the Council considers that all flat or shallow sloping roofs of more than 25 sqm should be a living roof unless conflicting with the provision of solar panels’</i>. This is considered to be too general a requirement which does not recognise or allow consideration of potential constraints to this. The wording should therefore be revised to allow flexibility in the consideration of this, as follows:</p> <p><i>‘The Council considers that the following should apply to all new developments:</i></p> <ul style="list-style-type: none"> <i>• All Living roofs of a suitable type and design should be considered on all new roofs of more than 25 sqm, which are flat or have a pitch of less than 25 degrees, should be a suitable type and design of living roof, unless conflicting with openings to provide natural light, the rooftop provision of solar panels or other aspects of the building’s construction, operation or viability; and</i> <i>• Living walls should be considered as a possible option on buildings, though especially if needed to help mitigate visual impact on otherwise blank and/or architecturally unrelieved facades</i> 	<p>developments. :</p> <ul style="list-style-type: none"> • <u>Living roofs of a suitable type and design should be considered on</u> all new roofs of more than 25m2 , which are flat or have a pitch of less than 25 degrees, should be a suitable type and design of living roof, unless conflicting with <u>openings to provide natural light and</u> the rooftop provision of solar panels; and • living walls should be considered as a possible option on buildings, though especially if needed to help mitigate visual impact on otherwise unacceptably blank and/or architecturally unrelieved façades. <p><u>If there is conflict between provision of photovoltaics and living roofs, we will prioritise photovoltaics.</u></p>
<p>The SPD looks to encourage Passive House design in all homes where possible, and states that it is particularly encouraged in self build developments and any development within villages. Considers this encouragement should not be taken as a requirement.</p>	<p>Comments noted. As the SPD says ‘where possible’ it is not making this a requirement if not feasible. No change proposed.</p>
<p>Supports policies that drive up standards for sustainable construction. Encourages rainwater capture and reuse policies, particularly at development scale for development types where this will reduce GHG emissions and support water resources. Notes the importance of integrating green and blue infrastructure, including SuDS, to address climate impacts. Benefits from this infrastructure include</p>	<p>Comments noted.</p>

reducing the need for both cooling and heating of buildings, and in turn associated GHG emissions.

Tree planting¹, green walls² and roofs should be encouraged. These provide multi-functional benefits including carbon sequestration, reducing exposure to poor air quality, wellbeing and biodiversity gains, flood resilience, and shading and cooling of buildings.

1 Tree planting needs careful consideration, ensuring that the right trees (and plants) are planted in the right places to ameliorate exposure to poor air quality and take account of future climate change.

2 Green walls need long term maintenance and a sustainable water source.

Renewable energy is an important part of the solution to reducing GHG emissions and meeting future energy needs. Through permitting and regulating sites, and by assessing our evidence of how technologies might affect the local environment, we can advise on proposed policies/schemes. Our Environmental Principles for the Energy Sector should be considered within the context of renewables, see below under additional information.

Supportive of technologies and approaches that:

- consider environmental risks early and comprehensively;
- minimise the impacts and risks to people and our environment – air, land and water; and,
- are fit for the future, including resilience to the impacts of climate change.

Focus is on ensuring schemes comply with statutory standards for environmental quality, species and habitat protection. Investment needs to be future proofed and to recognise the constraints of the natural environment as it is impacted by the changing climate.

When developing policy relating to heat networks, recommends that consideration is given to the policy section within the DEFRA Energy from waste: A guide to the debate document. This outlines four key principles underpinning current thinking on Energy from Waste. Particularly notes the importance of maintaining the waste hierarchy and the precedence to reduce or mitigate the environmental impacts of waste management. This should be reflected in the SPD text.

Add text to reflect this document although from 2014
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/284612/pb14130-energy-waste-201402.pdf

<p>(10.3) All development should be designed to minimise the consumption of water and should make adequate and appropriate provision for water recycling.</p> <p>Queries whether to reduce the size and cost of SuDS systems, new dwellings should be fitted with grey water storage, which would reduce stress in dry periods as well as reducing the capacity requirements of estate-wide SuDS systems. Queries whether this would result in maintenance and/or hygiene issues.</p>	<p>Comments noted no change to SPD proposed.</p>
<p>The SPD states that all development should be designed to minimise the consumption of water and should make adequate and appropriate provision for water recycling. It also states that a condition on all planning permissions for the development of new residential development will be imposed to trigger the optional requirement under Part G of the Building Regulations 2010.</p> <p>The Building Regulations require all new dwellings to achieve a mandatory level of water efficiency of 125 litres per day per person, which is a higher standard than that achieved by much of the existing housing stock. This mandatory standard represents an effective demand management measure. The Optional Technical Housing Standard is 110 litres per day per person.</p> <p>As set out in the NPPF¹, all policies should be underpinned by relevant and up to date evidence, which should be adequate, proportionate and focussed tightly on supporting and justifying the policies concerned. Therefore, a policy requirement for the optional water efficiency standard must be justified by credible and robust evidence. If the Council wishes to adopt the optional standard for water efficiency of 110 litres per person per day, then the Council should justify doing so by applying the criteria set out in the PPG. PPG² states that where there is a <i>'clear local need, Local</i></p>	<p>Comment noted, requirement to be deleted.</p>

¹ Paragraph 31

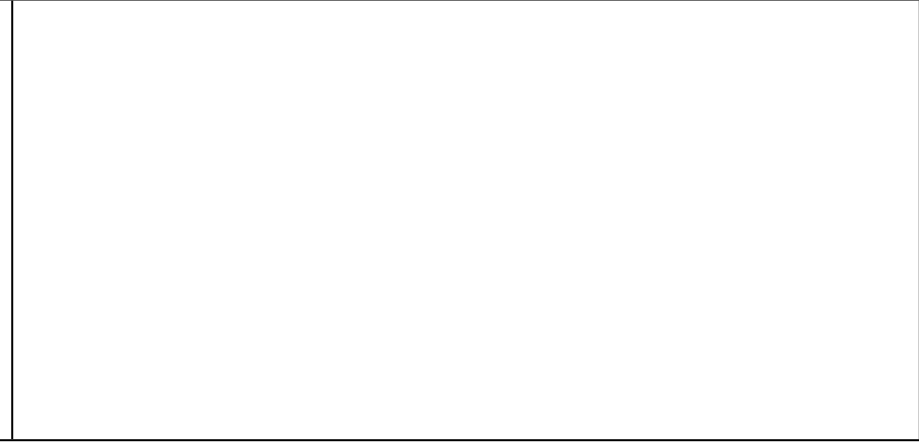
² ID: 56-014-20150327

<p><i>Planning Authorities (LPA) can set out Local Plan Policies requiring new dwellings to meet tighter Building Regulations optional requirement of 110 litres per person per day'. PPG³ also states the 'it will be for a LPA to establish a clear need based on existing sources of evidence, consultations with the local water and sewerage company, the Environment Agency and catchment partnerships and consideration of the impact on viability and housing supply of such a requirement'. The Housing Standards Review was explicit that reduced water consumption was solely applicable to water stressed areas. Yorkshire Water and Barnsley are not considered to be an area of Water Stress as identified by the Environment Agency⁴. Considers that requirement for optional water efficiency standard is not justified nor consistent with national policy in relation to need or viability and should be deleted.</i></p>	
<p>Whole Life Carbon / BREEAM / Future Homes Standard / Sustainable Materials / Energy Efficiency and Adaptation Supports policies that drive up standards for sustainable construction. Supports policies aimed at improved efficiency and compliance by regulated facilities and decreased emissions from non-regulated facilities. Welcomes the inclusion of reference to the BREEAM standards. Encourages to consider setting out requirements for development that look to establish non-residential development BREEAM excellent standard as a minimum where they are in areas of serious water stress, or where other evidence justifies a tighter water efficiency requirement. LPAs can set higher energy performance standards than Building Regulations in their Local Plan documents, under specific conditions, see link for further information.</p>	<p>Comments noted. The SPD is only able to welcome and encourage higher standards than policies in the adopted Local Plan, unless they are requirements under other regulations such as Building Regulations.</p>
<p>Wishes to see an early consideration of the water supply and sewerage infrastructure required to support climate resilient growth. For example, through evidence/commitment of water companies to ensure adequate supply, water efficiency and treatment, conveyance and environmental disposal capacity is planned for and available. There should be an assumption against the proliferation of private sewage treatment systems</p>	<p>Comments noted.</p>

³ ID: 56-015-20150327

⁴ 2021 Assessment of Water Stress Areas Update: <https://www.gov.uk/government/publications/water-stressed-areas-2021-classification>

and private water supplies. Strongly encourage LPAs to set out water policies that reflect the requirements of River Basin Management Plans and Water Framework Directive (WFD) as you do. The WFD needs to be considered throughout the Development of a Local Plan, including through this SPD. Catchment and River Basin Management Plans water quality priorities should also be reflected in strategic planning documents. NPPF paragraph 174 (e) promotes the use of the RBMPs to enhance the environment. LPAs have an important role in implementing the WFD, making sure new development does not cause deterioration and whenever possible supports measures to improve water bodies. Nature Based Solutions (see further info below) can help deliver improvements to water quality and subsequently WFD objectives. Greater referenced to these aspects could be included within this SPD.



<p>Drainage and Flood Risk As articulated within the FCERM Strategy, wants to ensure that resilience to climate change is embedded in all new development, so that today's places and infrastructure are resilient to tomorrow's climate. Water company drainage and wastewater management plans account for climate change, ensuring drainage infrastructure can cope with increased intensity of storms. The Environment Act has made these plans statutory, collaborative and should integrate into long term planning documents, such as this.</p>	<p>Comments noted.</p>
<p>Sustainable Drainage Systems (SuDS) should always be carefully considered in discussions with the lead local flood authority. However, any drainage system must not pose a risk to groundwater quality and must not be constructed in ground affected by contamination. We welcome acknowledgement of this within the SPD. Supports Local Plan documents and policies that encourage the use of multifunctional SuDS, including on smaller-scale developments. We encourage statements and policies which set out the locations of where types of SuDS will and will not be appropriate, to maximise their benefits and minimise risks. We also advise that the longer-term maintenance of SuDS and the associated carbon and climate change impacts needs to be considered through planning proposals and decisions. These elements could be incorporated into the SPD to further enhance it and the delivery of SuDS within Barnsley. SuDS can help address climate change by reducing flood risk, ameliorating urban heating, enhancing biodiversity and relieving pressures on water resources. SuDS also have a lower embodied carbon than conventional drainage systems and can sequester carbon throughout their lives.</p>	<p>Comments noted.</p>
<p>Recycling/Waste Provision Local Plan documents should promote approaches that support the transition to a more Circular Economy (CE) and the Waste Hierarchy (WH). This can be achieved through the promotion of waste reduction, reuse and recycling in an integrated way. In considering these aspects, plans should be working towards reductions in energy use and conservation of resources. The key drivers are the Government's 25 Year Environment Plan, which includes the Resources and Waste Strategy (R&WS) and CE Package - The Waste (Circular Economy) (Amendment)</p>	<p>Comments noted.</p>

<p>Regulations 2020, which includes a chapter on waste planning. We encourage you to incorporate these elements within this SPD.</p> <p>The CCC Sixth Carbon Budget (waste Annex) includes an Energy from Waste (EfW) statement that should be considered when developing policy. This states that by 2040, EfW should be fitted with Carbon Capture Utilisation and Storage (CCUS). CCUS is a method of removing carbon dioxide from industrial emissions to the atmosphere. It is an important element within the Government’s plan to decarbonise industry and is being taken forward through Industrial Clusters. It would therefore be appropriate to consider the practicalities for CCUS in relation to EfW.</p> <ul style="list-style-type: none"> • Supports the following key policies including: • Policies that support separate handling and logistics, once a product has reached the end of its first use. It is important that the systems in place have • sufficient capacity to support reverse logistics (take back) for refurbishment, remanufacture and disassembly. • Policies that identify key waste streams where the biggest environmental gains can be made, prioritising action to promote the principles of circularity and the WH. • Encourage design standards for new housing and infrastructure, which promote the separation of products for reuse and remanufacture etc. We recommend that these are also aligned for reverse logistics, include community scale storage and neighbourhood facilities that promote repair, reuse and separate collection. • Encourage community and third sector involvement through the development of community networks which stimulate activity to reuse, repair etc., promoting more inclusive and resilient communities. 	
<p>Provides additional information on Environmental Principles for the Energy Sector and is supportive of technologies and approaches that:</p> <ol style="list-style-type: none"> 1. Consider environmental risks early and comprehensively. This includes: <ol style="list-style-type: none"> a. Building environmental considerations into decision making at the earliest stage – not as an afterthought b. Providing robust evidence that allows the environmental risks to be effectively managed and regulated, and which considers risks of deployment at commercial scale 	<p>Comments noted.</p>

<p>c. Assessing all impacts from cradle-to-grave - including harvesting feedstocks & raw materials, decommissioning, and safe long-term storage of waste</p> <p>d. Engaging the public so they understand the risks and benefits</p> <p>2. Minimise the impacts and risks to people and our environment – air, land and water. This includes:</p> <p>a. Maximising decarbonisation and greenhouse gas reduction within safe environmental limits</p> <p>b. Maximising resource, energy and water efficiency – wasted resources, energy and water represent harm without benefits</p> <p>c. Maximising co-benefits for people and the environment</p> <p>3. Are fit for the future, including resilience to the impacts of climate change.</p>	
<p>National Net Zero Targets</p> <p>The UK has set out in law the target of achieving Net Zero by 2050. The Climate Change Act (2008) states that ‘it is the duty of the Secretary of State to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline.’ To achieve this, the annual rate of GHG emissions will need to be cut by over 260 million tonnes (Mt) CO₂e (carbon dioxide equivalent) from 2019 levels to less than 90 Mt CO₂e in 2050 (CCC, 2019a).</p> <p>There is a statutory duty on LPAs to include policies in their Local Plans designed to tackle climate change and its impacts. In particular, Section 19 of the Planning and Compulsory Purchase Act 2004 states that ‘Local development plans must include policies designed to secure that the development of and use of land contribute to mitigation of and adaptation to climate change’.</p> <p>Revisions to the NPPF in 2021 include a requirement to promote a sustainable pattern of development, by mitigating climate change and adapting to its effects (para 11a). The NPPF also states (para 134) that enhanced local policies and government guidance on design should be given ‘significant weight’.</p> <p>The Environmental Assessment of Plans and Programmes Regulations 2004 creates a legal duty and require that a plan’s cumulative climate impacts are assessed and taken into account. This includes assessing the consistency of proposed policies with all relevant climate objectives and targets.</p>	<p>Comments noted. The Local Plan does contain climate change related policies, that are the policy basis for this SPD.</p>

Nature Based Solutions

Considers that a policy should incorporate a requirement for nature-based solutions (NbS) for development. This is to ensure the protection and enhancement of nature. This includes an increased uptake and connectivity of green/blue infrastructure. NbS can provide natural carbon sinks, help deliver improvements to water quality and resilience against climate impacts, including flooding and overheating. We consider that policy could be enhanced with the inclusion of the following:

Development will be required to incorporate Nature Based Solutions within their development proposals through utilising a natural capital approach.

The role of NbS is founded on the principle that where an ecosystem thrives, it provides valuable services and benefits to society. NbS provide a range of benefits in tackling climate change, including by:

- expanding natural carbon sinks such as forests, peat bogs, and coastal/terrestrial wetlands.
- preventing further nature loss and providing resilience against climate impacts such as sea-level rise, flooding and extreme weather events.
- protecting built assets, e.g. concrete flood defences by moderating stresses they are subject to and improve their climate resilience/longevity.
- regulating erosion, sedimentation, local climates and water quality.

Encourages a natural capital approach to prioritise the use of NbS within your plan. A natural capital approach – understanding that nature underpins human wealth, health, wellbeing and culture – underpins the delivery of both biodiversity and environmental net gain. By creating bigger, better and more connected natural assets, we improve the resilience and flow of ecosystem services and the benefits society receives from them. Ecosystem services are functions and products that flow from natural assets and provide benefits to people. For example, ponds, reed beds and woodlands absorb carbon and help mitigate the effects of climate change by slowing floodwater and cooling the air.

Specific tools which can support a natural capital approach include:

- registers and accounts that systematically quantifies the natural assets in a place, the flow of services and the value of the benefits;
- metrics for ecosystem services to inform options appraisal, build better business cases for investment and support quantitative reporting of environmental gains and losses; and

We cannot create new policy through this SPD. Text to be added to encourage nature based solutions.

<ul style="list-style-type: none"> • identification of potential investment routes to enable delivery of climate adaptation and mitigation measures. 	
<p>Biodiversity and Environmental Net Gain Local plans should set out Biodiversity Net Gain (BNG) policy requirements, including those that help tackle climate change such as NbS (see above). BNG is an approach to development which aims to leave nature in a measurably better state than beforehand. It is recognised as a powerful way to deliver wider outcomes that benefit the environment, wildlife and people. BNG offers considerable scope to help create resilience places, through maximising opportunities to improve the water environment, manage flood risk and addressing climate risks. It is expected that is that Local Nature Recovery Strategies will be used to help inform how and where BNG should be delivered. Environmental Net Gain (ENG) extends beyond BNG, expanding on net gains for biodiversity to deliver wider benefits, such as improved air and water. Whilst there is no planned mandate for ENG, it should be encouraged as the approach offers additional opportunities to tackle climate change.</p>	<p>We have a separate Biodiversity and Geodiversity SPD.</p>
<p>Delivering better water management through the planning system CIRIA have released guidance for delivering better water management through the planning system. Water management is vital for good town planning. Planning for water enables towns and cities to be greener, healthier, wealthier, more attractive and more resilient to climate change. The guidance sets out that integrating water management brings multiple benefits, including:</p> <ul style="list-style-type: none"> • Increased resilience • Delivering housing and strong local economy • Enhancing environment and greenspace. <p>The guidance explains the role of effective strategies and local plan policies that should be underpinned by effective engagement and evidence. The guidance also demonstrates how the application of critical success factors, combined with good policies can deliver good water management outcomes.</p>	<p>Local Plan has policy CC5 on water resources</p>

<p>This may prove useful to you when considering water management policies, looking both water quality and resources. This guidance can be found here: https://www.ciria.org/ItemDetail?iProductCode=C787F&Category=FREEPUBS</p>	
<p>Further Resources There are a wide range of organisations offering support to councils seeking to adopt and implement climate change policies. The organisations and resources listed below are trusted sources of advice.</p> <ul style="list-style-type: none"> ● TCPA/RTPI: The Climate Crisis: A guide for LAs on planning for Climate Change This is regarded to be a key resource to shape planning policy and contains good practice examples. ● The Local Government Association’s Climate Change Hub contains a wide range of resources designed to support councils tackle climate change, including case studies and planning/housing information. ● LGA/Local Partnerships Climate Adaptation Toolkit (December 21) outlines a 5-step process to help councils prepare for climate impacts. ● The ADEPT Preparing for a Changing Climate: Good Practice Guidance for Local Government is designed to help councils prepare for climate impacts. ● Ashden provides resources to support council action on climate change. ● Carbon Trust Local climate action planning contains information and examples of Local Authorities that have NZ outcomes in their strategies. ● BS 8631: Adaptation to Climate Change – using adaptation pathways for decision making. Adaptive pathways can help to ensure that as a nation we can be more economically resilient to future climate hazards and better manage future flood and coastal risks. ● The Defra Accounting for the Effects of Climate Change provides supplementary guidance to the HMT Green Book. It is designed to support policy makers identify how their proposals can be affected by climate risks and how to design adaptation measures in response. The guidance reflects the EA’s Climate Impacts Tool and some of our place based approaches for tackling climate change, e.g. the Thames Estuary 2100 plan. 	<p>Comments noted.</p>

<p>Notes that within the SPD harm to the character of the landscape is referred to in citing Policy RE1. However notes it does not contain reference to protection of the national park.</p>	<p>Policy RE1 is a Local Plan policy. Its wording cannot be changed in the SPD. No change proposed.</p>
<p>Points out the following typos</p> <p>Para 9.11 has erroneous 'Page 41' reference Para 9.23 should be 'brise-soleil'? Para 9.28 "...such as solar radiation, cool night air...."</p>	<p>Comments noted. Suggested amendments to be made.</p> <p>Para 9.11 has erroneous 'Page 41' reference Para 9.23 should be 'brise-soleil'? Para 9.28 "...such as solar radiation, cool night air...."</p>
<p>Apart from the odd new requirement over and above the local plan requirements, the content of Section 9 on Modern Methods of Construction is a list of different options to consider when building new homes. Some of which refers to building requirements and other which developers can consider but is not necessary in order to comply with the Barnsley local plan. We would therefore query the need for this SPD, but instead, maybe the Council could provide an informative document on the options of modern methods of construction for those who may find it beneficial. This would appear to be a more appropriate option.</p>	<p>In developing the SPD we have aimed to take a holistic approach to include some text that we consider helpful, in addition to setting out our requirements.</p>
<p>Section 9.9 requiring new development to provide living roofs and living walls. If the Council wishes to suggest this as an option than that is different, but to insist on it for all development which have a flat roof or pitch of less than 25 degrees can only be imposed via a local plan policy. Indeed the requirement for living roofs and living walls could well conflict with renewable technologies i.e. solar panels required as part of a package of measures to achieve higher building regulations standards.</p>	<p>We consider this requirement is reasonable and relates to policy CC2 Sustainable Construction. We propose to amend paragraph 9.9 to read:</p> <p>9.9 The Council considers that the following should apply to all new developments. :</p> <ul style="list-style-type: none"> • <u>Living roofs of a suitable type and design should be considered on</u> all new roofs of more than 25m², which are flat or have a pitch of less than 25 degrees, should be a suitable type and design of living roof, unless conflicting with <u>openings to provide natural light and</u> the rooftop provision of solar panels; and • living walls should be considered as a possible option on buildings, though especially if needed to help mitigate visual impact on otherwise unacceptably blank and/or architecturally unrelieved façades.

	<p><u>If there is conflict between provision of photovoltaics and living roofs, we will prioritise photovoltaics.</u></p>
<p>Notes that the SPD will supplement Local Plan policy CC1, which includes a commitment to reduce the causes of, and adapt to the future impacts of, climate change via the use of green infrastructure. Multi-functional green infrastructure can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement. GI can be designed to maximise the benefits needed for development proposals. The following case studies demonstrate how GI can be used to:</p> <ul style="list-style-type: none"> • Adapt parks and surrounding area to climate change, improve flood water management, thereby protecting local homes and businesses – Mayesbrook Park • Improve flood water management, create a sense of place, reduce atmospheric pollution and enhancing biodiversity – Greening for Growth in Victoria <p>Additional evidence and case studies on green infrastructure, including the economic benefits of GI can be found on the Natural England Green Infrastructure web</p>	<p>Comments noted. No change proposed.</p>

Youth Council 30/1/23

Sustainable Construction and Climate Change Adaptation SPD

Notes

Attendees: Paula Tweed; Stacey Chaplin; 2 Youth Voice Coordinators; 9 Youth Council representatives

PT and SC talked through the key points of the Supplementary Planning Document.

A discussion followed. Issues raised were:-

- View expressed that making development more sustainable increases costs to residents. Discussed the benefits to residents such as warmer homes, lower energy bills in the longer term.
- Considers that implementing sustainability requirements will slow the development process down.
- Kim raised the fantastic project the 4T's that the Youth Council are running. They have taken an unused site on West Road Pogmoor, and have planted fruit trees. They are turning it into a space the community can use.
- Affordable housing is needed.
- Development in Darfield in an area of flood risk. PT raised that flood risk is taken into account both in site selection for Local Plan allocations and at planning application stage.
- The unfortunate incident of a silver birch tree being removed during development at Hoyland Town Square was raised. Artificial grass was also raised. A discussion followed about artificial grass and why it isn't considered environmentally friendly.

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1. About this guidance

- 1.1** The National Planning Policy Framework (NPPF) indicates that Local Development Documents form the framework for making decisions on applications for planning permission. Decisions have to be taken in accordance with the development plan unless other material considerations indicate otherwise. NPPF advises that a local planning authority may prepare Supplementary Planning Documents to provide greater detail on the policies in its Local Plan. Supplementary Planning Documents are a 'material' consideration when planning applications are decided.
- 1.2** As required by the Planning and Compulsory Purchase Act 2004 we have prepared a Statement of Community Involvement (SCI) which sets out how we will involve the community in preparing our Local Plan and consulting on planning applications. In accordance with the SCI we have involved people who may be interested in this Supplementary Planning Document and asked them for their comments. We have produced a consultation statement which summarises all the comments people made to us and our response. This is available on request.

2. Introduction

- 2.1** This Supplementary Planning Document sets out our approach to planning decisions in respect of sustainable construction and adapting to climate change. It sets out what the requirements for development are based on our existing Local Plan policies, existing planning practice guidance and national requirements. It also sets out where we would welcome and encourage higher standards and includes information and links to technical guidance. The Council is not responsible for the accuracy of and updates to the information provided in the external links, they are provided as supporting technical material.
- 2.2** The Climate Change Act 2008 (2050 Target Amendment) Order 2019 (CCA) sets a net zero emissions target for 2050. The reference point for this target is at least 100% below 1990 emission levels.
- 2.3** The NPPF 2021 recognises the key role planning has in meeting the challenge of climate change and states that local planning authorities should adopt proactive strategies to mitigate and adapt to climate change. It sets out national requirements for planning and climate change. LPAs are required to adopt proactive strategies to adapt to and mitigate against the impacts of climate change. Para 8 includes the environmental objective – *'to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'* Para 152 states that *'The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions; minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.'*
- 2.4** Section 19 of the Local Plan sets out how the Council will attempt to address the climate change issues through a range of policies.

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- 2.5** The Council declared a climate emergency in September 2019. To help Barnsley reduce its carbon emissions the Council has two programmes:
- i. Zero 40 which will focus on improvements in the Council’s performance, working towards being net zero carbon by 2040
 - ii. Zero 45 where the Council will help the whole of Barnsley, including residents, communities, partners and businesses to become net zero carbon by 2045.
- 2.6** The Council’s Sustainable Energy Action Plan (SEAP) sets out a range of measures to achieve net zero by 2030 and 2045. The Plan is progressive and will be superseded by new strategies supported by other documents such as the Zero 45 Route Map and Affordable Warmth Charter. This SPD advises on the range of measures to reduce carbon and resources in major residential, commercial and other development proposals, in accordance with the current SEAP and any future iterations.
- 2.7** The Climate Change Committee (CCC) May 2019 report¹ includes information about the effects of greenhouse gases and provides a definition of what is meant by Carbon Emissions: “Long-lived greenhouse gases like carbon dioxide accumulate in the atmosphere. Therefore, their emissions must be reduced to zero in order to stop their cumulative warming effect from increasing and to stabilise global temperatures. Some activities, such as afforestation actively remove CO2 from the atmosphere.
- 2.8** The Affordable Warmth Charter supports the Governments strategy “Sustainable Warmth: Protecting Vulnerable Households in England” Feb 2021. It sets out the priorities of the Council and its partners to tackle the challenges faced by many households in heating their home. The collective priorities of the Affordable Warmth Charter are: energy efficient homes; affordable energy; employment, education and skills; partnership working and low carbon commitments. Insulation, energy reduction, decarbonising electricity and retrofitting wherever possible will contribute to the prevention of people living in cold homes and excess winter deaths.

3. Policy

- 3.1** This guidance supplements the following Local Plan policies:

Policy SD1 Presumption in favour of Sustainable Development

When considering development proposals we will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. We will 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.

¹ Net Zero Technical Report. Committee on Climate Change, May 2019. P.4

Sustainable Construction and Climate Change Adaptation

Policy CC1 Climate Change

We will seek to reduce the causes of and adapt to the future impacts of climate change by:

- Giving preference to development of previously developed land in sustainable locations;
- Promoting the reduction of greenhouse gas emissions through sustainable design and construction techniques;
- Locating and designing development to reduce the risk of flooding;
- Promoting the use of Sustainable Drainage Systems (SuDS);
- Promoting and supporting the delivery of renewable and low carbon energy; and
- Promoting investment in Green Infrastructure to promote and encourage biodiversity gain.

Policy CC2 Sustainable Design and Construction

Development will be expected to minimise resource and energy consumption through the inclusion of sustainable design and construction features, where this is technically feasible and viable.

All non-residential development will be expected, to achieve a minimum standard of BREEAM 'Very Good' (or any future national equivalent). This should be supported by preliminary assessments at planning application stage.

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Policy CC3 Flood Risk

The extent and impact of flooding will be reduced by:

- Not permitting new development where it would be at an unacceptable risk of flooding from any sources of flooding, or would give rise to flooding elsewhere;
- Ensuring that in the Functional Floodplain (Flood Zone 3b), only water compatible development or essential infrastructure (subject to the flood risk exception test) will be allowed. In either case it must be demonstrated that there would not be a harmful effect on the ability of this land to store floodwater;
- Requiring developers with proposals in Flood Zones 2 and 3 to provide evidence of the sequential test and exception test where appropriate;
- Requiring site-specific Flood Risk Assessments (FRAs) for proposals over 1 hectare in Flood Zone 1 and all proposals in Flood Zones 2 and 3;
- Expecting proposals over 1000 m² floor space or 0.4 hectares in Flood Zone 1 to demonstrate how the proposal will make a positive contribution to reducing or managing flood risk; and
- Expecting all development proposals on brownfield sites to reduce surface water run-off by at least 30% and development on greenfield sites to maintain or reduce existing run-off rates requiring development proposals to use Sustainable Drainage Systems (SuDS) in accordance with policy CC4; and
- Using flood resilient design in areas of high flood risk.

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Policy CC4 Sustainable Drainage Systems (SuDS)

All major development² will be expected to use Sustainable Drainage Systems (SuDS) to manage surface water drainage, unless it can be demonstrated that all types of SuDS are inappropriate.

The Council will also promote the use of SuDS on minor development.

To enable the Council to determine the suitability of a proposed SuDS scheme:

- Outline Planning applications must be supported by a conceptual drainage plan and SuDS design statement; and
- Detailed Planning applications must be supported by a detailed drainage plan and SuDS design statement, which should contain information on how the SuDS will operate, be managed and maintained for the lifetime of the development.

Policy CC5 Water Resource Management

To conserve and enhance the Boroughs water resources proposals will be supported which:

- a. Do not result in the deterioration of water courses and which conserve and enhance:
 - i. The natural geomorphology of water courses;
 - ii. Water quality; and
 - iii. The ecological value of the water environment, including watercourse corridors.
- b. Make positive progress towards achieving “good” status or potential under the Water Framework Directive in the boroughs surface and ground water bodies;
- c. Manage water demand and improve water efficiency through appropriate water conservation techniques including rainwater harvesting and grey-water recycling; and
- d. Dispose of surface water appropriately and improve water quality through the incorporation of SuDS, in accordance with Policy CC4.

² as defined in Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and subsequent updates

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Policy RE1 Low Carbon and Renewable Energy

All developments will be expected to seek to incorporate initially appropriate design measures, and thereafter decentralised, renewable or low carbon energy sources in order to reduce carbon dioxide emissions and should at least achieve the appropriate carbon compliance targets as defined in the Building Regulations.

We will allow development that produces renewable energy as long as there is no material harm upon:

- The character of the landscape and appearance of the area;
- Living conditions;
- Biodiversity, Geodiversity and water quality;
- Heritage assets, their settings and cultural features and areas;
- Key views of, from or to scenic landmarks or landscape features;
- Highway safety, or
- Infrastructure including radar.

In assessing effect, we will consider appropriate mitigation which could reduce harm to an acceptable level.

Proposals will be expected to include information regarding their efficiency.

Proposals must be accompanied by information that shows how the local environment will be protected, and that the site will be restored when production ends.

4. Whole Life Carbon

- 4.1** Whole life carbon emissions relate to the carbon emissions associated with a building over its entire lifetime arising from materials, its construction and its use. Traditionally it has mainly been operational emissions that have been assessed. The RICS whole life carbon assessment for the built environment document November 2017 states that *“A whole life carbon approach identifies the overall best combined opportunities for reducing lifetime emissions, and also helps to avoid any unintended consequences of focusing on operational emissions alone. For example, the embodied carbon burden of installing triple glazing rather than double can be greater than the operational benefit resulting from the additional pane. Therefore, whole life carbon needs to be effectively integrated into the sustainability agenda in order to achieve a lower carbon future.”*

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A whole life carbon assessment will be required for all **with full or hybrid applications or assessment of approval of reserved matters** for major developments (10 dwellings or above and 1000m² or above for commercial developments or change of use developments). **Where we receive an outline application, if minded to approve, a condition will be added requiring submission of a Whole life carbon assessment alongside the reserved matters.** The whole life carbon assessment will be expected to follow the model set out in the RICS professional statement ‘Whole Life Carbon Assessment for the Built Environment, 2017’, **or, if applicable, the latest subsequent version of this document or other recognised document setting out best practice for whole life carbon assessment.** which RICS members must act in accordance with. <https://www.rics.org/globalassets/rics-website/media/news/whole-life-carbon-assessment-for-the--built-environment-november-2017.pdf>

- 4.2** The professional statement mandates a whole life approach to reducing carbon emissions and sets out specific mandatory principles and supporting guidance for the interpretation and implementation of European standard EN 15978 methodology, which is the European standard that specifies the calculation method, based on life cycle assessment and other quantified environmental information, to assess the environmental performance of a building, and gives the means for the reporting and communication of the outcome of the assessment.
- 4.3** Paragraph 3.1 of the RICS Professional Statement states that “*Whole life carbon assessments should be undertaken in a sequential fashion during the design, construction, and post-completion stages, starting as early as at concept design stage (RIBA stage 2 or equivalent).....As a minimum a whole life carbon assessment must be carried out before the commencement of the technical design (RIBA stage 4 or equivalent) of the project*”
- 4.4** Appendix 1 provides the flowchart from the RICS document which sets out the recommended sequence of activities to complete an assessment.
- 4.5** The RICS Building Carbon Database reinforces the RICS professional statement and may be helpful in identifying where associated carbon emission reductions can be made during all stages of a buildings lifecycle. For organisations that submit their data, this database is free to use. Registration to access the database is available here: <https://wlc carbon.rics.org/Default.aspx>

5. BREEAM Certification for Non-Residential Buildings

- 5.1** BREEAM is an internationally recognised way of assessing the sustainability of masterplanning projects, infrastructure and buildings. It has six ratings that can be awarded:
- Outstanding
 - Excellent
 - Very Good
 - Good
 - Pass
 - Unclassified

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5.2 To grade a development a BREEAM assessor will consider its designed performance across a number of different topics, which include subjects such as energy, pollution and waste. In each topic there are different targets, and meeting the targets leads to 'credits' being awarded. Local Plan Policy CC2 Sustainable Construction requires all non-residential **dwelling developments to be developed to achieve** a minimum BREEAM standard of 'very good'. Higher BREEAM standards are welcomed and encouraged where possible. Proposals should be supported by preliminary BREEAM assessments at planning application stage.

6. Future Homes Standard

6.1 The Government has brought in the Future Homes Standard, which from 2025 will require CO2 emissions produced by new homes to be 75-80% lower than homes that are built to current standards. Homes will need to be zero carbon ready with no retrofit work required to benefit from the decarbonisation of the electricity grid and the electrification of heating. The intention is to future proof new homes for low carbon heating systems and meet higher standards of energy efficiency.

6.2 The Government has also set higher performance targets for non-domestic buildings (Future Building Standard), which will have to be 'zero carbon ready' by 2025. This involves uplifting minimum energy efficiency standards, uplifting minimum standards for new and replacement thermal elements (i.e. walls, floors, roofs) and controlled fittings (e.g. windows, roof-lights and doors).

6.3 The existing Building Regulations and future revisions are a crucial element in achieving zero carbon development. The planning guidance set out in this document is intended to complement the relevant existing and future building regulations.

6.4 We expect new development to adhere to **relevant** Building Regulations standards, ~~both current and proposed future amendments~~ **(and any future updates of these)**, as a minimum. We welcome and encourage higher standards where possible.

7. Energy Efficiency and Adaptation

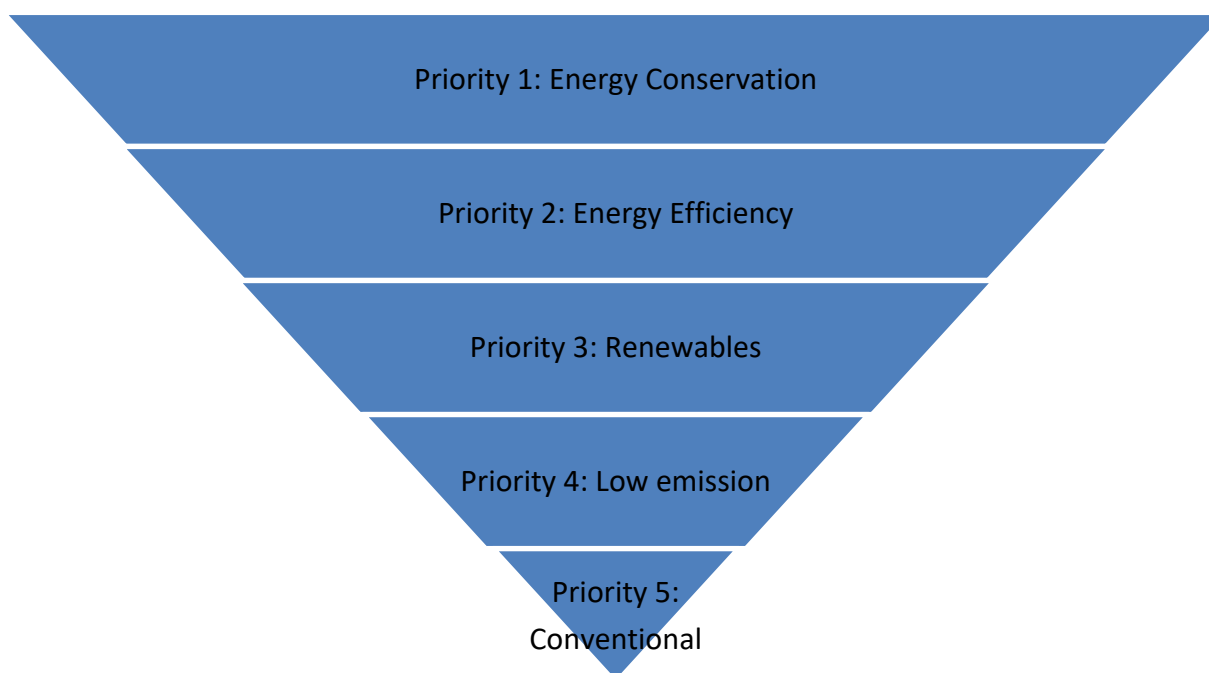
7.1 The ability to achieve net zero energy in buildings depends on location, orientation and surrounding buildings. Most net zero energy buildings get half or more of their energy from the grid, and return the same amount at other times. Buildings that produce a surplus of energy over the year may be called "energy-plus buildings" and buildings that consume slightly more energy than they produce are called "near-zero energy buildings" or "ultra-low energy houses".

7.2 Traditional buildings consume approximately 40% of the total fossil fuel energy in the UK and are significant contributors of greenhouse gases. The net zero energy consumption principle is viewed as a means to reduce carbon emissions and reduce dependence on fossil fuels.

7.3 Whilst there have been advances in the production of renewable electricity on the grid, it remains a less sustainable option due to the amount of energy lost in transportation from source to end user. Many zero-energy buildings use the electrical grid for energy storage

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but some are independent of the grid. Energy can be harvested on-site through energy producing technologies like solar and wind, while reducing the overall use of energy with highly efficient lighting technologies. The zero-energy goal is becoming more practical as the costs of alternative energy technologies decrease and the costs of traditional fossil fuels increase. The development of modern zero-energy buildings is becoming possible largely through the progress made in new energy and construction technologies and techniques, for example high-efficiency ground and air source heat pumps.



- 7.4** The ‘energy hierarchy’ is a recognised approach to reducing the CO₂ emissions from new development (see above). Firstly, long term reductions are normally most effectively made through ensuring the building itself is as energy efficient as possible, and by ensuring that the building’s systems use energy as efficiently as possible, thus reducing its energy demands over its lifetime. Secondly, once the building’s energy demands have been minimised, the focus should be on supplying energy efficiently (encouraging the use of local networks such as combined heat and power). Thirdly, sourcing the building’s remaining energy requirements from renewable carbon sources can contribute to further CO₂ savings, whilst also contributing to national and local targets for renewable and low-carbon generation.
- 7.5** Supporting renewable and low-carbon decentralised energy schemes is an important component of meeting carbon reduction targets, and in the short term at least, they are capable of delivering greater carbon savings quickly, given the current local planning policy framework.
- 7.6** An Energy/Sustainability Statement should demonstrate how the proposed development would minimise resource and energy consumption. The detail that should be provided in this statement is set out in the Local Validation Requirements. Link to be provided when updated version on website and available.

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8. Sustainable Materials

8.1 This section covers materials used in both buildings and outdoor areas, including public and private realms. Selection and use of sustainable materials should balance a number of complementary/standalone/competing direct and indirect criteria:

A. Sustainable resource – Materials which do not unreasonably deplete non-renewable natural resources or threaten environmental systems are needed to mitigate climate change and its effects;

B. Low embodied energy, greenhouse gases, pollution and water – This describes low net amounts of energy use, pollution including greenhouse gases (notably carbon), and water usage, relating to materials during their life cycle, though extraction, manufacture, transport, installation, maintenance, replacement and end of life. It should be noted, trees, straw and other plant-based materials uniquely store carbon (accumulated when living and until the material degrades/burns);

C. Efficient use – Avoiding excess use of materials and built footprint;

D. Minimised construction waste – Designs and construction processes which minimise waste (including ground material), with any waste sustainably reused or recycled where possible;

E. Passive climate, air and moisture control – Materials which contribute to an effective package of (i) thermal insulation and thermal mass, and (ii) air quality including (moisture) breathability; which minimises pollution, the need for mechanical systems and risk of moisture-related degradation;

F. Cool roofs – Roofs which are more solar reflective and heat emissive, to avoid excessive heat absorption, overheating of buildings and in turn the creation of urban heat islands. [ref: The Global Cool Cities Alliance (January 2012), A Practical Guide to Cool Roofs and Cool Pavements – https://globalcoolcities.org/wp-content/uploads/2021/07/CoolRoofToolkit_ImplementationGuide.pdf];

G. Robust materials and sustainable maintenance – Materials which can be easily maintained, replaced (including through long-term availability) and adapted, without the need for unsustainable maintenance or excessive replacement;

H. Reusable and recyclable – Materials which can be easily and sustainably extracted, reused and recycled, to reduce demand for raw material, waste and pollution derived from demolition/extraction;

I. Inert and biodegradable – Materials which if spilt, shed, abandoned or forming waste will not have an adverse impact on the environment or require unsustainable treatment processes;

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J. Timeless quality and character – Materials which have a timeless and locally responsive use and sensory appeal, which people are less likely to replace or cover over as times change; and

K. Cost, buildability, performance and availability – next best sustainable solutions will be sought, if, evidently, the above sustainable materials criteria cannot be reasonably met due to viability, buildability and in use performance issues, and the issue can't be designed-out.

8.2 These criteria strongly point toward local natural materials being the best options, including:

- clay stock bricks (gault and soft red), tiles and pavers;
- native timber framing, weatherboarding, shingles, edging, boarding and fencing;
- lime render, plaster and mortar;
- limewash wall coating;
- straw/reed/flax roofs and insulation;
- earth walls such as cob, and in wattle and daub;
- flint walls and paths; and
- local gravel/hoggin tracks and paths.

8.3 Use of these natural materials is to be preferred **where appropriate**, subject to detailed specification, sustainable sourcing, context and appropriate design. Other materials that are also favoured are those benefiting from appropriately recognised sustainability certification/endorsement, such as following the BRE's Environmental Profiles Methodology and Life Cycle Assessment – https://globalcoolcities.org/wp-content/uploads/2021/07/CoolRoofToolkit_ImplementationGuide.pdf, subject to satisfying the above Timeless Quality and Character criteria.

8.4 The Council strongly recommends that materials should be specified from suppliers who participate in an applicable responsible sourcing scheme such as the BRE BES 6001:2008 Responsible Sourcing Standard. For example, all timber should be sourced from schemes supported by the Central Point of Expertise for Timber Procurement, such as Forest Stewardship Council (FSC) accreditation, which ensures that the harvest of timber and non-timber products maintains the forest's ecology and its long-term viability. Other materials will be judged on their own merit in relation to any given scheme on the information provided (or lack of it), informed by latest technologies, current national policy and recognised research. Fake (and obviously inferior) interpretations of natural facing materials should be avoided without compelling supporting evidence. These materials include plastic (except possibly for utilities, sports pitches and facing wood composite windows), fibre-cement timber-effect cladding and slate-effect tiles, and concrete clay-effect bricks and tiles.

8.5 It is the developer's responsibility to consider materials selection early enough in the design process to ensure proposals are buildable and affordable. Paragraph 130 of the NPPF guards against the material diminution of the quality of approved development between permission and completion, for example through changes to the materials to be used.

8.6 Attention is drawn to further guidance on sustainable materials, such as:

- Green book live. Available online here - <https://www.greenbooklive.com/>; and

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- RICS professional standards and guidance, UK. Whole life carbon assessment for the built environment, 1st edition, November, 2017. Available online here - <https://www.rics.org/globalassets/rics-website/media/news/whole-life-carbon-assessment-for-the--built-environment-november-2017.pdf>

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9. Modern Methods of Construction

9.1 Modern methods of construction are focussed on enhancing products and processes. They aim to improve manufacture, delivery and construction efficiencies, quality, timescale and performance. Typical methods include:

- panellised units produced in a factory and assembled on-site to produce a three-dimensional structure;
- volumetric construction to produce three-dimensional modular units in controlled factory conditions prior to transport to site; and
- floor or roof cassettes, pre-cast concrete foundation assemblies, pre-formed wiring looms, mechanical engineering composites and innovative techniques such as tunnel form or thin-joint block work.

9.2 Adopting a manufacturing process in construction has some potential advantages in terms of sustainability over traditional methods of construction:

- wastage can be more easily monitored and significantly minimised through the process of factory production, refinement and repetition of processes;
- offsite manufacturing minimises the time (and energy) spent on site thereby minimising pollution and disruption at a site level;
- a significant reduction in HGV movement at construction sites for modular construction compared against traditional construction;
- workers are likely to be more geographically concentrated around a specific factory, minimising travel around the country;
- factory conditions can give greater quality control over construction, helping close the gap between design and as-built environmental performance;
- the regular testing of products can be carried out systematically, with improvements factored into the design process on an on-going basis.

9.3 Nevertheless, modern methods of construction are also often associated with some disadvantages. Potential issues include (significant) restrictions on design options, fixing the design earlier in the process, taking work away from local tradesman tradespeople and reducing the future adaptability of buildings.

Living Walls and Roofs

9.4 Living walls and roofs describe a range of sustainability measures relating to the external building envelope. Further information on living roofs and walls can be found in the Biodiversity SPD.

9.5 There are two distinct types of living walls – green ‘walls’ with vertically applied growth medium, hydration and fertigation, and green ‘facades’ which rely on climbing plants growing up from ground level.

9.6 Living roofs come in various guises. Green roofs are predominantly or completely covered with vegetation, under which is growing medium and a waterproof membrane. Intensive green roofs are specifically designed for recreational amenity such as gardens and sports pitches. Brown roofs are similar to green roofs, the main difference being the choice of

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growing material (usually locally sourced rubble, gravel, soil etc. similar to brownfield sites), which is typically self-seeded, leading to a different type of biodiversity and more informal outlook. Blue roofs are designed to explicitly store and gradually release or reuse water (rainwater and/or greywater), through active or passive processes which might be enclosed or openly visible. Lastly, there are predominantly hard surfaced roof gardens and terraces, which rely on contained beds or pots for planting.

9.7 The principal potential benefits of living roofs and walls which developers should consider are:

- improved energy balance - greenhouse gases are reduced as vegetation stores carbon and improves thermal properties (and in-use costs) through insulation and the cooling effects of evapotranspiration;
- outdoor amenity - accessible roof space can contribute to outdoor recreational amenity, with the option to drive a more compact (sustainable) pattern of development without compromising liveability standards;
- food production – growing vegetables and herbs, e.g. rooftop farms and allotments on large buildings, and pots and edible walls relating to individual properties;
- ecology – increased ecology and biodiversity;
- SuDs – living roofs and to a lesser degree living walls, can store and slow down the passage of rainwater to help prevent flooding, with potential usage including water treatment, rainwater harvesting, greywater recycling, ecology and recreational amenity; and
- enhanced visual impact – living greenery can help buildings settle into the landscape and relieve urban settings, including from upper storey windows.

9.8 Living roofs and walls also provide some potential challenges in addition to those associated with flat roofs. They are heavier and increase the use of contentious materials such as plastics needed to prevent water and root egress. They also require increased maintenance.

9.9 The Council considers that the following should apply to all new developments:

- **Living roofs of a suitable type and design should be considered on** all new roofs of more than 25m², which are flat or have a pitch of less than 25 degrees, should be a suitable type and design of living roof, unless conflicting with **openings to provide natural light and** the rooftop provision of solar panels; and
- living walls should be considered as a possible option on buildings, though especially if needed to help mitigate visual impact on otherwise unacceptably blank and/or architecturally unrelieved façades.

If there is conflict between provision of photovoltaics and living roofs, we will prioritise photovoltaics.

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Photovoltaics (PV)

- 9.10** PV converts light into electricity. Panels are normally on the roof, but can also be on the ground or wall mounted. Roof integrated (rather than attached) systems can mimic traditional tiles which may be required in sensitive locations. The production of PV panels is energy intensive and involves some pollutants. However, they generate no in-use pollution and are low maintenance. Perovskite solar panels are more lightweight, powerful and affordable than silicon, and come in a variety of colours. Energy output is dependent on favourable positioning (e.g. south facing roof) and weather, with most systems connected to the grid to mitigate shortages and at night. Alternatively, battery storage offers increased energy independence. PV installation costs are still quite high, though this can be recovered through energy cost savings and feed-in-tariffs. Where possible, large discreet rooftops such as flat roofs or adorning industrial-type 'sheds' should be used as rooftop solar farms actively feeding into district systems and/or the national grid.

Solar Water Heating

- 9.11** Solar water heating systems uses clean and direct energy from the sun to provide hot water supplies. A supplementary hot water supply will be required ~~41~~ ⁴¹ Page when solar energy is insufficient, for example when it's too cloudy, during winter months and to increase water temperatures. Water heating is not provided at night, though hot water can be supplied by the required storage tank.

Small and Micro Wind Turbines

- 9.12** The UK has the biggest potential for wind power in the world. Small and micro wind turbines generate electricity the same as their larger equivalents, by using windblown rotating blades to drive a turbine. Small wind turbine blades are typically 1.5-3.5m in diameter and able to generate 1-10KW. These tend to be free-standing or on large buildings away from sensitive receptors. With their smaller blades and more disproportionately limited capacity, micro wind turbines are better suited to urban, suburban and sensitive locations, though normally only supplement energy supply even on windy days. The size, siting and design of wind turbines needs to suitably address other issues, such as visual impact, noise and vibration.

Ground Source Heat Pump (GSHP)

- 9.13** A GSHP is a central heating and/or cooling system which uses looped piped liquid (water mixed with anti-freeze) in the ground to transfer ground heat to or from a building via an exchanger and pump to amplify conversion. Pipes might be sunk horizontally (a metre or so beneath the ground). Where there is insufficient space, vertical boreholes can instead be drilled to extract heat from much further down, typically 90-160m deep. GSHPs take advantage of the earth's geothermal properties which absorbs and stores heat resulting in constant moderate temperatures similar to average yearly outside air temperatures. GSHPs use electricity but generally have a low environment impact.

Water Source Heat Pump

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- 9.14** This operates similar to GSHP, except it utilises relatively consistent temperatures found in suitable bodies of water, such as a rivers, streams or lakes.

Air Source Heat Pump

- 9.15** An air source heat pump transfers heat energy between the inside and outside of a building to provide heating and cooling. It uses a refrigerant system involving a compressor and a condenser to absorb heat energy at one place and release and concentrate the energy at another. They are generally cheaper than GSHPs, but typically generate less energy and can affect the external appearance of a building.

Biomass Heating

- 9.16** Biomass systems burn wood, plants or other organic matter in the form of pellets, chips, logs etc. to provide warmth in a single room or to power central heating and hot water boilers. It is considered a renewable energy and low carbon option, given it can utilise waste material and there is scope for replacement tree planting (carbon storage) to mitigate carbon emissions from burning. Biomass systems produce pollutants including nitrogen dioxide, particles and sulphur dioxide, which are more than for an equivalent gas boiler, though less than for a coal or oil powered boiler.

Micro Hydroelectric Power

- 9.17** This typically produces 5-100kW of electricity using the natural flow of water from a river or stream, perhaps focussed on a waterfall to maximise flow pressure. Micro systems can provide power to an isolated home or small community. It is considered a green, renewable energy and doesn't release carbon dioxide or other pollutants into the air. There will be impacts on aquatic ecosystems and particularly if the hydroelectric system involves damming.

Thermal Stores

- 9.18** Thermal stores complement renewable energy technologies by storing excess generated thermal energy for hours, days or even seasons until it's required. Technologies vary depending on the form of renewable energy technology. Potential storage media include water or ice-slush tanks, masses of native earth or bedrock, deep aquifers, insulated gravel and water filled pits, eutectic solutions and phase-change materials.

Micro Combined Heat and Power

- 9.19** Combined heat and power (CHP) is a highly efficient technology, capturing and utilising the heat that is a by-product of the electricity generation process, reducing carbon emissions compared to separated generation via a boiler and power station. It might provide for a single family home, small community or office building. Micro-CHPs currently tend to use fossil fuels such as gas and LPG, though the use of renewable energy supplies is growing, such as biomass, vegetable oil, woodgas and even solar thermal.

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District Heating and Cooling

- 9.20** District heating systems distribute heat from a centralised source through insulated pipes to multiple residential and/or commercial properties. This centralised heat source can be generated from renewables including biomass, solar and geothermal. District heating systems can provide increased efficiencies and improved pollution control compared to single property systems. Metering is essential for fair billing and in turn control excess usage. Cooling is rarer in UK district systems, though might be considered particularly for groupings of new office buildings.
- 9.21** 'The use of Heat networks will be supported where they are energy efficient and do not pose further environmental risks such as high embodied carbon supply chains or inefficient types of heat pumps'.
- 9.22** Examples of heat networks include a facility that provides a dedicated supply to the heat network, such as a combined heat and power plant; or heat recovered from industry (such as disused minewater), canals and rivers, or energy from waste plants.
- New development should minimise energy efficiency and space heating requirements, irrespective of district heat network connection
 - Development should make all reasonable efforts to meet net zero onsite emissions prior to connection to any district heat network
 - Where net zero cannot be met onsite, exemptions for district heat networks will be considered where there is a clear and demonstrable net zero transition plan to 2030.

Smart Technologies

- 9.23** Technology can help property users respond to and exploit natural processes to reduce the net need for energy, increase the effectiveness of renewable energy and enhance building performance. The scope of smart home technologies includes lighting, outlets and power strips, heating and ventilation, window coverings, water heating and home energy management systems. For example, heating and lighting controls in response to occupancy, mechanical brise-soleil in response to sunlight, tracking solar panels and mechanical ventilation with heat recovery to complement a highly airtight design approach such as Passivhaus.

The Fabric First Approach

- 9.24** A 'fabric first' approach to building design involves maximising the performance of the components and materials that make up the building fabric itself, before considering the use of mechanical or electrical building services systems. This can help reduce capital and operational costs, improve energy efficiency and reduce carbon emissions. A fabric first method can also reduce the need for maintenance during the building's life.
- 9.25** Buildings designed and constructed using the fabric first approach aim to minimise the need for energy consumption through methods such as:

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- Maximising air-tightness
- Using Super-high insulation
- Optimising solar gain through the provision of openings and shading
- Optimising natural ventilation
- Using the thermal mass of the building fabric
- Using energy from occupants, electronic devices, cookers and so on

9.26 Focusing on the building fabric first, is generally considered to be more sustainable than relying on energy saving technology, or renewable energy generation, which can be expensive, can have a high embodied energy and may or may not be used efficiently by the consumer.

9.27 Having energy efficiency integrated into the building envelope can mean occupants are required to do less to operate their building and not have to adjust their habits or learn about new technologies. This can result in less reliance on the end user regarding the buildings energy efficiency. Fabric first building systems can be constructed off site, resulting in higher quality and so better performance, reduced labour costs and an increased speed of build.

Passive Design and The Passive House Form Factor

9.28 Passive Design maximises the use of 'natural' sources of heating, cooling and ventilation to create comfortable conditions inside buildings. It harnesses environmental conditions such as solar radiation cool night air and air pressure differences to drive the internal environment.

9.29 The Passive House Form Factor quantifies the relationship between the living area of the building and the total amount of surface area that heat can escape from. The Form Factor of a building is key in low energy design because it tells you how thick your insulation has to be. If you can halve the form factor (i.e. simplify the building's shape) you can halve the wall insulation you need to get the same thermal performance. The lower number the better. The calculation is the total heat loss area divided by the floor area. The average semi-detached house has a form factor of 3.

9.30 We would encourage Passive House design in all homes where possible. It is particularly encouraged in self build developments and any development within villages.

Future-proofing

9.31 Buildings need to be reasonably future-proofed to minimise maintenance and, as appropriate, facilitate extensions, alterations, repairs and maintenance. For example, buildings should be future-proofed to connect/install new emerging technologies through appropriate cabling and easily accessible ducting.

9.32 The Covid-19 pandemic has helped to focus minds on how lives might change or adapt, and for how long. For instance, developers should consider (where space is available) how design and layout could cater for such things as subsequent periods of lockdown, increased homeworking and the need to isolate individual family members.

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10. Water Consumption and Flood Risk

10.1 The water (hydrological) cycle is the journey water takes from land to sea and back again.

1. Evaporation causes water vapour to be formed from water on land, in rivers, lakes and seas, which rises into the air.
2. Condensation from cooling forms clouds
3. Precipitation causes water to fall back to the ground as rain or snow and
4. Collection occurs as water reaches lakes or rivers, taking it back to the sea, restarting the cycle.

10.2 In relation to the water cycle, whilst the UK Water Industry continues to make significant progress in the decarbonisation of the UK water grid, there remains a carbon footprint to wastewater and mains potable water through its abstraction, treatment and distribution. A net zero goal for a building can also be supported by the inclusion of rainwater harvesting, such as water butts in gardens, greywater reuse systems reducing dependency on potable water where that standard of treatment is disproportionate to its use. Buildings can further reduce their consumption by means of simple interventions such as efficient flow taps, showers, dual flush cistern units and aerated appliances. These combined efforts would reduce the water carbon footprint of a development whilst also improving a buildings resilience against the emerging water scarcity issue faced by the region.

10.3 All development should be designed to minimise the consumption of water and should make adequate and appropriate provision for water recycling. Development should also protect and enhance local water quality including measures to support improvement to a water body's Water Framework Directive Status.

A condition on all planning permissions for the development of new residential development will be imposed to trigger the optional requirement under Part G of the Building Regulations 2010 (as amended) and any further updates which may supersede this. Details of the Maximum fittings consumption can be found in Approved Document G at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/504207/BR_PDF_AD_G_2015_with_2016_amendments.pdf

10.4 Flood risk is an issue which is likely to be exacerbated by unpredictable weather associated with climate change. Development proposals that avoid areas of current and future flood risk and which do not increase flooding elsewhere, adopting the precautionary principle to development proposals will therefore be supported. Local Plan policies CC3 Flood Risk and CC4 Sustainable Drainage Systems (SuDS) should be taken into account in the design of development. Sustainable Drainage Systems (SuDs) seek to capture, delay or manage surface water flooding to copy natural drainage by adopting techniques that deal with surface water through collection, storage and filtering before it is released back into the environment. **Support will be given to permeable surfaces and real grass as opposed to artificial grass.**

10.5 The Climate Just Map Tool is a useful resource in respect of future flood risk mapping as it shows the geography of vulnerability to climate change at a neighbourhood scale. Its purpose is to support local planning and responses to a changing climate. It can be used

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to assess the vulnerability of particular areas to flood risk. Mapping data is available from the following website: <https://www.climatejust.org.uk/map>

- 10.6** Developers are expected to check the Climate Just Map tool and it should be covered in Flood Risk Assessments. If the proposed site is within an area that is not currently designated within a flood zone but which could be vulnerable in the future design measures should be incorporated to future proof the development (where feasible).

11. Drainage and Flood Risk

- 11.1** Development should embed sustainable waste management, recycling of grey water and waste water mitigation. Development proposals should demonstrate and adequate foul water treatment and disposal already exists or can be provided in time to serve the development.
- 11.2** Development should be designed to provide adequate protection against flood risk and embed sustainable water recycling, waste water and waste management so as not to cause contamination of groundwater, particularly in recognised protection zones, of surface water or run-off to river catchments. Where there is the potential for contamination, effective safeguards should be put in place to prevent any deterioration in current standards. A maintenance plan will be required detailing who will be responsible for the maintenance of SuDs for the lifetime of the development.
- 11.3** The Design of Housing SPD also sets out the requirements for new housing development and that detailed technical drainage also be found on pages 155-161 of the current version of the South Yorkshire Residential Design Guide.

12. Recycling/Waste Provision

- 12.1** Construction and operational waste can have significant environmental impacts, not least on greenhouse gases contributing to climate change. The Council encourages waste minimisation, re-use and recycling. All new development must be designed to accommodate the waste and recycling regimes in force, for example providing sufficient space for the full range of waste and recycling bins.

Construction Waste

- 12.2** In regard to construction waste, any sustainability statement that is submitted as part of a planning application should outline measures for reducing construction waste, and maximising reuse and recycling. For schemes following sustainability accreditation schemes such as BREEAM, reference can be made to credits being targeted under the waste section of the methodology. For major developments, Policy WCS7 of the Joint Waste Plan requires a Site Waste Management Plan for all development except minor planning applications. A waste management plan should include design and layouts that allow effective sorting and storing of recyclables and recycling and composting of waste, and facilitate waste collection operations.
- 12.3** There are a range of methods that can be implemented to reduce construction waste, adopted from the WRAP principles, where possible, applicants should utilise the design process to reduce waste through considering the following:

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- design for reuse and recovery;
- design for off-site construction;
- design for materials optimisation;
- design for waste efficient procurement; and
- design for deconstruction and flexibility.

Operational Waste

- 12.4** Local waste, recycling and collection arrangements for single houses or groups of houses need to be designed to facilitate reuse and recycling, without unreasonably dominating buildings, streets and spaces.
- 12.5** To facilitate segregated household recycling, new homes should be fitted with separate appropriately sized and integrated bins, corresponding with the recycling and waste collection policy for the local area. At least three separate internal bins are required with a total capacity of at least 30 litres and each with a capacity of at least 7 litres. A compost bin is also required for any ground floor private garden of 50m² or above.

13. Electric Vehicle Charging Points

- 13.1** Since the 15th June 2022 the requirements for provision of electric vehicle charging points has fallen under 'The Building Regulations 2010 Approved Document S Infrastructure for the charging of electric vehicles. The details can be found here:https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1057375/AD_S.pdf

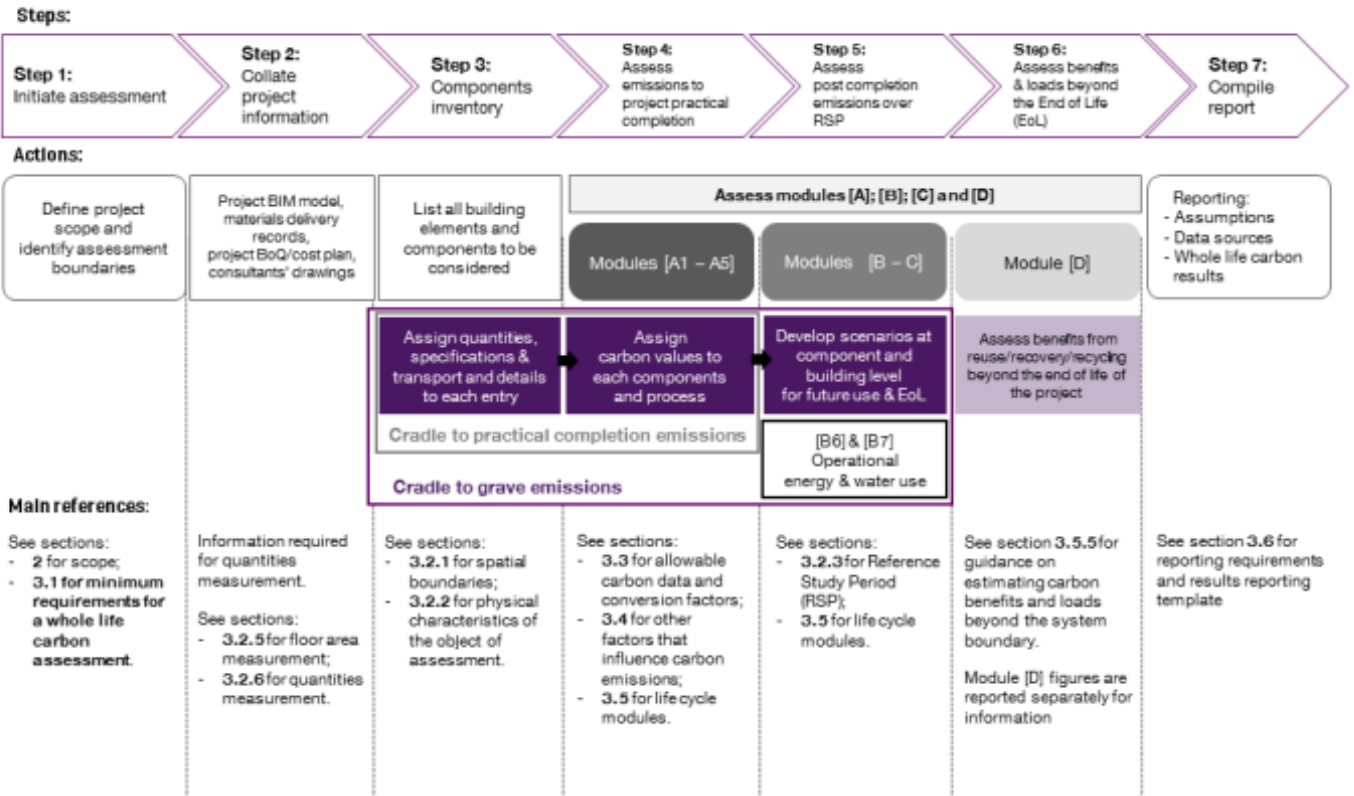
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14. Appendix 1

Whole life carbon assessment

Recommended sequence of activities to complete an assessment

This diagram is to be read in conjunction with the RICS professional statement *Whole life carbon assessment for the built environment*, 1st edition (2017).



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<https://www.rics.org/uk/products/data-products/insights/rics-building-carbon-database/>

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Equality Impact Assessment

Supplementary Planning Documents

Stage 1 Details of the proposal

Name of service	Regeneration and Culture
Directorate	Growth and Sustainability

Name of officer responsible for EIA	Paula Tweed
Name of senior sponsor	Joe Jenkinson

Description / purpose of proposal	<p>This EIA covers all the Supplementary Planning Documents and Planning Advice Notes prepared by the Council to date since the adoption of the Local Plan on 3rd January, 2019.</p> <p>It has been updated since the first version to include those SPD's updated and produced since the first draft in 2019.</p>
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Date EIA started	24/10/19
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Review date	<p>Latest review done 3/3/23</p> <p>Further reviews to be done to include other SPD's</p>
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Stage 2 - About the proposal

What is being proposed?	<p>Following adoption of the Local Plan on 3rd January, 2019, the Council prepared and adopted 26 Supplementary Planning Documents (SPD's) and Planning Advice Notes (PAN's 2019).</p> <p>The Local Plan was subject to an Equalities Impact Assessment (EIA). This EIA considers the implications of all the SPD's and PAN's prepared to date.</p>
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The documents considered in this EIA are listed below:

Adopted May 2019

- Financial Contributions for schools SPD
- Barn Conversions SPD
- Trees and Hedgerows SPD
- Shop Front Design SPD
- Advertisements SPD
- House Extensions and other Domestic Alterations SPD
- Residential Amenity and the siting of buildings SPD
- Design of Housing Development SPD
- Open Space Provision on New Housing Developments
- Removal of Agricultural Occupancy Conditions SPD
- Mortar Mixes for pointing historic buildings
- Hot Food Takeaways SPD
- Walls and Fences SPD
- Lawful Development Certificates
- Affordable Housing
- Heritage Impact Statements
- Biodiversity and Geodiversity
- Hot Food Takeaways PAN

Adopted November 2019

- Sustainable Travel SPD
- Planning Obligations SPD
- Parking SPD
- Section 38 Agreements PAN
- Section 278 SPD
- Development on land affected by contamination SPD
- Elsecar Conservation Area Design and Maintenance Guide SPD
- Cawthorne Village Design Statement SPD

Adopted July 2022

- Update to Sustainable Travel SPD
- Update to Affordable Housing SPD

Proposed to be adopted July 2023

- Update to the Design of Housing SPD
- New Sustainable Construction and Climate Change Adaptation SPD

Proposed for consultation in Summer 2023

- Update to Biodiversity and Geodiversity SPD
- Update to Financial Contributions to Educational Provision SPD
- Update to House Extensions SPD

Why is the proposal required?

Supplementary Planning Documents (SPD) and Planning Advice Notes (PAN) provide further advice and guidance to people submitting planning applications. They set out guidance on various policy topics and how Local Plan policies will be applied.

What will this proposal mean for customers?

The documents mean that anyone submitting a planning application will have more clarity on certain topics. The documents deal with a wide range of issues including design so will have implications for future residents of new homes, users of businesses etc.

Stage 3 - Preliminary screening process

Use the questions in the Guidance (**Preliminary screening process**) to decide whether a full EIA is required

X Yes - EIA required (go to next section)

No – EIA not required (provide rationale below)

Stage 4 - Scoping exercise - What do we already know?

Data: Generic demographics

What generic data do you know about the people who will be affected by the proposal?

This could be internal data held such as ward profiles, JSNA results, if the proposal is inward facing look at the current workforce data,

Are there any external data publications relevant to the proposal? For example from the Office of National statistics, Census data, Public Health England, Charity publications
The documents will be used by anyone who submits a planning application in the borough. For example this could be residents who wish to extend their home, or could be developers undertaking larger scale developments, for example building houses or employment land.

Data: Service data / feedback
What do you already know about the equality impact of the service/location/policy/contract? This could be from complaints / compliments, stakeholder feedback, staff anecdotal evidence etc.

Data: Previous / similar EIA's
Has there already been an EIA on all or part of this before, or something related? If so, what were the main issues and actions it identified?
An EIA was undertaken on the whole of the Local Plan and the policies it contains. The SPD's link to the Local Plan policies relevant to the particular topic. The Local Plan EIA concluded that all policies and proposals apply to all sectors of the community equally. The policies make provision for a range of housing types to meet differing needs for example affordable housing etc. The Design policy D1 seeks to ensure development is designed to be accessible to all.
The full document can be found here: Need to provide a new link or embed document

Data: Formal consultation
Has there been a formal consultation process? External engagement with equality forums? If so, what were the main issues and actions it identified?
There is a formal consultation process required to produce supplementary planning documents. Approval to consult on draft documents is sought from cabinet. A minimum of a four week public consultation process then takes place which is advertised in the press, on social media. Documents are made available on the Council's website. Hard copies are made available at the Library@thelightbox and all branch libraries. Once the documents are amended in light of comments made, Cabinet and Full Council approval is sought to adopt them.
Consultation on the documents that were adopted in May 2019 took place between 4 th March 2019 and 1 st April 2019.

Consultation on the 8 documents that have yet to be adopted took place between 16/9/19 and 14/10/19. The consultation information was sent to all the Equality Forums for this latest consultation. No response was received.

The same formal consultation process described above has taken place on the updated Sustainable Travel and Affordable Housing SPD's late 2021. The Equality Forums were sent the updated documents and asked if they wish to engage in the consultation.

The same consultation process was followed for the Design of Housing SPD and the Sustainable Construction and Climate Change Adaptation SPD. The Equality Forums were sent the documents and asked if they wished to engage. No engagement took place, although we were able to attend the Youth Council to give presentations on both documents and comments taken into account.

Stage 5 - Potential impact on different groups

Considering the evidence above, state the likely impact the proposal will have on people with different protected characteristics

(state if disproportionately high negative impact and highlight with red text)

Positive and negative impacts identified will need to form part of your action plan.

Protected characteristic	Negative ' - '	Positive ' + '	No impact	Don't know	Details
Sex			X		All the documents are available for all to use
Age			X		<p>All the documents are available for all to use</p> <p>The updated Design of Housing SPD is requiring that a percentage of dwellings are built to the following Building Regulations standards based on evidence in our Strategic Housing Market Assessment which notes the aging population and levels of disability in Barnsley.</p> <p>26% of all new dwellings should be built to M4(2) accessible and adaptable standard</p> <p>6% of new dwellings should be built to wheelchair accessible M4(3)(2)(b)</p> <p>Text has been added to the updated Design of Housing SPD to provide further guidance on design that takes into account those suffering with Alzheimer's or dementia.</p>

<p>Disabled</p> <p><i>Learning disability, Physical disability, Sensory Impairment, Deaf People ,invisible illness, Mental Health etc</i></p>		X			<p>A reference is included in the Parking SPD to ensure adequate parking is provided to cater for the needs of people with disabilities to ensure that all parking is designed in accordance with current regulations and standards including Building Regulations, Equalities Act, relevant British Standards and the South Yorkshire Residential Design Guide as appropriate.</p> <p>The Sustainable Travel SPD seeks contributions towards public transport and active travel enhancements and improvements to ensure developments are accessible to all. Whilst the document does not deal with the design of particular schemes, a cross reference has been added to ensure that all schemes that contributions are collected towards using this document, meet the needs of disabled people and are designed in accordance with current regulations and standards including Building Regulations, Equalities Act, relevant British Standards and the South Yorkshire Residential Design Guide as appropriate. This is still the case in the updated version.</p> <p>The updated Design of Housing SPD is requiring that a percentage of dwellings are built to the following Building Regulations standards based on evidence in our Strategic Housing Market Assessment which notes the aging population and levels of disability in Barnsley.</p> <p>26% of all new dwellings should be built to M4(2) accessible and adaptable standard</p> <p>6% of new dwellings should be built to wheelchair accessible M4(3)(2)(b)</p>
<p>Race</p>			X		<p>All the documents are available for all to use. Translation and interpretation assistance will be made available upon request.</p>

Religion & Belief			X		All the documents are available for all to use. Translation and interpretation assistance will be made available upon request.
Sexual orientation			X		All the documents are available for all to use
Gender Reassignment			X		All the documents are available for all to use
Marriage / civil partnership			X		All the documents are available for all to use
Pregnancy / maternity			X		All the documents are available for all to use

Other groups you may want to consider					
	Negative	Positive	No impact	Don't know	Details
Ex services			X		As above
Lower socio-economic			X		As above
Other ...					

Stage 6 - BMBC Minimum access standards

If the proposal relates to the delivery of a new service, please refer to the Customer minimum access standards self-assessment ([found at](#))

If not, move to Stage 7.

Please use the action plan at Stage 7 to document steps that need to be taken to ensure the new service complies with the Equality Act duty to provide reasonable adjustments for disabled people.

The proposal will meet the minimum access standards.

The proposal will not meet the minimum access standards. –provide rationale below.

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Stage 7 - Next Steps

To improve your knowledge about the equality impact . . .

Actions could include: community engagement with affected groups, analysis of performance data, service equality monitoring, stakeholder focus group etc.

Action we will take:	Lead Officer	Completion date
Arrange targeted consultation such as face to face meeting with the equality forums as appropriate. Disability Forum likely to be the most relevant to the subjects covered by SPD's.	Paula Tweed	As required when new SPD's are prepared or adopted SPD's reviewed

To improve or mitigate the equality impact . . .

Actions could include: altering the policy to protect affected group, limiting scope of proposed change, reviewing actual impact in future, phasing-in changes over period of time, monitor service provider performance indicators, etc.

Action we will take:	Lead Officer	Completion date
N/A		

To meet the minimum access standards . . .(if relevant)

Actions could include: running focus group with disability forum, amend tender specification, amend business plan to request extra 'accessibility' funding, produce separate MAS action plan, etc.

Action we will take:	Lead Officer	Completion date
N/A		

Stage 8 – Summarised findings

Please summarise the main findings and next steps identified in this EIA.
The outcomes of this EIA must be documented in cabinet report. You could also include the EIA as an appendix to the report or reference it as a background paper.
You must also record which stakeholders need informing and how you will do this.

Summary of equality impact

The key equality impacts will be around providing translation and interpretation assistance to those individuals that require it to help them understand the SPD/PAN.

A reference is included in the Parking SPD to ensure adequate parking is provided to cater for the needs of people with disabilities to ensure that all parking is designed in accordance with current regulations and standards including Building Regulations, Equalities Act, relevant British Standards and the South Yorkshire Residential Design Guide as appropriate.

The Sustainable Travel SPD seeks contributions towards public transport and active travel enhancements and improvements to ensure developments are accessible to all. Whilst the document does not deal with the design of particular schemes, a cross reference has been added to ensure that all schemes that contributions are collected towards using this document, meet the needs of disabled people and are designed in accordance with current regulations and standards including Building Regulations, Equalities Act, relevant British Standards and the South Yorkshire Residential Design Guide as appropriate. This is still the case in the updated SPD.

The updated Design of Housing SPD is requiring that a percentage of dwellings are built to the following Building Regulations standards based on evidence in our Strategic Housing Market Assessment which notes the aging population and levels of disability in Barnsley.

26% of all new dwellings should be built to M4(2) accessible and adaptable standard

6% of new dwellings should be built to wheelchair accessible M4(3)(2)(b)

Text has been added to the updated Design of Housing SPD to provide further guidance on design that takes into account those suffering with Alzheimer's or dementia.


Summary of next steps

As stated earlier should any further documents be produced or when SPD's are reviewed, we will seek to arrange targeted consultation such as face to face meeting with the equality forums as appropriate. Disability Forum likely to be the most relevant to the subjects covered by SPD's/ PAN's.

No face to face consultation took place on the Sustainable Travel SPD and Affordable Housing SPD due to Covid 19.

How stakeholders will be informed

SPD's/PAN's are only applicable to individuals

	<p>submitting planning applications.</p> <p>Any language/access issues will be addressed based on the merits of the individual application submitted.</p>
<p>Signature (officer responsible for EIA) Date 8/11/21 Updates added 9/5/22 Latest updates added 3/3/23</p>	

BARNSELY METROPOLITAN BOROUGH COUNCIL

REPORT OF: EXECUTIVE DIRECTOR OF GROWTH & SUSTAINABILITY

TITLE: UPDATED BIODIVERSITY AND GEODIVERSITY SPD

REPORT TO:	CABINET
Date of Meeting	31st May 2023
Cabinet Member Portfolio	Regeneration and Culture
Key Decision	Yes
Public or Private	Public

<p>Purpose of report</p> <p>This report seeks authority to consult on an updated Biodiversity and Geodiversity Supplementary Planning Document.</p> <p>Council Plan priority</p> <p>Sustainable Barnsley</p> <p>Recommendations</p> <p>That Cabinet:-</p> <p>1 Gives approval to consult on the updated Biodiversity Supplementary Planning Document.</p>

1. INTRODUCTION

- 1.1 The Local Plan, adopted on 3rd January 2019, contains policies to be considered when determining planning applications. A number of Supplementary Planning Documents were adopted following the adoption of the Local Plan. These contain further advice and explain how Local Plan policies will be applied.
- 1.2 The Planning & Building Control Service monitors the effectiveness of our policies and guidance on an ongoing basis. In respect of Supplementary Planning Documents, this is to satisfy ourselves that:

- They remain in conformity with national legislation, planning policy and guidance
 - They are helping to ensure that the Local Plan achieves its overall aims and objectives
 - They are enabling decisions to be upheld at appeal
 - They reflect any new social, environmental or economic priorities that may have arisen
- 1.3 Supplementary Planning Documents build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development.
- 1.4 As they do not form part of the Development Plan, Supplementary Planning Documents can be more readily updated but in doing so, the comments will be fully considered to ensure that the amendments conform with national planning policy and guidance and that the content supplements existing policies in the plan (rather than replacing them or going beyond their remit) and that the amendments will not result in unnecessary financial burdens.
- 1.5 It is proposed to consult on an updated Biodiversity SPD. The original version was adopted in 2019. The update includes reference to seeking a minimum of 10 % Biodiversity Net Gain. It also provides other updates relating to the Environment Act. Once adopted, the updated SPD will supersede the version adopted in 2019.

2. PROPOSAL

2.1 It is proposed that the draft document is approved for consultation. The updated document is attached to this report as Appendix 1. The changes from the original version are shown in red, underlined text and deleted text is shown as struck through.

2.2 Public Consultation

Public consultation will take place for a minimum of four weeks in accordance with the Town and Country Planning (Local Planning) regulations, 2012. Comments will be considered and a further report will be taken to Cabinet detailing any changes made as a result of consultation, and seeking authority to adopt the final version.

2.3 Appendix 1 contains the draft document.

3 IMPLICATIONS OF THE DECISION

3.1 Financial and Risk

3.1.1. Consultations have taken place with representatives of the Service Director – Finance (S151 Officer).

3.1.2 The cost of the public consultation including printing and publicity costs are estimated to be no more than £1,000. This expenditure will be financed from the Planning budget.

3.1.3 No Appendix A is required.

3.2 Legal

3.2.1 Preparation, consultation and adoption of Supplementary Planning Documents is carried out in accordance with the Town and Country Planning (Local Planning)(England) Regulations 2012.

3.3 Equality

Full Equality Impact Assessment completed

A full Equality Impact Assessment completed. This complements the Equality Impact Assessment that was carried out to support the Local Plan which concluded that all policies and proposals apply to all sectors of the community equally and that it makes provision for a range of housing types to meet differing needs such as affordable housing. A further assessment was carried out when the suite of SPD's was adopted in 2019. This recognised that the key impacts were around providing translation and interpretation assistance to those individuals that require it to help them understand the SPD's. An action for future consultation was to arrange targeted consultation such as face to face meetings with the equality forums as appropriate, relevant to the subject of the SPD, to ensure our engagement is inclusive. Where appropriate reasonable adjustments will be considered at venues where documents are available to ensure accessibility requirements for all attendees are met.

4. Sustainability

The sustainability wheel shows the Biodiversity and Geodiversity SPD will have a high positive impact on biodiversity and a positive impact on prevention and adaptation, emissions and land use/ change.



3.5 Employee

There are no employee implications arising from this report.

3.6 Communications

Communications support will be required to publicise the consultation through press releases and social media.

4. CONSULTATION

It is proposed to carry out public consultation for a minimum of four weeks on the draft document. Once consultation has taken place a further report will be brought back to Cabinet and Full Council for adoption.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 One alternative approach would be not to update this document. The proposed updates are considered helpful to developers in setting out the local planning authority's expectations and requirements in respect of Biodiversity and Geodiversity.

6. REASONS FOR RECOMMENDATIONS

- 6.1 The draft updated Biodiversity and Geodiversity SPD contains some helpful information that will provide clarity for service users.

7. GLOSSARY

SPD Supplementary Planning Document

8. LIST OF APPENDICES

Appendix 1: Draft Biodiversity and Geodiversity SPD

9. BACKGROUND PAPERS

Barnsley Local Plan <https://www.barnsley.gov.uk/media/17249/local-plan-adopted.pdf>

If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

10. REPORT SIGN OFF

Financial consultation & sign off	Senior Financial Services officer consulted <i>Ashley Gray</i>
Legal consultation & sign off	Legal Services officer signed off <i>Bob Power</i>

Report Author: Paula Tweed
Post: Planning Policy Group Leader
Date: 27/2/23

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Supplementary Planning Document: Biodiversity and Geodiversity

1. About This Guidance

- 1.1** The National Planning Policy Framework (NPPF) indicates that Local Development Documents form the framework for making decisions on applications for planning permission. Decisions have to be taken in accordance with the development plan unless other material considerations indicate otherwise. **The** NPPF advises that a local planning authority may prepare Supplementary Planning Documents to provide greater detail on the policies in its Local Plan. Supplementary Planning Documents are a 'material' consideration when planning applications are decided.
- 1.2** As required by the Planning and Compulsory Purchase Act 2004 we have prepared a Statement of Community Involvement (SCI) which sets out how we will involve the community in preparing our Local Plan and consulting on planning applications. In accordance with the SCI we have involved people who may be interested in this Supplementary Planning Document (**SPD**) and asked them for their comments. We have produced a consultation statement which summarises all the comments people made to us and our response. This is available on request.

2. Introduction

- 2.1** ~~This Supplementary Planning Document **SPD** offers guidance to anyone seeking to develop land which may have, or is in proximity to a site that has, value for biodiversity and/or geological conservation. Paragraph 4.3 in the guidance section gives advice on how this is established.~~ sets out the council's approach to planning decisions in respect of biodiversity and geodiversity and is designed to be used by those considering and applying for planning permission in the borough, to ensure biodiversity and geodiversity is adequately protected through the planning process. This document provides practical advice and guidance on how to deliver proposals that comply with the NPPF and the Local Plan, adopted in 2019. Information and links to technical guidance is also included. We believe that biodiversity and geodiversity should not be seen as a hindrance to development, rather as a way of adding value to well-conceived design proposals. When considered at early design stage, biodiversity enhancements can be achieved, providing net gains for habitats, alongside additional benefits such as increasing habitat availability for species, natural flood management, carbon sequestration and broader benefits for people provided by access to natural green spaces, including increased mental health which was observed widely during the Covid-19 pandemic.
- 2.2** This SPD also provides developers with a list of useful links and contacts where further information can be found. The Council is not responsible for the accuracy of and updates to any of the information provided in the external links, they are provided as supporting technical material.
- 2.3** This SPD provides additional details on how local policies will be implemented while also building on relevant legislation, national policy, central government advice, and the British Standard BS42020:2013 Biodiversity – Code of practice for planning and development. Available information regarding the Environment Act, 2021 has also been referenced; the Act includes provisions to strengthen and improve the duty on public bodies to conserve and enhance biodiversity, including mandating BNG through the

Supplementary Planning Document: Biodiversity and Geodiversity

planning system and the requirement for the preparation and publication of a Local Nature Recovery Strategy (LNRS).

3. Local Priorities

- 3.1 The conservation of Biodiversity is imperative, we are seeing extinction events on local, regional, national and international scales. Habitat loss and species decline is a real threat, with habitats and species once considered common in the borough now facing increasing pressures from development, climate change and many other factors. To address this the council declared a climate emergency in 2019 with the aim of reducing carbon emissions; increasing the biodiversity of the borough can help achieve this through the planting of trees and the creation of sustainable landscapes that provide multiple benefits to help address the climate crisis and conserve the boroughs biodiversity.
- 3.2 Our Council Plan highlights the key points that are required for Barnsley to become a more sustainable place and to achieve our Net Zero Targets by 2045, these include;
- People live in great places, are recycling more and wasting less, feel connected and valued in their community;
 - Our heritage and green spaces are promoted for all people to enjoy; and
 - Fossil fuels are being replaced by affordable and sustainable energy and people are able to enjoy more cycling and walking.
- 3.3 For developments to result in the best outcome for biodiversity, planning has a key role to play, with a key objective being the protection and enhancement of biodiversity throughout the development management process.

4. Biodiversity and Geodiversity in Barnsley

- 4.1 Biodiversity coined “biological geodiversity” is the variety of life on earth, from complex ecosystems, through individual species of plants, animals, fungi and bacteria etc. to the genetic differences within a species. to large ecosystems; the concept is broad and complex. Biodiversity is important for its own sake, and human survival depends upon it. The ground-breaking UK National Ecosystem Assessment (NEA) published in June 2011 provides a comprehensive account of how the natural world, including its biodiversity, provides us with services that are critical to our wellbeing and economic prosperity. The State of Nature figures 2016 states that between 1970 and 2013, 56% of species declined, with 40% showing strong or moderate declines. The most recent State of Nature Report published in 2019, reported that in the UK more species have seen their populations decrease than increase; the report details a 41% decrease in species abundance since 1970, with the main issues being;
- Agricultural intensification;
 - An increase in average UK temperatures;
 - Negative impacts from pollution; and
 - Loss of habitats to meet the increasing needs of our population.

Supplementary Planning Document: Biodiversity and Geodiversity

- 4.2** Geodiversity is the term used to describe the variety of ancient rock, fossils, minerals, earth structures, sediments, soils and more recent landforms (depositional and erosional features) that create the foundations of physical landscapes and habitats. The recognition, management, and conservation of significant geological sites is important as it contributes towards the understanding and maintaining of the natural environment, to scientific research and to teaching an understanding of the earth, as well as to leisure activities and the enhancement of green spaces. The industrial heritage of the area borough and building construction are closely linked to the geological resources of the area, particularly coal, clay, ironstone, sandstone and roofing flags. It is essential that geoconservation factors are taken into account in the planning process, the opportunities for educational, scientific and recreational advance are appreciated and realised and that significant features of geological interest are conserved.
- 4.3** The richness of the biodiversity of Barnsley's biodiversity owes its existence to the borough's varied geology giving rise to a range of landscapes – from the open moors in the west, to the lowlands of the Dearne in the east; each landscape, be it moorland, woodland, grassland, wetlands, parks and gardens or neglected former industrial land sites, supports its own habitats and species which contribute to local distinctiveness and character. Some of these habitats are recognised as being of national and even international importance, while other areas are recognised as important at a local level. They support a countless number of protected and notable wild species, many of which are noted as being rare or threatened in the UK.
- 4.4** Barnsley borough has, at the time of writing, two 2 Internationally-designated statutory nature conservation sites ('Natura 2000' sites) which are to the west, in the Peak District National Park Local Planning Authority (LPA) area. The Barnsley LPA area contains the following nationally-important statutory designated nature conservation sites: all or part of 7 seven Sites of Special Scientific Interest (SSSIs), all or part of eight 5 Local Nature Reserves (LNRs) and one Nature Improvement Area (NIA). The SSSIs list includes sites designated for their biodiversity or (separately) geodiversity value. Non-statutory Local Wildlife Sites (LWSs) and Local Geology Sites/ Regionally Important Geological and Geomorphological Sites (LGSs/ RIGS) have been designated in the borough for their local ecological or geological value respectively; at the time of writing there are 63 LWS and 31 RIGS within the borough Up to date lists/plans of statutory and non-statutory sites can be found at: <https://magic.defra.gov.uk/magicmap.aspx> <https://magic.defra.gov.uk/MagicMap.aspx>; <http://www.barnsleybiodiversity.org.uk/> and <http://www.sagt.org.uk/> <https://www.sagt.org.uk/> and on Barnsley's Local Plan interactive mapping tool <https://www.barnsley.gov.uk/services/planning-and-buildings/local-planning-and-development/our-local-plan/barnsleys-local-plan/>.
- 4.5** Of significant note within the Borough is the recently designated (January 2022) Dearne Valley Wetlands SSSI. The site comprises 22 compartments scattered throughout the east of the borough. The SSSI is an area of post-industrial urban fringe comprising large areas of wetland, woodland, scrub and other notable habitats located within the Dearne catchment. Its notifiable features include the following;
- Several species of breeding bird including gadwall, shoveler garganey, pochard, bittern, black-headed gull and willow tit;
 - Non-breeding gadwall and shoveler; and

Supplementary Planning Document: Biodiversity and Geodiversity

- A diverse assemblage of breeding birds of lowland damp grasslands and scrub and a mixed assemblage of lowland open waters and their margins including lowland fen.

4.6 The rocks underlying Barnsley borough are Upper Carboniferous in age, and ~~are mainly~~ comprise mudstones, siltstones and sandstones with coal seams, some of which ~~are/were~~ of major importance. There are also beds of ironstone and roofing flags. In the west of the borough, by Dunford Bridge, ~~are the~~ "Millstone Grit" sandstone outcrops of the Pennines are present. These rocks support expanses of peat and acid heathland habitats. The more resistant sandstones form hills and edges, which run roughly northeast – southwest and influence the shape of river catchments as well as the flow of groundwaters and geochemistry of the river ecosystems.

4.7 Many of Barnsley's older settlements are located on the slightly higher ground of the "Coal Measures" sandstones, above the less-well drained areas underlain by mudstone. Extractive industries still provide some employment in quarrying stone and pot clay, and many of the older buildings in Barnsley include local sandstones. Some of these sites have become a significant source of raw materials, including stone for appropriate building conservation within the region, enabling a distinctive sense of place and authenticity to be maintained.

5. Legislation, Policy and Strategies

5.1 ~~The NPPF lists in its sections 170, 171, and Nos. 174-177 issues of particular relevance to biodiversity and geological conservation. These are detailed in Appendix D.~~ There is a variety of legislation and policy provisions to ensure protection of the natural environment, these range from international to local level. This document supplements the following Local Plan policies:

Policy BIO1 Biodiversity and Geodiversity

Development will be expected to conserve and enhance the biodiversity and geological features of the borough by:

- Protecting and improving habitats, species, sites of ecological value and sites of geological value with particular regard to designated wildlife and geological sites of international, national and local significance, ancient woodland and species and habitats of principal importance identified via Section 41 of the Natural Environment & Rural Communities Act 2006 (for list of the species and habitats of principal importance) and in the Barnsley *Biodiversity Action Plan*;
- Maximising biodiversity and geodiversity opportunities in and around new developments;
- Conserving and enhancing the form, local character and distinctiveness of the boroughs natural assets such as the river corridors of the Don, the Dearne and Dove as natural floodplains and important strategic wildlife corridors;
- Proposals will be expected to have followed the national mitigation hierarchy (avoid, mitigate, compensate) which is used to evaluate the impacts of a development on biodiversity interest;

Supplementary Planning Document: Biodiversity and Geodiversity

- Protecting ancient and veteran trees where identified;
- Encouraging provision of biodiversity enhancements.

Development which may harm a biodiversity or geological feature or habitat, including ancient woodland and aged or veteran trees found outside ancient woodland, will not be permitted unless effective mitigation and/or compensatory measures can be ensured;

Development which adversely affects a European Site will not be permitted unless there is no alternative option and imperative reasons of overriding public interest (IROPI).

Policy GI1 Green Infrastructure

We will protect, maintain, enhance and create an integrated network of connected and multi-functional Green Infrastructure assets that:

- Provides attractive environments where people want to live, work, learn, play, visit and invest;
- Meets the environmental, social and economic needs of communities across the borough and the wider City Regions;
- Enhances the quality of life for present and future residents and visitors;
- Helps to meet the challenge of climate change;
- Enhances biodiversity and landscape character;
- Improves opportunities for recreation and tourism;
- Respects local distinctiveness and historical and cultural;
- Maximises potential economic and social benefits;
- Secures and improves linkages between green and blue spaces.

At a strategic level Barnsley's Green Infrastructure network includes the following corridors which are shown on the Green Infrastructure Diagram (see below):

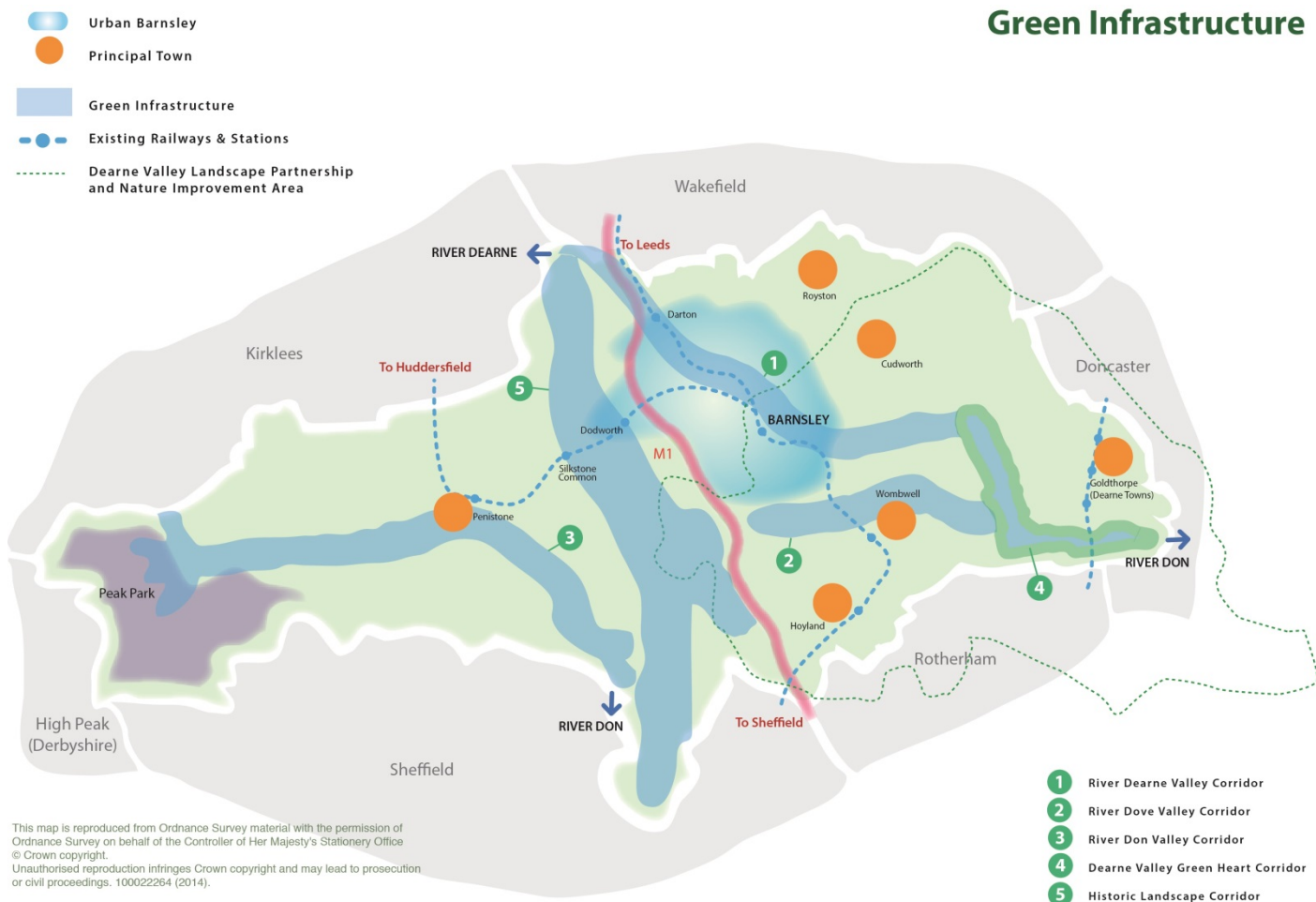
- River Dearne Valley Corridor;
- River Dove Valley Corridor;
- River Don Valley Corridor;
- Dearne Valley Green Heart Corridor;
- Historic Landscape Corridor .

The network of Green Infrastructure will be secured by protecting open space, creating new open spaces as part of new development, and by using developer contributions to create and improve

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Green Infrastructure

We have produced a Green Infrastructure Strategy for Barnsley which is informed by the Leeds City Region and South Yorkshire Green Infrastructure Strategies.



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Policy GS1 Green Space

We will work with partners to improve existing green space to meet the standards in our Green Space Strategy.

Green Spaces are green open areas which are valuable for amenity, recreation, wildlife or biodiversity and include types such as village greens, local open spaces, country parks, formal gardens, cemeteries, allotments, woodlands, recreation grounds, sports pitches and parks.

Proposals that result in the loss of green space, or land that was last used as green space, will not normally be allowed unless:

- An assessment shows that there is too much of that particular type of green space in the area which it serves and its loss would not affect the existing and potential green space needs of the borough; or
- The proposal is for small scale facilities needed to support or improve the proper function of the green space; or
- An appropriate replacement green space of equivalent or improved quality, quantity and accessibility is provided which would outweigh the loss.

In order to improve the quantity, quality and value of green space provision we will require qualifying new residential developments to provide or contribute towards green space in line with the standards set out in the Green Space Strategy and in accordance with the requirements of the Infrastructure and Planning Obligations Policy. The Supplementary Planning Document 'Open Space Provision on New Housing Developments' offers guidance to developers on what will be expected in terms of open space provision in order to achieve those standards.

Where there is a requirement to provide new green space an assessment will be carried out to determine the most appropriate provision, taking into account site characteristics and constraints. In cases where it is deemed unsuitable to make provision for open space within or adjacent to a development site, suitable off-site open space facilities may be acceptable either as new facilities or improvements to those existing. Where appropriate new green space should secure access to adjacent areas of countryside.

6. Biodiversity Net Gain

- 6.1** Biodiversity Net Gain (BNG) is an approach to development and/or land management that aims to leave the natural environment in a measurably better state than it was beforehand. The Environment Act 2021 mandated a minimum measurable BNG for all developments covered by the Town & Country Planning Act (TCPA) which requires the biodiversity value of a development to exceed the predevelopment biodiversity value of a site by a minimum of 10%.
- 6.2** BNG does not replace or undermine the mitigation hierarchy as the primary principle for the consideration of biodiversity within a development. BNG is additional to the mitigation hierarchy and only applies once impacts to biodiversity have been avoided,

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mitigated and compensated for. Where there are no anticipated impacts, developments should still secure a minimum 10% BNG.

- 6.3** Biodiversity value is measured using a metric produced by DEFRA and the baseline value is calculated from the condition of the site before any intervention has occurred. The metric should be completed by a suitably qualified and experienced ecologist. Submission of biodiversity gain information (in the form of a BNG Statement) should be provided with relevant applications alongside a copy of the most recent version of the metric. A Biodiversity Gain Plan will be required for submission and approval prior to the commencement of development. A template in which to include biodiversity gain information and the biodiversity gain plan is expected to be provided alongside secondary legislation.
- 6.4** Development that is exempt from mandatory net gain will still be required to provide biodiversity enhancements to meet planning policy BIO1.
- 6.5** As per Schedule 14 of the Environment Act 2021, where degradation and/or destruction of habitats is undertaken prior to a baseline survey being completed, the pre-development biodiversity value of a site should be taken to be its baseline biodiversity value immediately prior to the destruction/degradation of habitats; this is applicable to any works undertaken on or after the 30th January 2020.
- 6.6** BNG should be provided on-site in the first instance to create functional habitats that increase connectivity for wildlife. Where BNG cannot be achieved on site, off-site options can be sought. However, off-site locations must take regard of the emerging LNRS and should be located in strategic areas, where possible; the created/enhanced habitats should be secured for at least 30 years via planning obligations or conservation covenants. Where a minimum 10% BNG cannot be secured via on or off-site options, developers can secure the required biodiversity losses through the emerging statutory biodiversity credit scheme. Prior to the release of the statutory credit scheme, anticipated November 2023 developers can pay the council a BNG Contribution per Biodiversity Unit.

Local Nature Recovery Strategy

- 6.7** The council is working with the South Yorkshire Mayoral Combined Authority (SYMCA), other South Yorkshire Local Planning Authorities and partners to develop the Local Nature Recovery Strategy (LNRS) and Nature Recovery Network (NRN). The need for a LNRS is a statutory requirement of the Environment Act 2021. LNRS are to be produced by a responsible authority appointed by the Government. Until secondary legislation and guidance is received it is not known at the time of writing who will be the responsible authority for South Yorkshire. The LNRS strategy will map areas where there is an opportunity to improve habitat connectivity and functionality and the local environment to guide BNG and other policies to ensure the best outcome for biodiversity.
- 6.8** In collaboration with the four South Yorkshire Local Authorities and three additional partners, SYMCA commissioned a detailed mapping evidence base of the region's natural environment. The report details the benefits that the natural environment

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provides and opportunities to enhance them. The evidence within the report will be used to inform the LNRS.

- 6.9** The maps are derived from multiple datasets and are modelled estimates of natural environment characteristics. As such, the data are not intended to provide an exact or full account of natural environment characteristics for each land parcel, but instead to guide policy and project development decisions. The report can be found at https://southyorkshire-ca.gov.uk/Explore_Green-Campaign.

Nature Improvement Area

- 6.10** The Local Plan also refers to the Dearne Valley Green Heart 'Nature Improvement Area' (NIA), which includes covers parts of Barnsley, Doncaster and Rotherham. ~~boroughs.~~ NIAs are large, discrete areas that will deliver a step change in nature conservation, where a local partnership has a shared vision for their natural environment. NIAs were established to help address ecological restoration as part of series of actions at a landscape-scale to improve biodiversity, ecosystems and our connections with the natural environment identified by the Natural Environment White Paper (2011) and taking forward recommendations identified in the Lawton Review *Making Space for Nature* (2010). The Dearne Valley Green Heart has been designated as an NIA; and its extent within Barnsley's boundary can be seen in the map in figure 17.1 from the Local Plan (reproduced above, with a more detailed map plan in Appendix A).
- 6.11** The Dearne Valley supports nationally important assemblages of breeding birds of lowland damp grassland, lowland open water and their margins and scrub plus nationally important numbers of some individual species of breeding water birds. The Dearne Valley has the ambition to become an new type of urban area for living, working and relaxing, in which environmental quality, biodiversity and contact with nature underpin the choices people make to move to and invest in the area and create a sustainable future. ~~there.~~ The River Dearne provides is a key asset to in the valley and the surrounding communities, with its wetlands, washlands and marshlands providing a haven for wildlife. The valley has many publicly-accessible woodlands with networks of footpaths, cycle and bridle trails. Over recent years reclaimed colliery sites have been restored to create community green spaces and the valley is a model for large-scale environmental regeneration. Economic regeneration and prosperity are key to addressing social deprivation arising from the area's industrial past.
- 6.12** The vision of the NIA partnership is to restore and enhance the ecological networks in ~~the valley.~~ At its core will be areas of reedbeds, fen, wet grassland, wet woodland and woodland buffered by areas of farmland, amenity grasslands, parklands and reclaimed industrial areas whose biodiversity value will be enhanced. 'Stepping stone' sites exist along the river corridor where habitat should be enhanced and specific measures put in place for key species. ~~such as eels, otters and water voles.~~ The NIA area will support an ~~even richer diversity of wildlife, including nationally important numbers of wintering waterbirds and breeding farmland birds.~~

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Barnsley Biodiversity Action Plan

- 6.13** The Barnsley Biodiversity Action Plan (BAP) is produced by Barnsley Biodiversity Trust and is reviewed periodically. The BAP lists the key species and habitats targeted for specific conservation action in the borough. The list draws from nationally-approved BAP targets but also includes certain species and habitats which the Trusts' partners feel **consider** to be locally important too. The BAP indicates **details** conservation actions which should be taken **implemented** to help protect the **key** species and habitats and/or allow them to recover. Barnsley Council has adopted the BAP as part of the evidence-base supporting Local Plan decisions.
- 6.14** The presence of local priority habitats and species identified in the BAP is a material consideration in planning decisions
- 6.15** Barnsley does not as yet **currently** have a Geodiversity Action Plan, but relevant guidance is available in **the** West Yorkshire Geological **Geodiversity** Action Plan: A consultative Document, March 2008 published by the West Yorkshire Geological Trust (<http://www.wyorksgeologytrust.org/misc/Draft%20WYGAP.pdf>). A geological **Geodiversity** action plan for Rotherham is at present being written (see <http://www.sagt.org.uk>). **Doncaster was adopted in June 2008 and can be found at <https://www.doncaster.gov.uk/services/planning/the-geodiversity-action-plan>**

Green Infrastructure

- 6.16** Green Infrastructure is a combination of natural environmental assets, the functionality of which shapes the places we live, work, play and enjoy. Those assets include:
- Green or open spaces that can link together to create an informal but planned network across the Borough and beyond;
 - Parks, gardens, woodland, wildlife sites, watercourses, street trees and the open countryside; and
 - Spaces that can perform a number of different functions, such as formal and informal recreation, nature conservation, food production, enhanced settings for development, routes for cycleways/walkways, areas for flood risk management and education resources.
- 6.17** Together, these assets form an environmental system, the performance of which will increasingly determine how successful our cities, towns and villages will be in the future.
- 6.18** At a strategic level Barnsley's Green Infrastructure network includes the following corridors:
- River Dearne Valley Corridor;
 - River Dove Valley Corridor;
 - River Don Valley Corridor;
 - Dearne Valley Green Heart Corridor; and
 - Historic Landscape Corridor.
- 6.19** The recently released Green Infrastructure Framework by Natural England has been created with the aim of increasing the amount of green cover in urban areas, up to 40%.

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Good quality Green Infrastructure has an important role to play in urban and rural environments for improving health and wellbeing, air quality, nature recovery and resilience to and mitigation of climate change, along with addressing issues of social inequality and environmental decline.

- 6.20** The Green Infrastructure Framework is a commitment in the Government's 25 Year Environment Plan. It supports the greening of towns and cities and connections with the surrounding landscape as part of the NRN. Networks of green and blue spaces and other natural features can bring big benefits for nature, climate, health and prosperity.
- 6.21** Policy GI1 of the Local Plan states that we will protect, maintain, enhance and create an integrated network of connected and multi-functional Green Infrastructure in Barnsley (see Appendix C for additional details on Policy GI1).

Nature Based Solutions

- 6.22** Development should incorporate nature-based solutions, including an increase in the amount and connectivity of green and blue infrastructure. Nature-based solutions can provide natural carbon sinks, help deliver improvements to water quality and resilience against climate impacts, including flooding and overheating, as well as preventing further nature loss and protecting built assets.
- 6.23** Policy BIO1 of the Local Plan encourages maximising biodiversity and geodiversity opportunities in and around new developments and, as set out above, policy GI1 states that we will protect, maintain, enhance and create an integrated network of connected and multi-functional Green Infrastructure in Barnsley.

7. Integrating Biodiversity into Developments in Barnsley

- 7.1** BMBC has successfully implemented BNG as part of our planning requirement following adoption of the Local Plan in 2019; of which one of the objectives is to protect and enhance Barnsley's natural assets and achieve net gains in biodiversity. Prior to BNG becoming a statutory requirement, planning applications have had to demonstrate how proposals will result in no net loss of biodiversity, where applicable, and in the case of masterplan framework sites, a requirement of 10% BNG is required. Examples of applications where permission has been granted on masterplan framework sites includes planning reference 2020/0647 within the Hoyland South Masterplan area and 2021/1691 within the Hoyland North Masterplan area. Both sites demonstrated that a 10% net gain for biodiversity can be achieved through a combination of on and off-site habitat creation and enhancement measures appropriate to habitats on site prior to development.
- 7.2** All sites whether large or small have the potential to include opportunities for biodiversity through careful and well-designed schemes. The following provides advice and minimum requirements that are expected within development sites in Barnsley.
- 7.3** Landscaping proposals within development schemes should seek to retain, enhance and create habitats of value to biodiversity whilst adhering to the mitigation hierarchy *avoid, mitigate, compensate, offset*. The retention of front and rear gardens in

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householder development is encouraged as they can provide multiple environmental benefits, where this cannot be guaranteed then developers should, when completing the Defra Metric include “un-vegetated garden” as the post development habitat type within the Metric to ensure additional Biodiversity Units are not gained.

- 7.4** Landscape elements can be built into the scheme design to increase the biodiversity value of a site; this can include the creation or enhancement of boundary hedgerows, planting of street trees, the provision of wildflower grasslands, SuDS and other above ground water storage features. Where habitats are already present on a site they can provide the framework for the setting of the scheme layout. Landscaping features can help to achieve a minimum 10% BNG, as well as provide habitat connectivity in the landscape to aid the movement of species. Where possible developments should seek to provide a mosaic of habitats within landscaping designs to provide the greatest benefit for species.
- 7.5** Additionally, the use of native species of local provenance is encouraged as they generally offer more benefits to local wildlife than non-native species, as well as enhanced biosecurity and additional net gains.
- 7.6** Applicants are expected to provide landscape features in keeping and proportionate to the size of the development and appropriate with the local context.
- 7.7** Details regarding the minimum mitigation requirements for developments in Barnsley are detailed in Table 1 below.

Table 1 . Minimum mitigation requirements

<u>Feature</u>	<u>Minimum requirement in developments</u>	<u>National/Local Policy references</u>
<u>Habitats (area/linear/river)</u>	<u>Development proposals will have due regard to the baseline biodiversity value of a development site and landscaping plans should identify opportunities to retain and maximise the provision for biodiversity within the new development.</u> <u>Minimum 10% Biodiversity Net Gain based on baseline ecological assessment should be achieved.</u>	<u>NPPF 2021, GS1, G11, BIO1</u>
<u>Watercourses</u>	<u>20 m wide buffer either side of watercourses in the borough.</u>	<u>BIO1, CC5, G11</u>
<u>SuDS</u>	<u>The provision of Sustainable Urban Drainage Systems (SuDS) within development sites is to managing rainfall is the preferred approach.</u>	<u>CC4, CC1</u>
<u>Green roofs/living walls</u>	<u>All new roofs of more than 25m², which are flat or have a pitch of less than 25 degrees, should be a suitable type and design of living roof, unless conflicting with the rooftop provision of solar panels.</u> <u>Living walls should be considered as a possible option on buildings, though especially if needed to help mitigate visual impact on otherwise</u>	<u>BIO1, Sustainable Construction and Climate Change Adaptation Supplementary Planning Document</u>

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	<u>unacceptably blank and/or architecturally unrelieved façades.</u>	
<u>Bat and bird boxes</u>	<u>100% of all new dwellings to include integrated bat and bird boxes. In respect of birds, swift boxes are advised as these are also used by other common nesting species. On constrained sites, practical consideration should be given to prioritising boxes within optimum areas of the site.</u> <u>Hybrid/Commercial/public service infrastructure/householder/permitted development applications etc...will include integrated bat and bird boxes in keeping with the scale of development, i.e. minimum of 10 boxes for the first 1000 sqm footprint and one additional box for every 100 sqm.</u>	<u>BIO1</u>
<u>Bats</u>	<u>Sensitive lighting schemes to be developed where additional lighting from the development will impact habitats such woodland edges, hedgerows, and wetlands, or any other habitats considered suitable for foraging, commuting and roosting bats.</u>	<u>BIO1</u>
<u>Hedgehog</u>	<u>Hedgehog Highway gaps to be located in boundary fences in residential schemes ensuring connectivity between gardens for hedgehogs and other wildlife, increasing the extent of habitat availability.</u>	<u>BIO1</u>
<u>Invertebrates</u>	<u>Landscaping features within development sites should include flowering lawns / wildflower grasslands, pollen and nectar rich plants, shrubs and trees.</u> <u>Solitary bee bricks to be installed within 100% of the dwellings within residential schemes.</u> <u>Different requirements may be recommended by a consultant ecologist for other types of application.</u>	<u>BIO1</u>

7.8 BNG does not alter the protection afforded to protected/notable species and habitats within a development site. As such, statutory obligations need to be satisfied with regards to protected and/or notable species and habitats; where applicable, bespoke mitigation schemes relevant to the key ecological features of the site should be provided within an application.

8. Guidance Information Required to Support an Application

8.1 Considering biodiversity and geodiversity at project inception stage and ensuring proposals are supported with appropriate evidence, where relevant, is necessary and will help enable efficient and effective decision-making and help to achieve a minimum 10% BNG. The LPA will not support applications that would damage the NRN, or developments that do not provide a minimum 10% BNG.

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- 8.2 The council offers a paid pre-application advice service. This can help to ensure that policy requirements are fully understood at an early stage, and that any biodiversity and geodiversity features are identified, discussions can be held at an early stage, in order to seek advice and avoid impacts. Pre-application advice assists in streamlining the decision making process, and it enables the council to provide more comprehensive guidance to improve the quality of an application.
- 8.3 Suitable qualified ecologists are required to undertake ecological surveys and reporting to meet the council's requirements for providing adequate information to support an application. The Chartered Institute of Ecology and Environmental Management (CIEEM) provide a list of consultants on their Registered Practice Directory on the CIEEM website. The CIEEM website provides further information on ecological surveys and their purpose, and also describes the different types of report that may be required to support an application.

Desk Study

- 8.4 Existing ecological data should always be gained from Barnsley Biological Records Centre (BBRC) and from neighbouring authorities' BRC's where close to the borough boundary. Data should also be gained from other specialist data sources such as the South Yorkshire Bat Group, South Yorkshire Badger Group, and the RSPB, etc. if it is appropriate to the site and proposal. There may be exceptions to this requirement and the omission of a desk study from ecology reports should be fully justified within the report, as is detailed within the CIEEM Guidelines for Preliminary for Ecological Appraisal (2017)
- 8.5 Information on internationally and nationally designated sites can be found at the 'MAGIC' website. Most locally designated sites can be seen on the Barnsley Local Plan maps and are referred to as 'Biodiversity or Geological Interest Sites'. Applicants are required to use the SSSI Impact Risk Zone (IRZ) online tool to demonstrate a rapid initial assessment of potential impacts on statutory designated sites as part of the application. If the IRZ information indicates that the development type could adversely impact a SSSI, Natural England will be consulted by the Local Planning Authority (LPA). Natural England may request that further information is required to support the planning application, covering how impacts upon the SSSI will be addressed.
- 8.6 ~~Any development proposal which may do harm to a biodiversity or geodiversity interest should follow the mitigation hierarchy thus: *avoid, mitigate, compensate*. If it is not possible to avoid damage to the interest and planning permission is still requested for then the developer/applicant should seek to mitigate impacts by good design which not only retains as much of the value *in situ* as possible, but also reduces impacts during the construction phase and leaves behind value which is protected and maintained. On occasion, the LPA may allow compensatory works on other sites outside of the development where avoidance or mitigation are not possible/sufficient, but this should be seen as a last resort. The LPA will not support applications that would damage the ecological network and cause a net loss in biodiversity in line with the NPPF. Whilst the Environment Agency is the lead authority regarding implementation of the Water Framework Directive and the Humber River Basin District Management Plan, the LPA must have regards to them when determining development proposals.~~

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Ecological Survey and Assessment

- 8.7 Applications requiring consideration of biodiversity should be supported by a Preliminary Ecological Appraisal/Ecological Impact Assessment/Biodiversity Net Gain Assessment (where appropriate)/Preliminary Roost Assessment and such other secondary reports (i.e., detailed botanical assessment, protected species surveys, etc. see Appendix E: Criteria When Protected Species Surveys are Required), where necessary, which evaluate the ecological quality of the proposal site and recommend appropriate/proportionate mitigation, enhancement measures or off-site compensation proposals.
- 8.8 Surveys should be undertaken by competent persons with suitable qualifications and experience and carried out at an appropriate time within the year, or justifications provided if undertaken during sub-optimal timing and a robust assessment can still be made (see Appendix D for the Ecological Survey Season Calendar). Surveys should be undertaken using nationally recognised survey guidelines/methods, where available.
- 8.9 Reference should be made to CIEEMs Guidelines to assess when submission of a Preliminary Ecological Appraisal/Preliminary Roost Assessment is sufficient or where an Ecological Impact Assessment would be required. Ecology reports should include detail on how development proposals have taken into consideration the mitigation hierarchy in order to avoid, mitigate and compensate any negative ecological impacts. Ecological surveys should follow the:
- Guidelines for Accessing and Using Biodiversity Data (March 2020);
 - Guidelines for Preliminary Ecological Appraisal (December 2017);
 - Guidelines for Ecological Impact Assessment in the UK and Ireland published by CIEEM (September 2018);
 - BS42020:2013 Biodiversity – Code of practice for planning and development; and
 - BS8683:2021 Process for designing and implementing biodiversity net gain. Specification.
- 8.10 Relevant applications should also be supported by a Defra Metric (the most recently published version of the metric should be used) and an associated BNG report. The associated report should include detail on how the Good Practice Principles for Development have been followed, baseline and post-development habitat maps (on and off-site) and condition assessments for baseline habitats, where applicable (on and off-site). Condition assessments should include details of the condition assessment criteria passed/failed, justification/evidence provided for this, and the anticipated condition assessments of proposed habitats post-development (on and off-site). Condition assessment sheets are offered in support of more recently published Defra Metrics and should be completed to support the associated metric. When referring to the Biodiversity Metric User Guide it is advised that habitat surveys can be undertaken year-round, though it is important to note that the optimal survey season is April – September inclusive (for most habitat types). In the absence of seasonally appropriate survey data/evidence the assessor must use a precautionary approach to assessing condition criteria which are not measured at a time of year the survey is undertaken.

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Avoidance, Mitigation, Compensation and Management

- 8.11** ~~At present there is no nationally-agreed system for measuring biodiversity or geodiversity losses proposed on a site through a development and creating a comparable biodiversity element off-site (biodiversity compensation). It is likely that one will be made available in the near future. The LPA may choose to adopt such a 'metric' and apply it in cases where compensation works are the only possible solution—in which case a new policy will be produced and publicised. Until such time the LPA will continue to use its best judgement, based on precedents, as to what the appropriate compensation amount, as a monetary value, should be.~~
- 8.12** ~~Biodiversity and/or geodiversity mitigation plans should be designed-in from the outset, with suitably qualified and experienced professionals being part of the design team to prevent conflicts of interest—ensure the best outcomes for biodiversity and geodiversity. Any Landscape design plans/documents should clearly identify between ornamental plantings and 'green' features which are part of biodiversity retention /mitigation /enhancement. A maintenance plan for a minimum of 5 years should be provided—for example, if a valuable hedgerow or quarry is to be incorporated within a development, the application should state how it will be protected and managed. Planning applications will be expected to commit to not cover trees, hedgerows or other habitats with netting etc, prior to construction in order to exclude birds from nesting, etc.~~
- 8.13** ~~Mitigation and enhancement proposals are welcomed that contribute to enlarging creating, enhancing bigger, better and more connected existing wildlife sites are welcomed. eCreating new sites, and providing joined up and resilient ecological networks throughout the borough that contribute to the LNRS and the enhancement of biodiversity is crucial. This includes conserving and enhancing the form, local character and distinctiveness of the borough's natural assets such as the river corridors of the Don, the Dearne and Dove as natural floodplains and important strategic wildlife corridors.~~
- 8.14** ~~Ecology and /or geodiversity reports submitted in support of planning applications should not only evaluate the site's importance, but also detail the mitigation, etc proposals. Relevant externally-held data sources should be contacted to provide their data as appropriate given the likely value of the features in the locality and proportionate to the development proposal. Report recommendations such as 'the applicant could should install.....' are insufficient: report authors consultant ecologists should work with applicants to offer clear measures which could that can be conditioned at planning decision stage. 2 key reference documents, the British Standard, BS 42020: 2013: Biodiversity: Code of Practice Planning and Development, and the CIEEM (2016) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal, 2nd edition, should be used by the applicant's ecologists when writing ecology reports to guide their evaluation and recommendations. Local Validation Requirements for planning applications have been adopted by the LPA which include biodiversity and geodiversity elements that state when relevant reports are required and outline what, broadly, is needed within them, these should also be referred to when completing reports to support an application.~~

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- 8.15** A Habitat Management and Monitoring Plan (HMMP) will be secured by a legal agreement to secure the gain site and will need to be approved prior to commencement of development works. Information required within the HMMP will include;
- A recent landscape plan detailing the location of mitigation works and the size of each habitat/linear feature to be enhanced and/or created;
 - Management aims and prescriptions detailing the methods required to create and/or enhance each habitat/linear feature at the required quality for a period of 30 years;
 - A timetable of delivery for each habitat/linear feature created and/or enhanced;
 - A schedule of ecological monitoring for a minimum 30 year period, identifying when key indicators of habitat/linear feature maturity should be achieved;
 - Details on the monitoring of habitats and linear features and the provision of a report, which shall be provided to the LPA on the 1st November of each year of monitoring (years one, three, five, ten and every five years thereafter), which will assess the condition of all habitats and linear features created and/or enhanced and any necessary management or replacement/remediation measures required to deliver the Net Gain values set out in the HMMP; and
 - A schedule of actions to be undertaken in case signs of failing are identified; the schedules must include details of technique(s) to be used, equipment to be used, roles and relevant expertise of personnel and organisations involved and timing of actions including submission of monitoring report to the Council.
- 8.16** Precautionary measures to be adopted on site during construction works should also be detailed at the application stage (i.e. protection of retained vegetation, adjacent water course, etc.) and relevant guidance referred to. Again, further detail of this can be provided within a Construction Environment Management Plan (CEMP) required at the reserved matters/discharge of conditions stage.
- 8.17** ~~— for example, if a valuable hedgerow or quarry is to be incorporated within a development, the application should state how it will be protected and managed. Planning applications will be expected to commit to no~~The covering of trees, hedgerows or other habitats suitable for nesting birds with netting etc, prior to construction in order to exclude birds from nesting, will not be permitted.
- 8.18** ~~Local Plan allocations have been assessed for their biodiversity value. Some site specific policies contain biodiversity requirements. Where the ecological assessments carried out to inform the Local Plan site selection process assessed a site as having medium or high biodiversity value, and that value has been eroded through the actions of a landowner, the site will still be expected to deliver net gains in biodiversity assessed against the Local Plan ecological assessment.~~
- 8.19** Barnsley's history of quarrying, mining and the building of regional transport infrastructure created a variety of old and valuable geological surface exposures but many of these are now becoming lost to infilling, neglect and development in both urban and rural situations. This dwindling of exposures takes on added significance since the ending cessation of coal mining has prevented underground study of faults and strata in three dimensions, thereby leaving surface exposures as the only source of primary evidence. Some compensation for loss of the sub-surface data can be achieved by applying new technologies and techniques to surviving surface exposures, resulting in a

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wealth of valuable information on the geodiversity/geomorphological feature and its local/ regional structure. For these reasons, geoconservation is important. Some developments can create new geoconservation/geomorphological sites and opportunities, either temporarily, or possibly permanent. Where an application proposes that geoconservation/geomorphological assets will be lost or diminished, the applicant and their geoconservationists should consult the LPA and its geological advisors, Sheffield Area Geology Trust (SAGT) in drawing up proposals to mitigate any impacts.

- 8.20** ~~Some compensation for loss of the sub-surface data can be achieved by applying new technologies and techniques to surviving surface exposures, resulting in a wealth of valuable information on the geodiversity/geomorphological feature and its local and regional structure. For these reasons, geoconservation is important. Some developments can create new geoconservation/geomorphological sites and opportunities, either temporary, or possibly permanent. Where an application proposes that geoconservation/geomorphological assets will be lost or diminished, the applicant and their geoconservationists should consult the LPA and its geological advisors, Sheffield Area Geology Trust (SAGT) in drawing up proposals to mitigate the effects.~~
- 8.21** Prior to submission of any a planning application, all relevant geodiversity datasets should be gained, particularly those held by SAGT if a Regionally Important Geodiversity Site is located within 0.25 km of any given development. Geological sites should be recorded by suitably qualified and experienced geoconservationists/geomorphologists using the best means available, including photography and sampling, before the loss of/damage to the feature occurs. Information obtained in this way, by the cooperation of the developer, will be shared freely with the local museum ~~service~~ records centre and other publicly-owned stakeholders, for the benefit of the wider community with geological geomorphological interests.
- 8.22** The geoconservation and biodiversity needs at any one site are considered on a case by case basis but geoconservation aims to achieve the following goals:
- †To preserve the geological/geomorphological integrity of the site;
 - †To preserve its visibility and availability for scientific and educational use;
 - †To ensure workable, ongoing access arrangements after completion, and;
 - †To work to protect the value from any subsequent risks from the new landowners, tenants, or residents.

Nature Improvement Area

- 8.23** ~~Within the NIA (Nature Improvement Area) we require specific biodiversity enhancements with developments over and above the minimum mitigation/compensation measures. Great nature-spaces provide the ideal background for investment in housing and industry.~~
- 8.24** The NIA Partnership has 2 main aims for development in the area:

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1. ~~The network of sites and places for nature across the NIA is restored and enhanced. This makes our important natural assets more useful for wildlife and more resilient in the future. In reality this means that the partnership will actively seek opportunities to infill and augment the nature network with new and restored wildlife sites.~~
2. ~~Where development of housing and Industry is appropriate, the LPA will support developers in the creation of sustainable sites that include good examples of sustainable drainage, incorporated high quality habitats and wildlife corridors and encourage the use of sustainable transport.~~

8.25 ~~This SPD does not describe detailed design guidance on how to realise the aims of the NIA Partnership. Instead, it identifies the key issues that should be reconciled, through good practice points, whilst also drawing attention to relevant policies, documents and contact names. A combination of all these components will, through appropriate negotiations, achieve a development proposal that will accord with the aims of the NIA.~~

8.26 ~~The quality of design of new development is a critical factor in ensuring the overall success of the NIA. The design of development should reflect the specific objective(s) for each site (e.g. biodiversity, public access, wood products etc). It is important that good design is used to provide and promote accessibility to the NIA for everybody in the borough. In turn, this will help to promote the economic vitality and viability of the area.~~

8.27 ~~Minor developments will not be required to contribute to ecological improvements in the NIA. Small housing developments, up to ten units, and conversions of traditional buildings have not been covered in the specific guidance relating to the NIA but would be subject to the existing validation process and planning policy requirements of the relevant planning authority. Therefore, only development proposals of a scale that can contribute a significant, quantifiable benefit, or conversely undermine the ability, i.e. a loss of wetland areas, of the NIA to meet its aims and objectives should be subject to this SPD.~~

8.28 ~~Such quantifiable, significant benefits could include:~~

- ~~• New woodland;~~
- ~~• New wetland;~~
- ~~• Enhancing areas of poor environmental quality;~~
- ~~• Improving public access, or~~
- ~~• Improving the management of existing habitats;~~

8.29 ~~Development proposals considered by the LPA to be of a scale that would significantly impact on the delivery of the aims and objectives of the NIA, shall seek to enhance and improve the ecological network of the valley by incorporation of features and design principles that follow the conservation principles supported in the Natural Environment White Paper.~~

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- ~~8.30 Within the NIA we would expect to see developments come forward where the natural environment has been taken into consideration early in the design process and connection through and around the development site with the wider habitat networks is delivered. Small commercial and retail development sites (less than 1,000 m²) and sites with limited ecological interest are expected to provide modest enhancements. Major developments¹, including business parks, particularly those in close proximity to river corridors or NIA key sites, will be supported to incorporate positive full-site biodiversity measures including comprehensive sustainable drainage systems and landscape schemes. Such sites will be expected to provide connectivity throughout the site and link to sites and features outside the site. It is recommended that such schemes are included in master planning and are agreed at an outline stage to prevent inconsistent and piece-meal delivery.~~
- ~~8.31 Where a development agreement involves a commuted sum arrangement in relation to the delivery of biodiversity (or drainage) elements the NIA partnership should be involved in discussions to agree those elements. Where possible, such arrangements should aim to support the delivery of NIA aims.~~
- ~~8.32 We would welcome applications that seek to provide improvement for the priority species listed in Appendix B.~~
- ~~8.33 Opportunities for biodiversity enhancements in developments by size of development are suggested in Appendix C.~~
- ~~8.34 Case studies relating to innovative biodiversity enhancements on new developments can be viewed in Appendix C.~~

9. Further information

- ~~UK National Ecosystem Assessment, <http://uknea.unep-wcmc.org> (2011)~~
- ~~National Planning Policy Framework (NPPF) – review 2018: <https://www.gov.uk/government/publications/national-planning-policy-framework-2> includes sections copied in the text above to the following footnotes:~~
 - ~~56 Circular 06/2005 provides further guidance in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system.~~
 - ~~57 Where areas that are part of the Nature Recovery Network are identified in plans, it may be appropriate to specify the types of development that may be suitable within them.~~
 - ~~58 For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.~~

¹ As defined in Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and subsequent updates

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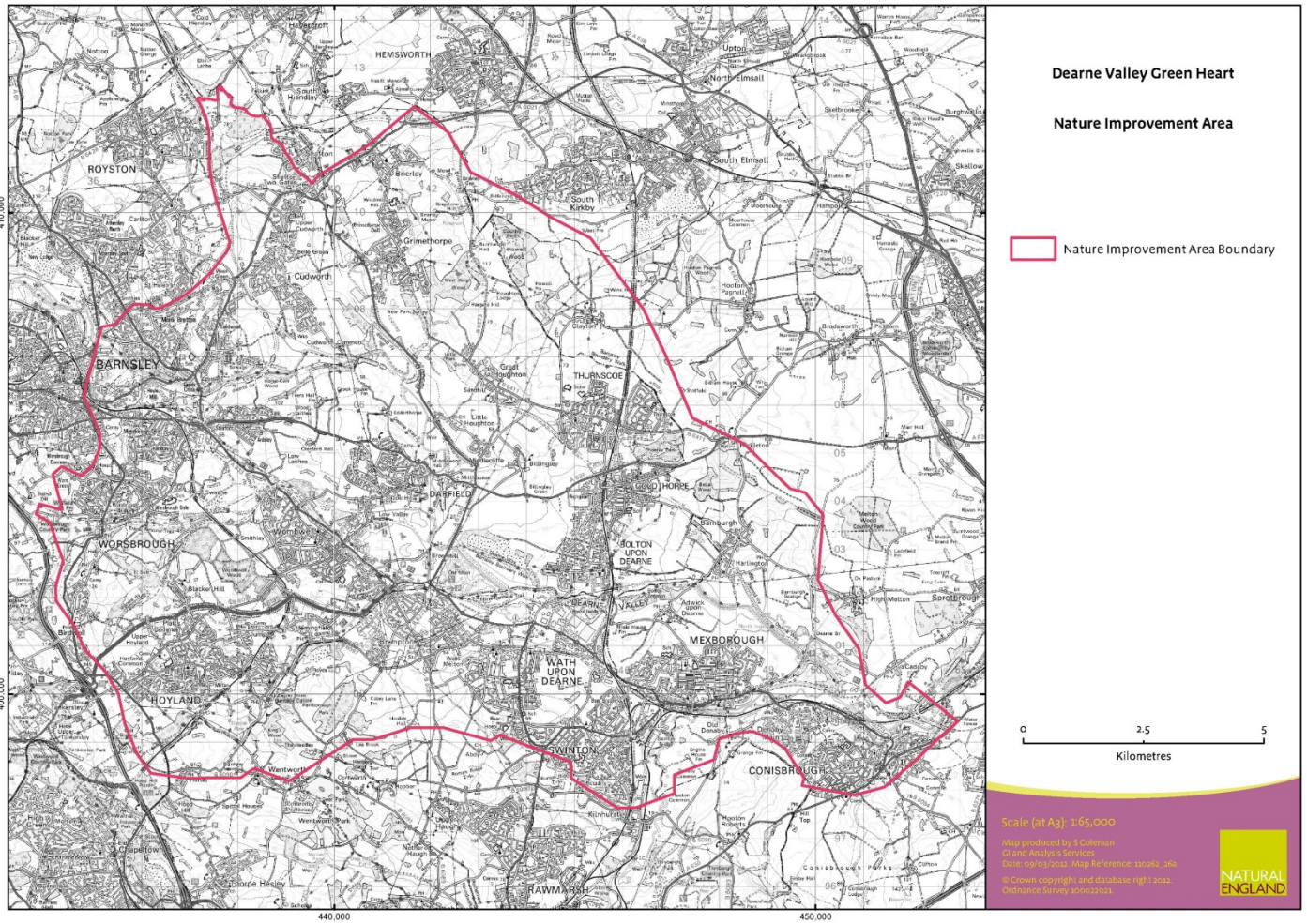
- Natural Environment White Paper (2011):
<https://www.gov.uk/government/publications/the-natural-choice-securing-the-value-of-nature>
- Barnsley Biodiversity Trust: <http://www.barnsleybiodiversity.org.uk/>
- The current Barnsley *Biodiversity Action Plan* is viewable either directly from the Trust's homepage or here:
<http://www.barnsleybiodiversity.org.uk/Barnsley%20BAP%202009.pdf>
- British Standard **BS 42020: 2013**: *Biodiversity: Code of Practice Planning and Development*: <https://shop.bsigroup.com/ProductDetail/?pid=000000000030258704>
- *CIEEM (2016) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal, 2nd edition.* (CIEEM)
- Links to updated lists of current Local Sites in Barnsley (non-statutory sites): Local Wildlife Sites (LWS): <http://www.barnsleybiodiversity.org.uk/localsites.html> Local Geology Sites/ Regionally Important Geological and Geomorphological Sites: <http://www.sagt.org.uk/>
- Multi-Agency geographic information website:
<https://magic.defra.gov.uk/MagicMap.aspx> – click on ‘designations’ and make ‘live’ tab for ‘land-based designations’ and ‘statutory’; uncheck ‘less-favoured areas’ and ‘nitrate vulnerable zones’.
- Environment Agency – Humber River Basin District Management Plan
<https://www.gov.uk/government/publications/humber-river-basin-district-river-basin-management-plan>
- <https://www.legislation.gov.uk/ukpga/1981/69>
- <https://www.legislation.gov.uk/ukdsi/2019/9780111176573>
- <https://www.legislation.gov.uk/ukpga/1992/51/contents>
- <https://www.legislation.gov.uk/ukpga/2021/30/contents/enacted>
- <https://www.legislation.gov.uk/ukpga/2006/16/contents>
- <https://www.legislation.gov.uk/uksi/1997/1160/contents/made>
- <https://www.legislation.gov.uk/ukpga/2000/37/contents>
- <https://www.legislation.gov.uk/uksi/2012/605/contents/made>
- <https://www.legislation.gov.uk/uksi/2012/605/contents/made>
- https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7692/147570.pdf
- www.barnsleybiodiversity.org.uk
- <https://www.barnsley.gov.uk/media/17249/local-plan-adopted.pdf>
- <http://jncc.defra.gov.uk/page-6189>
- <https://magic.defra.gov.uk/>
- <https://www.barnsley.gov.uk/services/parks-and-open-spaces/wildlife-conservation-and-biodiversity/>
- <https://cieem.net/resource/guidelines-for-accessing-and-using-biodiversity-data/>
- <https://cieem.net/resource/guidelines-for-accessing-and-using-biodiversity-data/>
- <https://cieem.net/resource/guidelines-for-ecological-impact-assessment-ecia/>
- <https://shop.bsigroup.com/ProductDetail/?pid=000000000030258704>
- <https://knowledge.bsigroup.com/products/process-for-designing-and-implementing-biodiversity-net-gain-specification/standard>
- <https://cieem.net/wp-content/uploads/2019/02/Biodiversity-Net-Gain-Principles.pdf>

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- <https://www.barnsley.gov.uk/media/15707/barn-conversions-spd.pdf>
- <https://nbn.org.uk/stateofnature2019/reports/>
- <https://www.gov.uk/government/consultations/consultation-on-biodiversity-net-gain-regulations-and-implementation/outcome/government-response-and-summary-of-responses>

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Appendix A. Detailed map of Dearne Valley Green Heart 'Nature Improvement Area'



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Appendix B. ~~Priority Species for Dearne Valley Green Heart 'Nature Improvement Area'~~

~~We would welcome applications that seek to provide improvement for the focal species of the NIA as set out below:~~

- ~~● Lapwing~~
- ~~● Redshank~~
- ~~● Snipe~~
- ~~● Wintering teal~~
- ~~● Wintering wigeon~~
- ~~● Wintering bittern~~
- ~~● Barn owl~~
- ~~● Willow tit~~
- ~~● Water vole~~
- ~~● Brown hare~~
- ~~● Noctule bat~~
- ~~● Grass snake~~
- ~~● Dingy skipper~~
- ~~● Wild flowers~~

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Appendix C. Opportunities for biodiversity enhancement in new development

Applicants are expected to provide biodiversity features from the below lists proportionate to the size of the development, the proposed impacts of the site and in relation to nearby habitats.

Smaller scale commercial and industrial buildings e.g. retail, factories, offices and warehouses (less than 1000m²)			
Native species hedgerow planting	Provide shelter and screening for development. Nesting sites, food and shelter for birds, insects and small mammals. Provide corridors for wildlife linking areas of habitat.	http://apps.rhs.org.uk/advicesearch/profile.aspx?pid=377	Hedges can be predominantly hawthorn, with a mixture of blackthorn, hazel, dog rose, holly, willow and elder included.
Insect boxes/ Bee hotel	Shelter and nesting sites for invertebrates including bees.	www.wildaboutgardens.org.uk	
Bird boxes	Encourages and supports nesting birds, can be incorporated into roof space.	www.rspb.org.uk	Aim to install minimum 2 artificial nest sites per new unit. Unless there are trees or buildings which shade the box during the day, face the box between north and east, thus avoiding strong sunlight and the wettest winds.
Tree planting	Improves setting of development, provides shelter. Attracts birds, mammals and insects providing food, shelter and nesting sites.	www.woodlandtrust.org.uk	Frogs, toads, hedgehogs, beetles and other insects shelter underneath or among the gaps of rotting logs. Create a log pile by loosely arranging together old branches or pieces of log. Leave bark on and use a variety of species if possible.
Ponds and soak-a-ways	Improve setting of development. Habitat for amphibians, birds and wetland plants.	https://freshwaterhabitats.org.uk/news/pond-conservation-now-freshwater-habitats-trust/	
Living Roofs	Provide habitat for insects and birds. Reduce water runoff and increase insulation.	www.livingroofs.org www.grassroofcompany.co.uk	
Swift bricks/ internal nest boxes	Provide access to nesting sites for swifts and other birds which use buildings.	www.concernforswifts.com/ www.swift-conservation.org/	Incorporate swift nest bricks around the top of commercial buildings, they do not have to be on a visible façade.

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SuDS	Habitat for wetland plants and invertebrates. Valuable for amphibians especially where standing water provided. Add to the setting of a development as part of the green-space requirement.	https://www.rspb.org.uk/globalassets/download/documents/positions/planning/sustainable-drainage-systems.pdf https://www.ciria.org/Resources/Free-publications/SuDS-manual-C753.aspx	Developers should be careful to check with bodies adopting/maintaining any new SuDS scheme for any restrictions in relation to planting and maintenance.
Use of native tree and shrub species in landscaping	Provide shelter and screening. Provide nesting sites and food for birds and insects.	http://www.tdag.org.uk/trees-in-the-townscape.html https://www.tcpa.org.uk/fact-sheet-green-infrastructure-and-biodiversity	Species to consider depend on site conditions and location and include oak (pedunculate and sessile), rowan, willow sp, wych elm, ash, birch (downy and silver), bird cherry, hazel, elder, alder, aspen, guelder rose, crab apple, hawthorn, blackthorn, broom, gorse, dog rose, juniper, holly.
Green walls/habitat walls, Willow fedge (fence/hedge).	Can provide excellent visual features. Shelter, food and nesting sites for birds and insects. Willow in particular is inexpensive and easy to establish from cuttings.	www.livingroofs.org www.grassroofcompany.co.uk	Hedges require annual maintenance.
Introduce wildflowers into verges.	Food plants for butterflies and other insects.	https://plantlife.love-wildflowers.org.uk/road-vergecampaign	Many grasses are tolerant of fairly high levels of salt but the following are particularly salt tolerant and may be suitable for roadside verges; red fescue, creeping bent, Yorkshire fog, creeping soft grass.
Major development including residential, commercial, minerals or waste *			
As above plus SuDS	Creation of ponds or wetland habitats will support a variety of wetland plants and attract birds and insects. Even small areas of permanent water or wetland vegetation in detention basins can be beneficial.	See links for SuDS and ponds and soak-a-ways above.	Consider reed beds or willow filtration systems as alternatives for water treatment. Living roofs may be most appropriate to deal with surface water where space is limited.

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Incorporate habitats/features within green space to create green corridors.	Retain existing wildlife habitat within the development. Links with other natural areas and the surrounding countryside are important to allow movement of wildlife along corridors. This contributes to a developments green space requirements.	www.woodlandtrust.org.uk	Link existing wildlife habitat and/or newly created green spaces with strategically placed trees, shrubs, hedges, dry stone wall or grass verge.
Habitat creation and restoration of existing habitats.	Contribute to meeting Local Biodiversity Action Plan targets for priority habitats. Creating/restoring high quality green space to enhance development. Consider wildflower grassland, native species woodland and wetland habitats. This contributes to a developments green space requirements.	http://jncc.defra.gov.uk/page-5706 https://www.tcpa.org.uk/fact-sheet-green-infrastructure-and-biodiversity	Consider opportunities to re-meander canalised streams and rivers.
Use of nectar rich species and food plants for caterpillars in landscaping.	Benefits for butterflies, moths and other insects.	https://butterfly-conservation.org/	
Buffer strips along watercourses and ditches.	Improvements to quality of water, habitat for wildlife, linear habitat and corridor for the movement of wildlife. This contributes to a developments green space requirements.	Natural England Technical Information Note TIN099-2011 Protecting water from agricultural run-off: water retention measures https://www.gov.uk/guidance/rules-for-farmers-and-land-managers-to-prevent-water-pollution https://www.buglife.org.uk/sites/default/files/Ponds_web_0.pdf	
Use show home garden or demonstration area on industrial site to demonstrate wildlife gardening.	Food and shelter for birds, insects and amphibians.	http://downloads.gigl.org.uk/website/Wildlife%20Gardening%20Pack.pdf	Include use of bat boxes/bird boxes/bee hotels, log piles, planting to encourage butterflies, bumble bees and birds. Wet areas/pond for common frog, newts and damselflies.
Develop a site/Company Biodiversity Action Plan (BAP).	Contribute to Local and English Biodiversity Action Plan targets and create a work/development site providing a network of habitats.	http://www.businessandbiodiversity.org/action-company_bap.html	All/any of the options listed above could be incorporated into a Site/Company BAP.

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* Major development as defined in Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015

Case Studies: Urban Green Infrastructure for Biodiversity



Introduction

The intention is to provide examples of a range of urban green infrastructure interventions, including green roofs, living walls, sustainable drainage schemes and species-rich grasslands. These examples are multi-functional and demonstrate how biodiversity can be enhanced whilst various ecosystem services are provided, including flood management and cooling. Costs are provided where available and are only indicative. It should be noted that for relatively small, novel schemes, establishment costs may be relatively high. Installation or establishment costs will fall as the industry adapts to new techniques. Maintenance costs of small schemes also tend to be relatively high when compared with larger schemes on a pro-rata basis.

Biodiverse Extensive Green Roofs

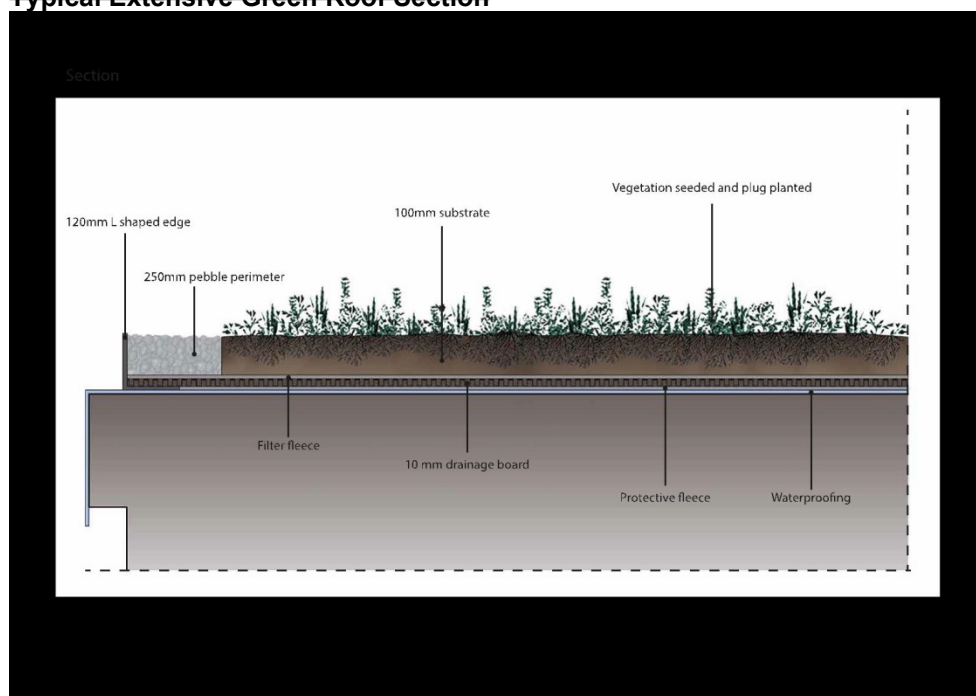
Biodiverse extensive green roofs are typified by free draining and water absorbent substrates of varying depth. They often include dead wood habitat, stones or pockets of bare sand. They are vegetated with predominantly native drought tolerant wildflowers. Sedum is usually included, however the industry norm of Stonecrop (*Sedum* sp.) dominated vegetated blankets should be avoided because they do not support a sufficiently diverse assemblage of flora and fauna and may not provide sufficient water attenuation. There should be a presumption for any proposals for biodiverse extensive green roofs to include a minimum of 80 mm substrate depth, a standard set in the UK by the Green Roof Code from The Green Roof Organisation (2011 to be updated 2014).

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Biodiverse extensive green roofs are relatively lightweight and low maintenance. Specifications with proven ecological value for foraging birds and invertebrates were pioneered by the Green Roof Consultancy <http://greenroofconsultancy.com>. For further information on how to attract invertebrates to green roofs see also the report by Buglife — The Invertebrate Conservation Charity.

<http://www.buglife.org.uk/sites/default/files/Creating%20Green%20Roofs%20for%20Invertebrates%20Best%20practice%20guidance.pdf>

Typical Extensive Green Roof Section



Green Roof Example 1: Ruislip Central Line Depot Roof London Underground Limited

This is a retrofit demonstration project. The primary purpose is to absorb and slow down rainfall runoff and to reduce the risk of surface water flooding, however the brief also required an approach that enhanced biodiversity. It was important that saturated weight did not exceed 100kg/m^2 , a requirement of this roof and many other London Underground train sheds with relatively lightweight structures.

Two adjacent biodiverse extensive green roofs types covering a total area of 122m^2 have been installed on a flat roof section at the depot. One section has a typical extensive green roof build up with protection sheet over the original waterproofing, drainage board, filter fleece with Optigreen extensive green roof substrate and the other section has been constructed using an experimental approach. Both plots are vegetated with sedum cuttings and seeded/planted with native annual and perennial wildflowers.

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Monitoring devices have been installed in two downpipes of one of the biodiverse green roofs and two down pipes of a conventional control roof to measure the water attenuation.

Construction Costs: £80/m² (Total £10,000)

Running Costs: £200 (annual check of drainage outlets)

Design and Installation by Green Roof Consultancy Ltd

Monitoring by University of East London

Funding by Greater London Council through Drain London

Image: Green Roof Consultancy



Green Roof Example 2: Factory, Sins, Switzerland Gemperle AG

Swiss Federal law requires green roofs on all large commercial buildings. The conservation of biodiversity is usually the primary objective with roof greening in Switzerland. In this case the owners also wanted to keep the building cooler in summer to improve the comfort of workers. This is an example of an extensive green roof on a new-build factory/storage building.

There are two sections, one flat and the other barrel vaulted. The build-up includes 100mm depth of commercially available recycled crushed-brick based substrate placed above a filter sheet and polystyrene drainage board. Areas of pebbles, stone and logs are also included to provide habitat diversity. There is also an area of shallow ephemeral pond. The roof is vegetated by wildflower seed and sedum cuttings of local provenance.

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Maintenance of the roof is minimal, with an annual check of downpipes. Although this roof is not designed for ground nesting birds and may be too small for that purpose, many of the larger green roofs on industrial buildings in the Zurich area provide nesting habitat for Lapwing.

Area: Total of 1250m²: the flat roof section measuring approximately 450m² and the other barrel vaulted section, measuring approximately 800m².

Construction Cost: £50 per m² (70 CHF)

Running Costs: £100 (estimated) – annual check of drainage outlets

Roof shortly after installation with annuals prominent (Image: Green Roof Consultancy)



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Overview after establishment (Image: Gemperle AG)



General view of factory (Image: Gemperle AG)



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Green Roof Example 3: Kemp House, Soho, London City West Homes

Two biodiverse extensive green roofs covering an area of 330m² retrofitted on a social housing block with the primary aim of meeting the City of Westminster and London's Biodiversity Action Plan targets, creating habitat for the rare Black Redstart and invertebrate species. Further targeted benefits were also to cool the rooms below and to reduce surface run-off by storing rainwater. The build-up comprises Optigreen substrate at a depth that meets the GRO Code (80mm) with plug-planted sedum mat, with some areas that have been mounded with additional material and seeded. There are over 30 species of native wildflowers. In addition spring bulbs and log piles provide a range of habitats for both rare invertebrates. Immediately after installation three Black Redstarts were observed on the roofs and this species is now breeding for the first time in Soho. Residents within this social housing complex are able to view both green roofs from their windows and from the roof top garden adjacent to one area of biodiverse green roof.

Construction Cost: (£75 per m² (Total £ 25,000)

Maintenance Costs: £200 per annum (check of drain outlets, weeding)

Design by Green Roof Consultancy, materials supplied by Optigreen, seed from Emorsgate, plug plants from Boningales and installation by Landmark Living Roofs

Image: Landmark Living Roofs/Optigreen



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Green Walls**Green Wall Example 1: Vertical Rain Garden****Tooley Street, London****Team London Bridge**

This is a 25m² modular living wall combined with rainwater storage tanks. Downpipes from the pitched roof above are diverted into the tanks which are at the rear of the planters, between the planters and the supporting wall. Water slowly seeps through the modules, which makes the living wall self-watering thereby avoiding the need for pumped irrigation or use of potable water. The purpose is to reduce localised surface water flooding during intense summer storms where Tooley Street meets Tower Bridge Road. The planters are filled with intensive green roof substrate and native and non-native planting is combined to provide value for biodiversity and visual amenity.

Species include ivy *Hedera helix*, elephant's ears *Bergenia cordifolia*, hart's-tongue fern *Asplenium scolopendrium*, scaly male fern *Dryopteris affinis* and periwinkle *Vinca major*. Maintenance is four visits per annum for weeding and replacement of lost/damaged plants

Construction Cost: £ 10,000

Maintenance Costs: £400/annum (two annual inspections for weeding/replanting)

Designed by Green Roof Consultancy and supplied and installed by Treebox Ltd.

Funding provided by the Greater London Authority through Drain London.



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Green Wall Example 2: Wire Trellis Stucki Shopping Centre, Basel, Switzerland

A vegetated façade created by tensioning stainless steel wires between anchors in the ground and on the roof of a commercial building. Climbing and trailing plants have been trained onto the wires from the beds below and the roof above to provide screening and habitat. The beds below receive run-off from the adjacent path so that the intervention constitutes a SuDS feature and the plants and do not require irrigation (except during establishment).

Such planting can attract invertebrates and birds seeking shelter, food and nesting opportunities in otherwise unused space. A range of attractive wildlife friendly native species can be selected to provide interest that is evergreen or deciduous, flowering and fruiting and can be utilised even in shaded conditions. Species used include Honeysuckle *Lonicera* species, Clematis *Clematis armandii*, vines *Vitis cignetiae*, ivy *Hedera helix*, Boston ivy *Parthenocissus quinquefolia* and star jasmine *Trachelospermum jasminoides*. Ivy a native evergreen climber with glossy foliage and nectar rich flowers which will provide bee species with much needed food sources over autumn and winter. Annual maintenance is required to cut back unwanted shoots and replace any losses.

Shading and reduction of airborne pollutants are amongst the other benefits to this type of planting.

Area: 50 linear metres with height of 20m (1000m²)

Cost: £7500 (based on estimate of £150 per linear metre) Cost per unit area is highly variable depending on height.

Information provided by Dr. Nathalie Baumann, University of Zurich

Image: Gary Grant



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Sustainable Drainage Features

The principles of the design concept of Sustainable Drainage Systems (SuDS) are to mimic natural drainage by intercepting rain via vegetation, storing runoff in the soil or waterbodies and releasing it slowly (attenuation) and by promoting evapo-transpiration. Where ground conditions permit water may also soak into the ground (infiltration). Water may also be slowly transported on the surface through swales. In this way the risk of flood is reduced, pollution is reduced, biodiversity increased and amenity improved. SuDS can involve a wide range of components including green roofs, permeable paving, specially designed tree pits, rain gardens, swales and ponds. This section concentrates on schemes which include ponds. Reviews by DEFRA and CIRIA have shown that when SuDS are considered early in a project, considerable savings can be made in the capital cost of drainage projects, because the use of most expensive underground pipework can be avoided and replaced by soft, surface features.

SuDS Example 1:

The Manor Pond Estate, Sheffield, South Yorkshire

Manor and Castle Development Trust, Bellway Homes, Local Authority

This project includes a series of ponds and basins within a regenerated housing estate comprising 300 houses and service roads. The SuDS scheme is located on adjacent council-owned public open space. Water enters the site and is then managed through a series of basins, dropping down through the contours of the site. The opportunity of using the adjacent park, with its watercourse, to store and treat water seemed appropriate and an opportunity to demonstrate better practice. The top basin acts as the main facility for silt collection and pollution interception. Lower down are sand filters installed behind mortar-free stone walling on vertical faces in the lower courses to allow water movement. These filters manage flow at a rate determined by the resistance of the filter and the exit pipe size. This low flow passes down to the next basin below through a shallow low flow channel. If either of the upper two basins is unable to contain and release water through their filters, overflow occurs through a grassed by-pass swale, which leads down to the next basin. The third basin has a volume release control out to an existing dry valley, which leads to the watercourse. If the third basin is unable to handle flow this overflows onto a grass arena as shallow flow and exits through a further control device down to the dry valley. Turf was used to vegetate and stabilise vulnerable areas of the system such as overflow channels and the wet benches of the basins so that the system could be operational at an early date. The permanent ponds are vegetated with reed mace and other marginal aquatic vegetation.

Construction Cost: (Pond elements only) £200/m².

Maintenance Costs: (for whole Manor Pond Estate SuDS system): £10,000 per annum (commuted sum of £250,000 provided for 25 years)

Both capital and revenue costs of the scheme are claimed to be less than a conventional system. As the conventional system which was originally included in the budget was extremely expensive this gave the project team a strong position to argue for a suitable commuted sum for maintenance.

Information from [Susdrain case studies Website](#)

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Image: SusDrain

**SuDS Example 2:****Upton, Northampton**

English Partnerships, Pell Frischman Engineers, The Prince's Foundation, Northampton Borough Council and County Council, Anglian Water, The University of Northampton's School of Science and Technology

This example demonstrates the use of retention ponds and wetland habitat within a 43ha housing development on green field land. The development — 6000 residential homes, schools, works and retail and community units — was intended to provide an exemplar sustainable community that forms the first part of a major urban extension to Northampton.

The SuDS scheme comprised surface drainage designed to capture roof and road rainwater runoff from the estate (with an additional conventional underground piped system). This runoff travels via permeable paving and open, linked swales (many of which hold water behind stop logs) leading to a series of retention ponds located in a new area of parkland beyond the site into the local green infrastructure; the River Nene Country Park.

The SUDS components were designed to address hydraulic balance, reduce flood risk to Northampton, trap sediment and improve water quality whilst enhancing biodiversity.

Public engagement and monitoring of the SuDS within this housing development site has been carried out since 2003. This project has been used to inform how SuDS can be managed to benefit wildlife, residents and will enable planners and developers to use best practice in providing additional SUDS habitats for local biodiversity and people.

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Monitoring by ecologists at the University of Northamptonshire has shown that the ponds attract 14 species of dragonfly as well as other wildlife.

Construction Cost: £150-200/m² (pond elements only varies according to overall size and control structures)

Maintenance: £2/m² per year (estimated)

Information from English Partnerships – now the [Homes and Communities Agency](https://www.homesandcommunities.gov.uk/) (HCA) and <https://www.northampton.ac.uk/>.



Invertebrate 'Hotel' Lend Lease HQ Staff Roof Garden The Green Roof Consultancy

Two large invertebrate hotels were installed as part of the Lend Lease's HQ staff roof garden. One panel was fixed to a wall and another formed a screen. Each panel was constructed of a number of modules. Each model consisted of untreated reclaimed timber and hardwood logs with a large number of drilled holes. In order to attract a range of species (primarily but not limited to those from the *Osmia* genus of solitary bees) holes varied in diameter from 2mm to 10mm and were 90mm deep. The panels were oriented to face south to maximise use by a range of invertebrate species, including solitary bees, wasps and spiders. The invertebrates can gain shelter and breed during the year, and the panels are also an overwintering habitat for some species. Such a resource can aid local populations, which in turn conduct essential ecological roles including pollination and pest control and provide a food source for other species such as birds and bats. The panels provide nesting conditions mimicking brood chambers for egg laying and larva development. Suitable locations would include sunny facades sheltered from wind or rain, with

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planting of wildlife value located nearby to provide nectar, fruits, seeds and pollen. The panels are fixed to walls or frames but could be is free standing if required. Roof top or ground level installations are possible.

Area: 9m².(one panel)

Supply/Installation Costs: £500/m²

Running Costs: Nil

Lend Lease Roof Garden Invertebrate Hotel (Image: Green Roof Consultancy)



Supplementary Planning Document: Biodiversity and Geodiversity

~~Biodiverse Grassland~~

~~Preamble:~~

~~The costs of establishing biodiverse or species-rich grassland are similar to the costs of establishing conventional amenity grassland. The cost of maintaining biodiverse grassland is lower, because frequent mowing regimes are usually replaced by one or two annual cuts, however adjusting to new maintenance regimes does require slightly different equipment and techniques.~~

~~The establishment of biodiverse grassland and conventional amenity grassland are similar processes, involving seeding or turfing, however with biodiverse swards, low nutrient levels are desirable to ensure that aggressive grasses do not dominate. Therefore the use of nutrient-rich topsoil should be avoided wherever possible when establishing species-rich grasslands. Sub-soil or sandy or stony material is ideal. Direct seeding of existing amenity or improved grassland with wildflowers or a simple relaxation of cutting regime rarely has the desired effect of creating a species-rich sward. Some enhancement may be possible by plug-planting wildflowers, although this is relatively expensive. It is advisable to strip and re-seed or re-turf improved or amenity grassland wherever possible.~~

~~Existing or proposed areas of amenity grassland or any plot of unutilised land may be enhanced through re-seeding or planting and amended management practices. Such techniques will increase the plant and insect diversity, which will in turn attract bird and mammal species.~~

~~When selecting a wildflower mix it is important to choose species ecologically suited to the site. Cornfield annuals and short-lived biennials establish easily to give immediate effect and act as a nurse crop. This will support long-lived perennial species that are nationally common and typical of the area. Where possible, less common plant material should be sourced locally under licence. Projects should also reflect cultural links and local character and the overall effect should be visually attractive and varied throughout the growing season.~~

~~A wide range of commercially available plants/seeds of value to wildlife can be utilised, including wildflower seed mixes, bulbs and plug plants of perennial flowers. A carefully selected locally appropriate palette of native plants used in natural associations can provide ornamental value for the majority of the year as well as providing valuable habitat including seed, pollen, nectar sources for invertebrates and birds from early summer through to winter.~~

~~A wildflower seed mix can be sown into a prepared bed or combined with a suitable grass seed mix such. Several seed houses provide mixes for specific soils and situations (e.g. the [Emorsgate EL1F](#) wild flowers for lawns). Timing of cutting to allow self-seeding to occur, and the removal of arisings will control nutrient levels whilst enabling flowering plants to persist along with relaxed mowing around trees and margins will provide undisturbed over-wintering habitat for invertebrates and important foraging resources for birds.~~

Supplementary Planning Document: Biodiversity and Geodiversity

Grassland Example 1: London House Sparrow Parks Project, RSPB, London Parks and SITA

A three year research project in nineteen London parks using 25 trial areas sown with grass and wild flower mixes. The aim of the project was to study the use of the plots for insect and seed based food sources by the House Sparrow with a view to selecting the best mix to support local populations. Parks included Waterlow Park in Camden; Hampstead Heath in City of London; Laycock Green, Paradise Park and Whittington Park in Islington; Leyton Marshes, Tottenham Marshes and Water Works Nature Reserve in Lee Valley Regional Park; The Green park, Hyde park, Kensington Gardens and Primrose Hill in the Royal Parks; Burgess Park and Peckham Rye Park in Southwark; Beddington Park, Cheam Park, Perrets Field, Rose Hill park East and St. Helier Open Space in Sutton; and Tooting Bec Common in Wandsworth.

The plot types were as follows:

- Long grass – comprising the existing park grassland, but instead of regular mowing this was left uncut to go to seed, which would then be utilised by seed eating bird species including house sparrow, and to provide overwintering habitat for invertebrates.
- A native wildflower meadow mix – where a mix of native grass and flower species were seeded in order to produce nectar and seeds and sheltering habitat for invertebrates. Maintenance involved annual cut with cuttings removed.
- ‘Wildlife Seed’ plots – using a bespoke mix of flowers and field margin species that will produce seeds for birds and also be beneficial to invertebrate species. Re-seeding is necessary each year.

Seed mixes were sourced from [Kings Seed](#) and [Emorsgate](#).

All of the trial plots showed biodiversity benefits achieved by improvements to local habitat quality and increased abundance of local invertebrate populations than the traditionally managed amenity grassland. House sparrows need a high protein diet for chicks during weaning in spring and summer and are typically fed insects by their parents; adult birds need more carbohydrate rich foods and so tend to utilise seeds.

Areas: <0.1 ha for wildlife seed plots, average of 0.5ha for the other two treatments.

Establishment Costs:

‘Long grass’: £680 per hectare (7p/m²)

Wildflower Meadow: £3,452 per hectare (34p/m²)

‘Wildlife Seed’: £12,120 per hectare (£1.21/m²)

Maintenance Costs: Typically £1200 per hectare or 12p/m² (for larger wildflower meadows) Management costs and effort were lowest for the longer grass plot type (although this is the least effective). Costs and management efforts were highest in the first year of wildflower establishment. Costs and management effort for the wildlife seed plots were higher in each year as these plots were established annually and dormant weeds had to be controlled.

Supplementary Planning Document: Biodiversity and Geodiversity

Information from John Day, RSPB

Green Park wildflower meadow



Waterlow Park Wildflower Meadow



Supplementary Planning Document: Biodiversity and Geodiversity

~~Grassland Example 2:~~

~~Popley Fields Residential Development, Basingstoke, North Hampshire
Wildflower Turf Limited, David Wilson Homes, Hickman Bros Landscape Contractors,
Natural England, The Landmark Practice~~

~~The site incorporated an area designated for wildlife importance – a Site of Importance for Nature Conservation (SINC) due to the presence of a breeding population of great crested newts. As part of the Protected Species Management Plan high quality habitat was required that connected to the wider site and beyond.~~

~~Using products from Wildflower Turf species-rich wildflower meadows were created to provide a dispersal corridor for newts between ponds and meadows. The meadows have been established quickly, are attractive to residents and require little maintenance. Interpretation boards have been situated to help residents learn about the importance of the habitat enhancements.~~

~~A variety of products are available from Wildflower Turf including shade tolerant flower mixes for use around mature trees. The turf has a wide selection of native flower and grass species – up to 41 different species, with a minimum of 75% wildflowers. Non-native perennial species can also be used to extend the flowering season. The turf produces nectar, pollen and seeds which support birds, mammals, bees, butterflies and other invertebrate species. The wildflower turf can be used on sites with all soil types; will perform well under shade and in drought conditions, as well as in open meadow conditions.~~

~~A species rich lawn turf is available which can be treated as a conventional lawn i.e. regularly mowed short, and used heavily. Unlike standard monoculture amenity lawns the turf will support 26 species of native grasses and wildflowers.~~

~~Maintenance such as watering is required for the first two weeks after installation, with occasional soaks required during prolonged dry periods. Cutting regime – one to two cuts per year, once in autumn including clearance of cuttings, leaves and other vegetation under trees in particular, to avoid mulching and the addition of nutrients.~~

~~The four years of post-development monitoring indicate that the development has not impacted negatively upon the newt population which in fact appears to be increasing.~~

~~Area: 32.2ha estate, 6000m². meadow~~

~~Establishment Cost: £60m² to include design and planning (including a species list and management plan), site preparation. For purchase of turf alone the cost is £10m².~~

~~Maintenance Cost: Information not supplied, however typical cost of annual cut with arisings removed is 12p/m²~~

~~Information provided by [Wildflower Turf](#)~~

Supplementary Planning Document: Biodiversity and Geodiversity

Grassland Example 3: North-west Target Wellbeing Programme, Knowlsey, Liverpool Landlife and Groundwork Northwest

This is a programme of over 90 projects run by Landlife (National Wildflower Centre) for the benefit of targeted disadvantaged communities across the Northwest. Locations include Kirkby (Towerhill, Northwood, Central), North Huyton (Woolfall Heath, Stockbridge Village — see photo below), Halewood (Torrington, Wood Road, New Hutte), South Huyton, North Liverpool (Everton) Projects have an emphasis on public engagement to provide wildflower improvements to greenspaces in Knowlsey. Linked to Natural England's national 'Walking for Health' campaign, this initiative aimed to provide biodiversity gains whilst promoting physical and mental health and wellbeing. Techniques vary depending on the location, but a favoured technique is to strip the existing turf and re-seed with a wildflower seed mix.

One example from this scheme is an area of Public Open Space, in Quarry Green Heights, Northwood, Kirkby. This involved scratch cultivation for cornfield annuals on an area of amenity grassland which had previously been heavily mown. The project was delivered by Landlife and the Community Environmental Task Team in 2004. A variety of successful treatments took place: herbiciding and sowing into short dead turf in autumn, and scratch cultivating and sowing in spring. Additional sowing in subsequent years has helped to build up a substantial seedbank.

After flowering the site was flailed, leaving seed to overwinter providing winter food for birds. Re-cultivating in spring mimics the traditional farming practices that would have sustained cornfield annuals on light soils in the past. Costs: Entire area of all projects of 5.5 ha; since 2008 over 1.5ha of wildflower meadows have been sown into parks and green spaces. Funded by £8.9m from the National Lottery through the Big Lottery Fund (equivalent to £161/m²)

Costs for specific projects are typically lower than this.

Wildflower seed mixes cost around to £90/kg (which provides sufficient seed for 200m² — equivalent to 45p/m²). Preparation and establishment costs vary depending on local conditions however £10/m² is a typical figure for turf stripping and disposal and reseedling.

Information from [Landlife](#) and [Groundwork](#)

North Huyton. Image: GroundWork



Supplementary Planning Document: Biodiversity and Geodiversity

**Appendix D. Appendix B National Planning Policy Framework (2018).
Sections of relevance to biodiversity and geodiversity**

153. Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures.

174. Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

175. Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework⁵⁸; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.

179. To protect and enhance biodiversity and geodiversity, plans should: a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity⁶¹; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation⁶²; and b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

180. When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

Supplementary Planning Document: Biodiversity and Geodiversity

b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

181. The following should be given the same protection as habitats sites:

a) potential Special Protection Areas and possible Special Areas of Conservation;

b) listed or proposed Ramsar sites; and

c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

~~170. Planning policies and decisions should contribute to and enhance the natural and local environment by:~~

~~a. protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);~~

~~b. minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;~~

~~171. Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.~~

~~174. To protect and enhance biodiversity and geodiversity, plans should:~~

~~a. Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and~~

~~b. promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.~~

~~175. When determining planning applications, local planning authorities should apply the following principles:~~

Supplementary Planning Document: Biodiversity and Geodiversity

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- ~~b. development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;~~
- ~~c. development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and~~
- ~~d. development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.~~

Supplementary Planning Document: Biodiversity and Geodiversity

~~176. The following should be given the same protection as habitats sites:~~

- ~~a. potential Special Protection Areas and possible Special Areas of Conservation; and~~
- ~~b. sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.~~

~~177. The presumption in favour of sustainable development does not apply where development requiring appropriate assessment because of its potential impact on a habitats site is being planned or determined.~~

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BARNSELY METROPOLITAN BOROUGH COUNCIL

REPORT OF: EXECUTIVE DIRECTOR OF GROWTH & SUSTAINABILITY

TITLE: CONSULTATION ON THE UPDATED FINANCIAL CONTRIBUTION TO SCHOOLS SUPPLEMENTARY PLANNING DOCUMENT (SPD)

REPORT TO:	CABINET
Date of Meeting	31st May 2023
Cabinet Member Portfolio	Regeneration and Culture
Key Decision	Yes
Public or Private	Public

Purpose of report

This report seeks authority to consult on an updated Financial Contributions for Schools Supplementary Planning Document (SPD).

Council Plan priority

Learning Barnsley and Growing Barnsley

Recommendations

That Cabinet:-

1. **gives approval to consult on the updated Financial Contributions to Schools Supplementary Planning Document (SPD)**

1. INTRODUCTION

- 1.1 The Local Plan, adopted on 3rd January 2019, contains policies to be considered when determining planning applications. Supplementary Planning Documents contain further advice and explain how Local Plan policies will be applied.
- 1.2 The Planning & Building Control Service monitors the effectiveness of our policies and guidance on an ongoing basis. In respect of Supplementary Planning Documents, this is to satisfy ourselves that:
 - They remain in conformity with national legislation, planning policy and guidance

- They are helping to ensure that the Local Plan achieves its overall aims and objectives
- They are enabling decisions to be upheld at appeal
- They reflect any new social, environmental or economic priorities that may have arisen

1.3 Supplementary Planning Documents build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development.

1.4 As they do not form part of the Development Plan, Supplementary Planning Documents can be more readily updated but in doing so, the comments received will be fully considered to ensure that the amendments conform with national planning policy and guidance and that the content supplements existing policies in the plan (rather than replacing them or going beyond their remit) and that the amendments will not result in unnecessary financial burdens.

1.5 A number of Supplementary Planning Documents were adopted following the adoption of the Local Plan. The Financial Contributions for Schools SPD was adopted on 23rd May 2019. The amendments proposed are to provide updates, improvements and clarity on the scope of the SPD, including a change to the title. Once adopted, the amended SPD will supersede the version adopted in 2019.

2. PROPOSAL

2.1 It is proposed that the Financial Contributions for Schools SPD is amended. The amendments proposed are to provide updates, improvements and clarity on the scope of the SPD, including a change to the title. The full document is contained in Appendix 1 showing changes with new text in red and underlined, and deleted text struck through.

3. IMPLICATIONS OF THE DECISION

3.1 Financial and Risk

Financial implications arising from this report are related to

- Minimal costs associated with the adoption process which involves placing a public notice in the press. These minimal costs will be met from the existing planning budget.
- Updated calculations for financial contributions for educational provision as set out in paragraphs 6.8 to 6.10.

3.2 Legal

Preparation, consultation and adoption of Supplementary Planning Documents is carried out in accordance with the Town and Country Planning (Local Planning)(England) Regulations 2012.

3.3 Equality

Full Equality Impact Assessment completed.

An Equality Impact Assessment was carried out to support the Local Plan. This concluded that all policies and proposals apply to all sectors of the community equally.

A further assessment was carried out when the suite of SPD's was adopted in 2019. This recognised key impacts around providing translation and interpretation assistance to those individuals that require it to help them understand the SPD's. An action for future consultation was to arrange targeted consultation such as face to face meetings with the equality forums as appropriate, relevant to the subject of the SPD, to ensure our engagement is inclusive. Where appropriate reasonable adjustments will be considered at venues where documents are available to ensure accessibility requirements for all attendees are met. This can be carried out during consultation on the draft.

The changes proposed to the Financial Contributions to Schools SPD seek to provide clarity on how financial contributions to educational provision can include provision for early years and SEND and thereby contribute to a more inclusive educational offer for Barnsley's communities.

3.4 Sustainability



As this report concerns updates to an existing SPD, it is considered that in most instances the report has low positive or no impact. Positive impacts

arise mostly from the purpose of the SPD, to ensure that pupils arising from new development can be accommodated locally within the appropriate educational setting, and the proposed changes to provide clarity on what financial contributions to educational provision may be spent on within the borough.

3.5 Employee

There are no employee implications arising from this report.

3.6 Communications

Communications support will be required to publicise the consultation through press releases, social media, council newsletter and consultation hub.

4. CONSULTATION

4.1 Consultation has taken place internally with the officers who act on behalf of teams responsible for providing input into planning applications relevant to the Financial Contributions to Schools SPD. This has included officers in Education Services.

4.2 Public consultation will take place for a period of a minimum of four weeks in accordance with the Town and Country Planning (Local Planning) regulations, 2012. This will include relevant external stakeholders from the early years and education sector. Comments will be considered, and a further report will be taken to Cabinet detailing any changes made as a result of consultation and seeking authority to adopt the final versions.

4.3 The full document is contained in Appendix 1 showing changes with new text in red and underlined, and deleted text struck through.

5. ALTERNATIVE OPTIONS CONSIDERED

5.1 An alternative approach is not to update the current supplementary planning document. This would mean that guidance provided to the public and developers would be out of date and unclear with respect of the new school planning areas as approved by the Department for Education, and the use of financial contributions for early years and SEND provision.

6. REASONS FOR RECOMMENDATION

6.1 It is proposed that the Financial Contributions for Schools SPD is amended. The amendments proposed are to provide updates, improvements and clarity on the scope of the SPD, including a change to the title. The updated document will be used to provide up to date information and guidance on how planning policies will be applied and interpreted.

6.2 The key updates and reasons for them are summarised below.

Scope of the SPD

- 6.3** The changes proposed to the title and scope of the SPD seek to provide clarity on how financial contributions to educational provision can include provision for early years and SEND and thereby contribute to a more inclusive educational offer for Barnsley's communities. As such it is proposed that the title of the SPD is changed to 'Financial Contributions for Educational Provision'.
- 6.4** The current SPD provides a process for ensuring that new developments come forward in line with Local Plan Policy I1 Infrastructure and Planning Obligations, with particular reference to any ensure that developments contribute to meet relevant education infrastructure requirements as necessary. The current focus on the SPD is on the provision of school places and the conditions of the existing school buildings. It is intended to update the SPD in line with national and local policy to clarify that in relation to educational facilities, appropriate infrastructure can include the capacity of early years and Special Educational Needs and Disability (SEND) provision.
- 6.5** It is clear from the Council's sufficiency strategies that there is a demonstrable need for additional early years and SEND provision within the borough. However, we are aware that in the current economic climate with particular reference to post-Covid recovery and the subsequent cost of living crisis that there are increasing financial burdens on those seeking to bring development forward, including the rise of building costs, levelling of house prices and forthcoming changes to Building Regulations which will see an increased financial cost to meet higher sustainability standards. This is also a factor affecting the current provision of educational facilities, particularly within the early years sector, and the issue of rising building cost is one which also affects the Council when making the required changes and improvements to existing educational infrastructure.
- 6.6** The updates to the SPD recognise these increasing financial pressures by taking account of the latest evidence base and demonstrated need without unreasonably increasing the financial burden. The intention is to update the SPD taking account of early years and SEND capacity, updating the figures used to calculate financial contributions to reflect increased costs per pupil place, to update the number of pupils generated using more recent pupil census data and comparative analysis of pupils that have actually arisen from representative developments across the borough. These figures will be reviewed regularly in line with government guidance.
- 6.7** However, to ensure the cumulative impacts of this Supplementary Planning Document do not undermine the ability to meet the full suite of policy requirements, we will not expect a contribution for early years or SEND provision over and above the contributions sought for primary and secondary provision. Instead, should projections show that adequate primary and secondary spaces are expected to be available for the remainder of the plan period within the relevant school place planning area, an assessment will then be undertaken to establish if there is a need for early years or SEND provision, which would help cater for demand arising from future occupants

of the application site. In such a scenario, the contribution that would ordinarily have been sought for primary and or secondary provision would instead be directed towards the necessary early years and/or SEND provision.

Calculating contributions

6.8 It is proposed to update the figures used to calculate financial contributions in line with Government guidance and the latest evidence base. As set out in the current SPD, the Government recommends using the latest Local Authority Scorecard as a basis of the cost per pupil place. The current SPD uses the 2017 scorecard as the basis for primary places and the costs incurred on a local secondary school development at the time as the basis of cost per secondary school place. It is proposed to update the document using the latest available scorecard for 2021 for both primary and secondary places for consistency.

6.9 Table 1 below shows the existing SPD cost per pupil place, the most recent 2021 scorecard figure, the proposed updated figure and the costs incurred on more recent school developments in Barnsley. The associated increase in cost shown in both the 2021 scorecard and the costs incurred in local school developments are reflective of the nationwide increase in materials and building costs. The proposed figure for the updated SPD is based on the 2021 scorecard rounded to the nearest £500. Table 1 shows that this is comparable to the costs incurred on local school development, which in the case of the primary school figure, is indicative, as works are ongoing.

6.10 It should be noted that if building costs continue to rise then there is a risk that this calculation will soon become out of date so requires revising periodically to ensure contributions given can feed into wider plans in funding extra educational setting requirements.

Table 1: Cost per pupil place

School type	Cost per pupil place			
	Current SPD	2021 scorecard	Proposed updated figure	Costs incurred on local school development (2022/23)
Primary	£16, 202	£18, 832	£19, 000	£18, 680
Secondary	£16, 056	£18, 625	£18, 500	£17, 014

Number of pupils generated

6.12 The current SPD calculates the number of pupils a development will bring as follows:

- Primary school pupils - 21 pupils per 100 homes
- Secondary school pupils – 15 pupils per 100 homes

These figures have been arrived at using information from the school census 2015. It is proposed to update these figures based on updated school census data.

School planning areas

- 6.13** School planning areas are used as the starting point for deciding whether contributions for educational provision are required arising from a development. Financial contributions will be determined and spent on settings local to the new development. The Department for Education approved new primary school planning areas for Barnsley in early 2023. It is proposed to update the table in 'Section 10 How we determine if a school is local to a development' of the SPD to reflect the new school planning areas.

7. GLOSSARY

SPD: Supplementary Planning Document

NPPF: National Planning Policy Framework

NPPG: National Planning Policy Guidance

SEND: Special Educational Needs and Disabilities

8. LIST OF APPENDICIES

Appendix 1: Draft SPD document

9. BACKGROUND PAPERS

Local Plan <https://www.barnsley.gov.uk/media/17249/local-plan-adopted.pdf>

Current Financial Contributions for Schools SPD

<https://www.barnsley.gov.uk/media/15710/financial-contributions-to-schools-spd.pdf>

If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

10. REPORT SIGN OFF

Financial consultation & sign off	Senior Financial Services officer consulted <i>Ashley Gray</i>
Legal consultation & sign off	Legal Services officer consulted <i>Bob Power</i>

Report author: Emma Coveney

Post: Senior Planning Officer

Date: 2nd January 2023

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Supplementary Planning Document: Financial Contributions to Schools for Educational Provision

1. About this guidance

- 1.0** The National Planning Policy Framework (NPPF) indicates that Local Development Documents form the framework for making decisions on applications for planning permission. Decisions have to be taken in accordance with the development plan unless other material considerations indicate otherwise. NPPF advises that a local planning authority may prepare Supplementary Planning Documents to provide greater detail on the policies in its Local Plan. Supplementary Planning Documents (SPDs) are a 'material' consideration when planning applications are decided.
- 1.4** As required by the Planning and Compulsory Purchase Act 2004 we have prepared a Statement of Community Involvement (SCI) which sets out how we will involve the community in preparing our Local Plan and consulting on planning applications. This SPD has been prepared in consultation with the Council's Education Service. In accordance with the SCI we have involved people who may be interested in this SPD Supplementary Planning Document and asked them for their comments. We have produced a consultation statement which summarises all the comments people made to us and our response. This is available on request.

2. Introduction

- 2.1** This document supplements Local Planning Policy I1 Infrastructure and Planning Obligations which states:

Policy I1 Infrastructure and Planning Obligations

Development must be supported by appropriate physical, social, economic and communications infrastructure, including provision for broadband.

Development must contribute as necessary to meet all on and off site infrastructure requirements to enable development to take place satisfactorily.

Where the necessary provision is not made directly by the developer, contributions will be secured through planning obligations.

Where appropriate, pooled contributions will be used to facilitate delivery of the necessary infrastructure.

- 2.2** New houses give rise to the need for additional educational provision, facilities and places, including early years and special educational needs and disabilities provision. school places. However, educational settings schools are sometimes full and do not always have spare provision, places and adequate facilities for new pupils.
- 2.3** When considering planning applications for new homes, the availability of pupil places in local schools is a material consideration. The National Planning Policy Framework (NPPF) requires planning authorities to assess the capacity of schools when deciding planning applications. In doing so it states that "Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that

will widen choice in education [giving] great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications...” (NPPF para 95). NPPF also underlines the importance of planning positively for the provision and use of community uses, shared spaces and other local services (para 93), which supports the need to provide for early years and SEND provision within the community. National Planning Practice Guidance (NPPG) is also clear that developer contributions towards additional capacity may be required, and that requirements should include all school phases from 0-19 as well as special educational needs planning obligations (paragraph 8).

- 2.4** This Supplementary Planning Document explains how the Council will implement the NPPF, NPPG and Local Plan Policy I1 when considering the capacity of local educational provision, facilities and places of pupil places in local schools, and how we will assess if contributions are required to ensure these places available are in buildings of a suitable condition.

Planning applications for new homes will be refused unless schools already have sufficient capacity to accommodate new pupils from the development or enough extra places can be created to accommodate them.

- 2.5** Developers can make a financial contribution to the Council to provide physical space needed to accommodate new pupil places at the local early years or school setting that would serve the new housing development. This space could be either classroom or other accommodation such as a new hall or canteen, or sensory area depending on what is needed to permit facilitate the intake of new children pupils. This allows development to go ahead and means that pupils children can attend an educational setting school local to where they live.
- 2.6** Alternatively, a developer may wish to directly build an extension to a local educational setting school to provide the new space needed. In this case special arrangements will need to be agreed with the Council and set out in a planning obligation legal agreement.
- 2.7** However, it may sometimes be the case that schools are full and there is no possibility of providing extra capacity. For example, there may not be enough space on the site to locate a new classroom. In such circumstances planning permission for new homes will be refused.
- 2.8** Local Plan policy I1 states that development must be supported by 'appropriate' infrastructure. Where there are places available but there are issues with the condition of the school/schools, contributions will be sought to carry out necessary works to ensure school places can be provided that are of a standard that can be considered 'appropriate'.

3. When a financial contribution will be needed

- 3.1** A financial contribution will be needed for planning applications for housing developments where:-
- The scheme provides 10 or more homes; and
 - There is insufficient capacity in schools; or
 - There is insufficient capacity in early years settings; or
 - There is a need for contributions to ensure schools are in an appropriate condition.

Supplementary Planning Document: Financial Contributions to Schools for Educational Provision

3.2 When assessing the need for a contribution the Council will consider:-

1. How many pupils a development will generate; and
2. The available capacity (spaces and associated facilities) at schools in the school planning area within which the development is located; and
3. The available capacity (spaces and associated facilities) for SEND provision in the school planning area within which the development is located; and
4. The available capacity (spaces and associated facilities) at early years settings in the school planning area within which the development is located; and
5. The condition of schools and early years settings in the school planning area within which the development is located, in particular whether any work is required to ensure the school is fit for purpose and can be considered to be "appropriate" infrastructure in line with Local Plan policy I1.

4. Number of pupils generated

4.1 The number of pupils a development will bring is calculated as follows:-

- Primary school pupils - 24 **27** pupils per 100 homes.
- Secondary school pupils - 45 **11** pupils per 100 homes.

4.2 These figures have been arrived at using information from the school census 2015 **2023**. The figures will be reviewed periodically through the Local Plan Monitoring Report to ensure they remain relevant.

4.3 This calculation will be based on the number of homes included in the detailed planning application. Any increase or reduction in this number through revised applications will result in the required contribution being revised accordingly. However, as described below, the principle of a contribution being needed will be established at any outline planning stage.

When there are concurrent applications in the same area, we need to consider the full impact on schools from all those applications together (rather than considering applications individually).

5. Early years and special educational needs and disabilities (SEND) provision

5.1 To ensure the cumulative impacts of this Supplementary Planning Document do not undermine the ability to meet the full suite of policy requirements, we will not expect a contribution for early years or SEND provision over and above the contributions sought for primary and secondary provision. Instead, should projections show that adequate primary and secondary spaces are expected to be available for the remainder of the plan period within the relevant school place planning area, an assessment will then be undertaken to establish if there is a need for early years or SEND provision, which would help cater for demand arising from future occupants of the application site. In such a scenario, the contribution that would ordinarily have been sought for primary and or secondary provision would instead be directed towards the necessary early years and/or SEND provision.

6. When a financial contribution will not be needed

- 6.1** The methodology for calculating the number of pupils a development will bring accounts for a standard housing mix, therefore the numbers arrived at using this methodology will be applied. Evidence will be required from developers if they are seeking to make a case that the particular mix will yield less need for school places.
- 6.2** The following types of housing development will not be required to make a financial contribution to schools in any circumstances:-
- Single bedroom homes;
 - Homes specifically designed for elderly people;
 - Sheltered accommodation; and
 - Student accommodation.
- 6.3** These types of homes are usually occupied by people who are unlikely to have dependant children of school age living with them. The need for additional school places is therefore also unlikely and so a financial contribution would not be necessary.
- 6.4** Where a development scheme includes both 'family' housing and any of the house types listed above, a financial contribution will only be required in relation to the 'family' housing element. Homes that fall into any of the above categories will be excluded from the financial contribution calculations.

7. How the amount of financial contribution will be calculated

- 7.1** For the cost of school places the Government recommends using figures from the latest Local Authority Scorecard as a basis of the cost per pupil place. The latest scorecard figure per place for primary schools in Barnsley is £18,832 £16,202, and for secondary schools is £18,625 (as at 2021-2017).
- 7.2** For secondary school places we have looked at costs incurred on a recent secondary school development. The average cost per place is £16,056.
- 7.3** Both these figures are rounded to the nearest thousand five hundred, therefore where:-
- Only primary school places are needed, a contribution of £16,000 £19,000 must be made for each place;
 - Only secondary school places are needed, a contribution of £16,000 £18,500 must be made for each place;
 - Both primary and secondary school places are needed, contributions of £16,000 £19,000 must be made for each primary place and of £16,000 £18,500 for each secondary place.
- 7.4** These figures will be reviewed periodically through the Local Plan Monitoring Report to ensure they remain relevant and responsive to the costs of school places and updated Local Authority Scorecards.

Supplementary Planning Document: Financial Contributions to Schools for Educational Provision

- 7.5** This is the calculation that will apply in the majority of cases. However, there may be cases where a different approach is needed, depending on what factors are affecting the capacity of the school. For example, if a whole new school is needed and the developer does not want to build this directly, then the contributions required may be different from the figure arrived at using this calculation.
- 7.6** The starting point for assessing if contributions are required to address issues with the condition of schools will be School Condition Reports carried out by the Education and Skills Funding Agency Councils Property and Assets Team, Department for Education and liaison with individual schools. For schools where these are not in place, we will outside of Local Authority control we rely on Academies and Trusts providing us with comparable information. The amount will be determined based on cost estimates of works that may be required to a particular school or schools in the locality.

8. How and when the financial contribution will be secured

- 8.1** The financial contribution will be secured through a planning obligation. This is allowed by section 106 of the Town and Country Planning Act 1990, as amended by the Community Infrastructure Levy Regulations 2010.
- 8.2** Planning applications may be resolved to be granted, either by officers through delegated powers or by the Planning Regulatory Board, subject to the completion of a planning obligation providing for a financial contribution to educational provision school places. The obligation must be signed before planning permission will be granted and the Ddecision Nnotice released.
- 8.3** The Planning obligation must specify the amount of the contribution and when it will be paid. The Council will use this guidance note to calculate the amount of contribution required in each case. For outline planning applications the amount of the contribution will not be known. However, an obligation will be required at the outline stage that links the amount of contribution to be made to the calculation formula in this advice note.
- 8.4** The Council will require contributions to be made quickly once building has started on site so that the extra school places and/or improvements to can be provided in time for the arrival of new children pupils. The precise timing will be set out in the obligation.

9. How and when the financial contribution will be spent

- 9.1** The planning obligation will specify that the contribution will be spent on the provision of and/or improvements to educational provision. ~~what the contribution will be spent on~~. This ~~must~~ will relate to creating the additional educational provision, facilities and school or early years places needed to accommodate the new development or ensuring a school setting is in an appropriate condition to accept pupils. This will include spaces and places to address SEND provision as required. This means that it will only be used in respect of educational settings schools local to the new homes built, either to increase capacity or to carry out improvement works required to ensure the condition of the school is appropriate. It will be spent on creating new classroom space or providing other new accommodation where this limits the capacity of the setting school, or on works required to improve its

Supplementary Planning Document: Financial Contributions to Schools for Educational Provision

condition.

- 9.2** Once collected, the money will be held in an Education Service account specifically set aside for financial contributions to schools. It will then be spent on the works identified in the planning obligation as soon as possible. The obligation will include a date by which the contribution must have been spent. This will normally be 10 years from the date the contribution was received by the Council. If it has not been spent by the specified time, then the remaining amount will be returned, including the Council's standard rate of interest.

10. How we determine if a school is local to the development

- 10.1** The starting point for deciding whether a contributions to educational provision is schools are required arising from a development will be to use the broad school planning areas. There are five Barnsley has twelve school planning areas for primary schools and four for secondary schools. These are set out below. The table below shows which school planning area(s) cover Urban Barnsley and the Principal Town settlements. Confirmation of school planning areas for planning applications falling outside the settlements listed below can be requested by emailing schoolorg@barnsley.gov.uk Appendix 1 provides more detail on which secondary schools the primary schools generally transfer to within these school planning areas.

<u>Settlement (Sub-regional Town and Principal Towns)</u>	<u>Primary School Planning Areas</u>	<u>Secondary School Planning Areas</u>
<u>Urban Barnsley - Carlton</u>	<u>PRI-PA02</u>	<u>Central</u>
<u>Urban Barnsley – Darton, Athersley North, Athersley South, New Lodge, Mapplewell, Kexborough, Staincross</u>	<u>PRI-PA01</u>	<u>Central</u>
<u>Urban Barnsley - Barugh Green, Wilthorpe, Gawber, Higham, Pogmoor</u>	<u>PRI-PA04</u>	<u>Central</u>
<u>Urban Barnsley – Dodworth, Gilroyd, and Barnsley Town Centre</u>	<u>PRI-PA05</u>	<u>Central</u>
<u>Urban Barnsley – Lundwood, Monk Bretton, Hoyle Mill</u>	<u>PRI-PA06</u>	<u>Central</u>
<u>Urban Barnsley – Worsbrough Common, Worsbrough Dale, Worsbrough, Ardsley, Kendray, Stairfoot, Ward Green</u>	<u>PRI-PA07</u>	<u>Central</u>
<u>Cudworth - including Grimethorpe and Shafton</u>	<u>PRI-PA03</u>	<u>North East</u>
<u>Royston</u>	<u>PRI-PA02</u>	<u>North East</u>
<u>Goldthorpe (Dearne Towns) - Goldthorpe and Thurnscoe</u>	<u>PRI-PA09</u>	<u>South East</u>
<u>Goldthorpe (Dearne Towns) – Highgate and Bolton on Dearne</u>	<u>PRI-PA10</u>	<u>South East</u>
<u>Wombwell (including Darfield)</u>	<u>PRI-PA08</u>	<u>South East</u>

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<u>Hoyland (including Birdwell, Blacker Hill, Elsecar, Hemingfield and Jump)</u>	<u>PRI-PA13</u>	<u>South West</u>
<u>Penistone (including Cubley and Springvale)</u>	<u>PRI-PA11</u>	<u>South West</u>

Settlement	School Planning Area - Primary Schools	School Planning Area - Secondary Schools
Urban Barnsley	Central	Central
Urban Barnsley – Darton and Dodworth	North	Central
Cudworth – including Grimethorpe and Shafton	North East	North East
Royston	North East	North East
Dearne – including Goldthorpe, Thurnscoe and Bolton on Dearne	South East	South East
Wombwell – including Darfield	South East	South East
Hoyland – including Birdwell, Blacker Hill, Elsecar, Hemingfield and Jump	South West	South West
Penistone – including Cubley and Springvale	South West	South West

Supplementary Planning Document: Financial Contributions to Schools for Educational Provision

Appendix 1

The following table lists those primary schools which generally constitute 5% or more of the total intake of a particular secondary school. This is provided to give further detail on the school planning areas:

Secondary School	Transferring Primary Schools
Barnsley Academy	Hunningley Oakhill Worsbrough Bank End The Forest The Mill
Darton College	Darton Wellgate Wilthorpe Kexborough Mapplewell Barugh Green
Holy Trinity 3-16 Secondary Phase	Holy Trinity Primary Phase Transfers Royston St John's Holyrood Carlton
Horizon Community College	Joseph Locke Ward Green Summer Lane Shawlands Wilthorpe St Mary's CE Keresforth Burton Road Worsbrough Common Gawber Doncaster Road
Kirk Balk Community college	Hoyland Common Greenfield Birdwell West Meadows Jump Tankersley St Helen's Catholic

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Secondary School	Transferring Primary Schools
	The Ellis
Netherwood ALC	High View Kings Oak Wombwell Park Street Upperwood The Darfield Academy All Saints Sandhill
Outwood Academy Carlton	Athersley South Athersley North Carlton Parkside St Helen's Primary Academy Laites Primary Summer Fields Meadstead
Outwood Academy Shafton	Littleworth Grange PLC Cudworth Churchfield Cherry Dale Milefield Birkwood Shafton Ladywood Brierley CE
Penistone Grammar ALC	Penistone St John's Springvale Silkstone Thurgoland CE Silkstone Common Oxspring Cawthorne CE
The Dearne ALC	The Hill Carrfield Highgate Lacewood Gooseacre Heather Garth Dearne Goldthorpe

BARNSELY METROPOLITAN BOROUGH COUNCIL

REPORT OF: EXECUTIVE DIRECTOR OF GROWTH & SUSTAINABILITY

TITLE: HOUSE EXTENSIONS SPD UPDATE

REPORT TO:	CABINET
Date of Meeting	31st May 2023
Cabinet Member Portfolio	Regeneration and Culture
Key Decision	Yes
Public or Private	Public

Purpose of report

This report seeks authority to consult on the updated House Extensions Supplementary Planning Document.

Council Plan priority

Sustainable Barnsley

Recommendations

That Cabinet:-

1. **Gives approval to consult on the updated House Extensions SPD.**

1 INTRODUCTION

1.1 The Local Plan, adopted on 3rd January 2019, contains policies to be considered when determining planning applications. A number of Supplementary Planning Documents were adopted following the adoption of the Local Plan. These contain further advice and explain how Local Plan policies will be applied.

1.2 The Planning & Building Control Service monitors the effectiveness of our policies and guidance on an ongoing basis. In respect of Supplementary Planning Documents, this is to satisfy ourselves that:

- They remain in conformity with national legislation, planning policy and guidance

- They are helping to ensure that the Local Plan to achieve its overall aims and objectives
 - They are enabling decisions to be upheld at appeal
 - They reflect any new social, environmental or economic priorities that may have arisen
- 1.3 Supplementary Planning Documents build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development.
- 1.4 As they do not form part of the Development Plan, Supplementary Planning Documents can be more readily updated but in doing so, the comments will be fully considered to ensure that the amendments conform with national planning policy and guidance and that the content supplements existing policies in the plan (rather than replacing them or going beyond their remit) and that the amendments will not result in unnecessary financial burdens.
- 1.5 It is proposed to consult on an updated House Extensions Supplementary Planning Document. The current House Extensions SPD was adopted in 2019.

2. PROPOSAL

- 2.1 It is proposed that the draft document is approved for consultation. The minor updates are for clarity on a couple of issues that have arisen during the SPD's implementation. It makes it clearer what the Council's position is in respect of overshadowing and size of outbuildings and annexes.

2.2 Public Consultation

Public consultation will take place for a minimum of four weeks in accordance with the Town and Country Planning (Local Planning) regulations, 2012. Comments will be considered, and a further report will be taken to Cabinet detailing any changes made as a result of consultation, and seeking authority to adopt the final version.

- 2.3 Appendix 1 contains the draft document. The updated text is shown in red underlined.

3 IMPLICATIONS OF THE DECISION

3.1 Financial and Risk

- 3.1.1. Consultations have taken place with representatives of the Service Director – Finance (S151 Officer).

3.1.2 The cost of the public consultation including printing and publicity costs are estimated to be no more than £1,000. This expenditure will be financed from the Planning budget.

3.1.3 No Appendix A is required.

3.2 Legal

Preparation, consultation and adoption of Supplementary Planning Documents is carried out in accordance with the Town and Country Planning (Local Planning)(England) Regulations 2012.

3.3 Equality

Full Equality Impact Assessment completed.

This complements the Equality Impact Assessment that was carried out to support the Local Plan which concluded that all policies and proposals apply to all sectors of the community equally and that it makes provision for a range of housing types to meet differing needs such as affordable housing. A further assessment was carried out when the suite of SPD's was adopted in 2019. This recognised that the key impacts were around providing translation and interpretation assistance to those individuals that require it to help them understand the SPD's. An action for future consultation was to arrange targeted consultation such as face to face meetings with the equality forums as appropriate, relevant to the subject of the SPD, to ensure our engagement is inclusive. Where appropriate, reasonable adjustments will be considered at venues where documents are made available to ensure accessibility requirements for all attendees are met.

3.4 Sustainability

The sustainability wheel illustrates that the main areas where the implementation of the SPD will have a positive impact are related to homes, quality neighbourhoods and health and wellbeing.

8. LIST OF APPENDICES

Appendix 1: Updated House Extensions SPD

9. BACKGROUND PAPERS

Barnsley Local Plan <https://www.barnsley.gov.uk/media/17249/local-plan-adopted.pdf>

If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

10. REPORT SIGN OFF

Financial consultation & sign off	Senior Financial Services officer consulted <i>Ashley Gray</i>
Legal consultation & sign off	Legal Services officer signed off <i>Bob Power</i>

Report Author: Paula Tweed
Post: Planning Policy Group Leader
Date: 27th February 2023

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Supplementary Planning Document: House Extensions and Other Domestic

1. About this guidance

- 1.1 The National Planning Policy Framework (NPPF) indicates that Local Development Documents form the framework for making decisions on applications for planning permission. Decisions have to be taken in accordance with the development plan unless other material considerations indicate otherwise. NPPF advises that a local planning authority may prepare Supplementary Planning Documents to provide greater detail on the policies in its Local Plan. Supplementary Planning Documents are a 'material' consideration when planning applications are decided.
- 1.2 As required by the Planning and Compulsory Purchase Act 2004 we have prepared a Statement of Community Involvement (SCI) which sets out how we will involve the community in preparing our Local Plan and consulting on planning applications. In accordance with the SCI we have involved people who may be interested in this Supplementary Planning Document and asked them for their comments. We have produced a consultation statement which summarises all the comments people made to us and our response. This is available on request.

2. Introduction

Policy D1 High Quality Design and Place Making

Design Principles:

Development is expected to be of high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley, including:

- Landscape character, topography, green Infrastructure assets, important habitats, woodlands and other natural features;
- Views and vistas to key buildings, landmarks, skylines and gateways; and
- Heritage and townscape character including the scale, layout, building styles and materials of the built form in the locality.

Through its layout and design development should:

- Contribute to place making and be of high quality, that contributes to a healthy, safe and sustainable environment;
- Complement and enhance the character and setting of distinctive places, including Barnsley Town Centre, Penistone, rural villages and Conservation Areas;
- Help to transform the character of physical environments that have become run down and are lacking in distinctiveness;
- Provide an accessible and inclusive environment for the users of individual buildings and surrounding spaces;

Supplementary Planning Document: House Extensions and Other Domestic

- Provide clear and obvious connections to the surrounding street and pedestrian network;
- Ensure ease of movement and legibility for all users, ensure overlooking of streets, spaces and pedestrian routes through the arrangement and orientation of buildings and the location of entrances;
- Promote safe, secure environments and access routes with priority for pedestrians and cyclists;
- Create clear distinctions between public and private spaces;
- Display architectural quality and express proposed uses through its composition, scale, form, proportions and arrangement of materials, colours and details;
- Make the best use of high quality materials;
- Include a comprehensive and high quality scheme for hard and soft landscaping; and
- Provide high quality public realm

In terms of place making development should make a positive contribution to achieving qualities of a successful place such as character, legibility, permeability and vitality.

2.1 This SPD sets out the design principles that will apply to the consideration of planning applications for house extensions, roof alterations, outbuildings & other domestic alterations in particular. The following should be noted:

- The definition of "house" in the document includes bungalows, but excludes apartments or maisonettes.
- This SPD also applies to houses that are located in Conservation Areas and the Green Belt as well as any houses that are listed buildings, however, due to the special characteristics of these areas, more stringent controls may need to be applied (see below).

3. General principles

3.1 Proposals for house extensions, roof alterations, outbuildings and other domestic alterations should:

1. Be of a scale and design which harmonises with the existing building and be subordinate.
2. Not adversely affect the amenity of neighbouring properties.
3. Maintain the character of the street scene and;
4. Not interfere with highway safety.

Supplementary Planning Document: House Extensions and Other Domestic

4. Extension and alterations in the Green Belt

- 4.1 Within the Green Belt, extensions, roof alterations, outbuildings and other domestic alterations will be considered against the general principles above and the following criteria:
1. The total size of the proposed and previous extension should not exceed the size of the original dwelling.
 2. The original dwelling must form the dominant visual feature of the dwelling as extended
- 4.2 Domestic outbuildings within the curtilage of the dwelling will be treated as part of the dwelling or an extension to it, except for the purposes of calculating the original size of the dwelling.
- 4.3 Where an extension is approved it may be necessary to remove permitted development rights for houses in the Green Belt to ensure that the total size of proposed and previous extensions would not exceed the size of the original dwelling.

5. Permitted development

- 5.1 Planning permission is not always required to extend/alter a dwelling house. This will depend on a number of factors for example the size and location of the proposal, whether any extensions have been undertaken previously and what materials are to be used. Advice in respect of permitted development is not given out over the phone but you can request a Householder Development Enquiry Form or download a copy from the website.

<http://www.barnsley.gov.uk/planning-development-management>

- 5.2 A written response will be sent and you are advised to keep this for future reference.

Supplementary Planning Document: House Extensions and Other Domestic

6. Design principles

- 6.1** It is important that any extension is designed to be in keeping with your property and the character of your neighbourhood, therefore, before designing the extension, examine the character and details of your house.

Figure 6.1 Respectful and unsympathetic ways to extend



- 6.2** Unsympathetic additions, as shown on the right in Figure 6.1, destroy the character of the house. In this case, the garage door is forward of the house and becomes unnecessarily dominant, the flat roof is a weak building form and many original features have been lost. Extending walls and roofs without any break lines can spoil the balance and proportions of the original, as well as emphasising the problems of physically joining old and new.
- 6.3** The left-hand semi in Figure 6.1 has been extended more respectfully. The addition is clearly expressed, by means of a vertical break, or set-back, and the original identity of the house is retained.

An extension will tend to be more successful if you follow the following guidelines:

Supplementary Planning Document: House Extensions and Other Domestic

Building form

- 6.4 The extension should not normally be as large as the existing house. For example, as in Figure 6.2, a three storey extension to a two storey house, is likely to spoil the balance and character of the original and be detrimental to the street scene.

Figure 6.2 Imbalance



Figure 6.3 Better balance



- 6.5 Wherever possible, extensions should be set back from the front wall of the main house, allowing a corresponding lowering of the roof line and lessening the awkwardness of the junction with the existing. See Figure 6.3
- 6.6 Extensions which radically alter the shape of a house are not acceptable. For example:-

Figure 6.4



Figure 6.5

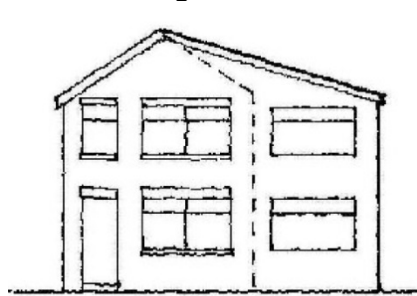


Figure 6.6



- 6.7 The flat roof in Figure 6.4 is an ugly and inferior form of construction, and is visually and physically at odds with the pitched roof. The unequal roof pitch created by the extension in Figure 6.5 unbalances the whole elevation, whilst the proportions and roof pitch of the extension shown in Figure 6.6 are incompatible with the original.
- 6.8 Figure 6.7 illustrates a more logical and sympathetic way of extending a house whose gable faces the street. The extension is set back to allow the original house form to be expressed.

Supplementary Planning Document: House Extensions and Other Domestic

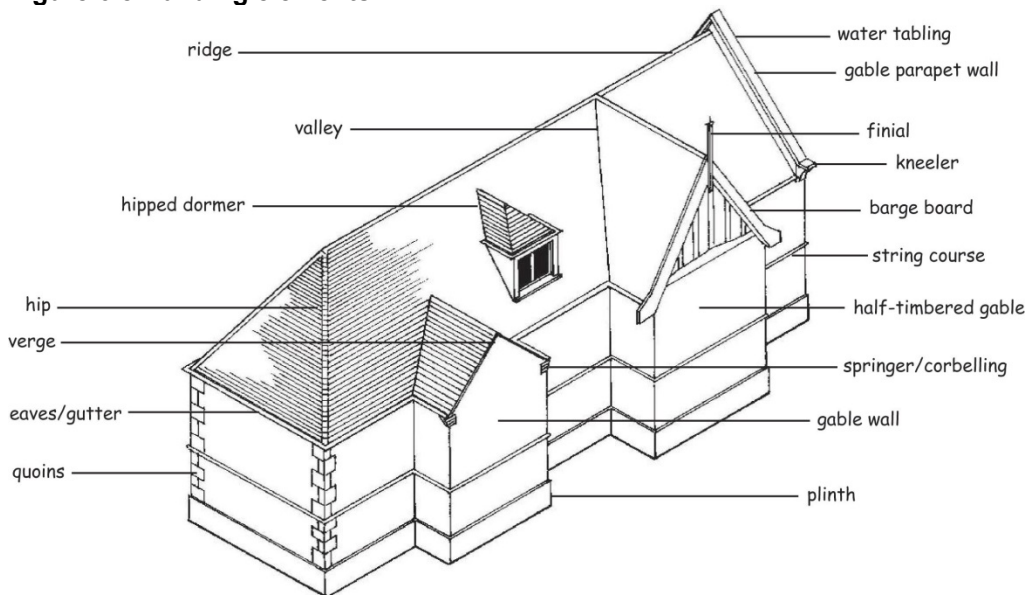
Figure 6.7 A more satisfactory form



Building elements/character

6.9 Figure 6.8 is a building composite which shows the principal external components of a domestic building. Many of the features and details, though traditional, will still be found on your building, even in modern guise. They determine the style and character of your house and should not be ignored in the successful design of your extension.

Figure 6.8 Building elements



Supplementary Planning Document: House Extensions and Other Domestic

Roof

- 6.10** The roof, style pitch and detailing should match those of the existing dwelling, particularly where the extension will be prominent within the street scene or extend on parallel lines at a smaller scale.
- 6.11** The single storey extension roof forms shown in Figures 6.9 and 6.10 are precise replicas of the main house. The set-back helps to scale them down proportionally. The lean-to extension in Figure 6.11, again set back, is a good option to Figure 6.9, where overshadowing a neighbour's property might be an issue.

Figure 6.9

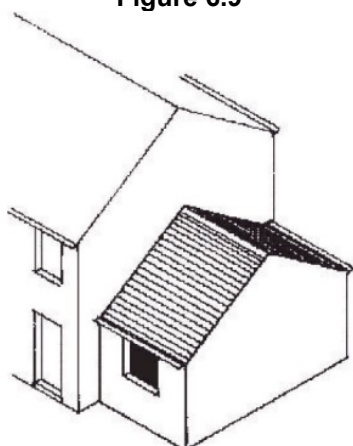


Figure 6.10

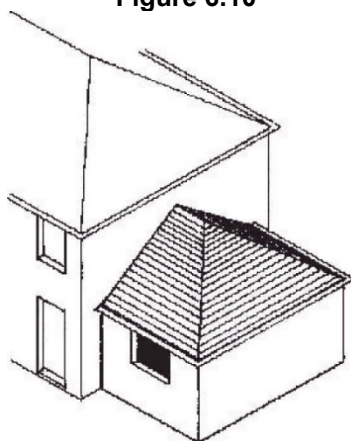
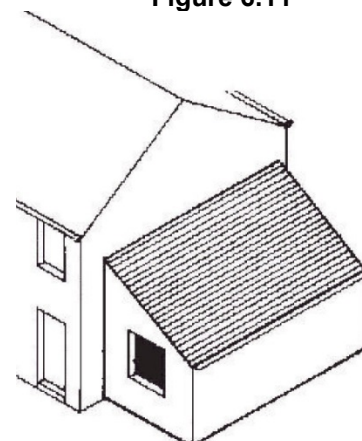


Figure 6.11



- 6.12** Two storey extensions, as shown in Figures 6.12 and 6.13, should follow the same principles as recommended for single storey extensions.

Figure 6.12

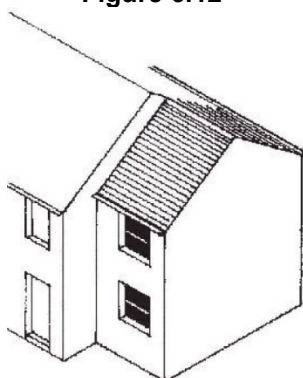
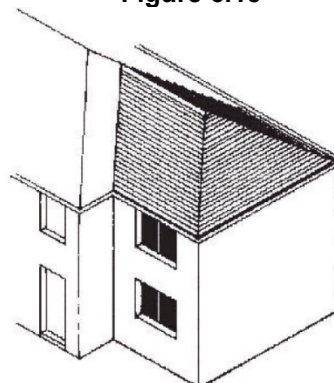


Figure 6.13

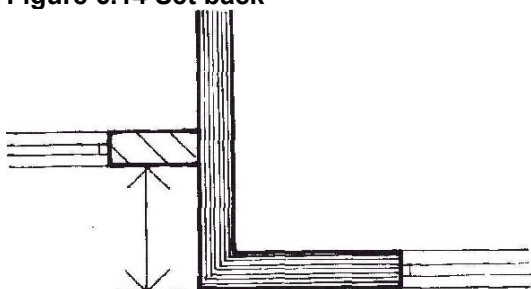
**Materials**

- 6.13** Materials should normally be of the same size, colour and texture as to the existing house or as close a match as possible. Often these materials and finishes cannot be exactly matched. This is when the set-back becomes a very important feature, not just as a means of articulating the extension but also to help reduce the unsightliness of bonding the old and new facing materials.

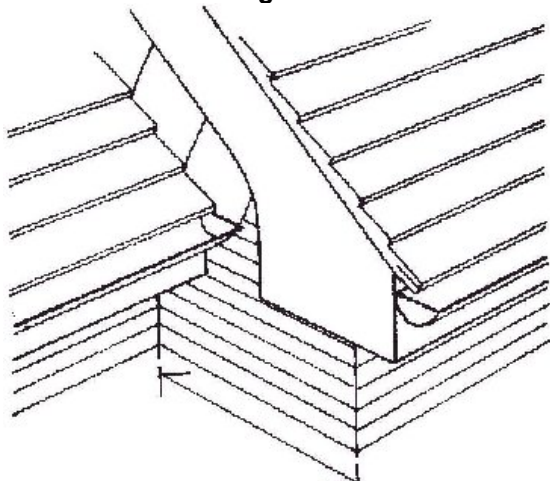
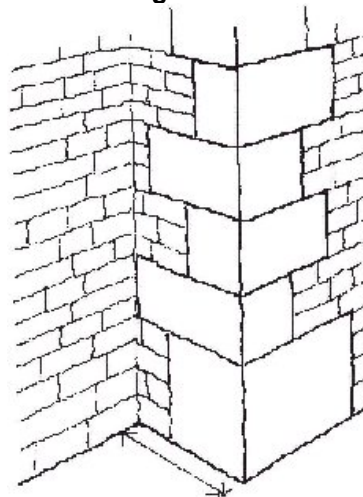
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The set back

- 6.14** An extension should appear as an extension and particularly in the case of two storey side extensions a small 'set back' of the extension from the main wall will be required. This will ensure that the extension appears subordinate and will help reduce the terracing effect that may arise where several dwellings have been extended. The inclusion of a set back also avoids the unsightly bonding of old and new materials.
- 6.15** The set-back itself should be a minimum of 500mm, and preferably allow the extension to line with a vertical brick joint. Figure 6.14 shows the 500mm set-back. This figure might increase slightly where the building is constructed in artificial or regular squared and coursed stone.

Figure 6.14 Set back

- 6.16** There will be other considerations which may vary the depth of the set-back. For example where the main house has barge boards, the extension will need to be set back sufficiently to allow its fascia to miss the barge board return, as in Figure 6.15.
- 6.17** Similar consideration will need to be given when matching up with corbelled eaves, etc. Also, if the main building has quoins, whether in brick or stone, the set-back should be deep enough for the largest quoin to be expressed, as in Figure 6.16.

Figure 6.15**Figure 6.16**

- 6.18** Before embarking on your extension, it will pay to examine the details of your house to help anticipate these design and detail considerations.

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Windows & doors

- 6.19 Windows and doors should generally repeat the proportion and style of the existing dwelling, lining through with existing openings and using matching design details. This should also include the heads, sills and other opening surrounds.
- 6.20 Traditionally, older houses have window openings with a vertical emphasis and it is important to retain these proportions in the new openings as well as in the divisions within the window frames themselves.
- 6.21 Generally, any habitable room to the upper floor of a two storey house, or where an inner room at ground floor, is required to have an openable window suitable for emergency escape purposes. The window should have an unobstructed openable area of 0.33m² and be at least 450mm high and 450mm wide. The bottom of the window opening should not be more than 1100mm above the floor.

Levels

- 6.22 Where the height of development proposed differs significantly from that in the area, developers may be asked to provide elevation drawings showing the relationship between the proposed and existing development in terms of streetscape.

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7. Layout principles

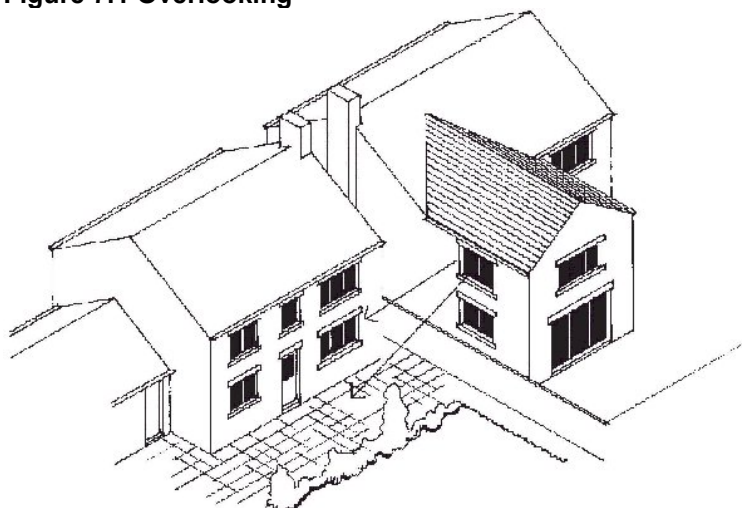
- 7.1 As well as seeking an extension designed in keeping with your existing house, you must also ensure your proposals do not harm the character of the area in general or the levels of amenity that your neighbours might reasonably expect to be maintained. An extension will tend to be more acceptable if you follow these guidelines.

Privacy

- 7.2 Extensions should be designed so that they do not result in significant overlooking of habitable room windows to nearby houses or private gardens. Privacy problems might be overcome by using a combination of obscure glazing, high level windows, screen fencing or rooflights, but are better avoided altogether.
- 7.3 Figure 7.1 illustrates a situation which is unacceptable, and Planning Permission and Building Regulations approval are unlikely to be given for an extension such as this, where the window opening to a habitable room in the side elevation directly overlooks the neighbour's rear window and garden.

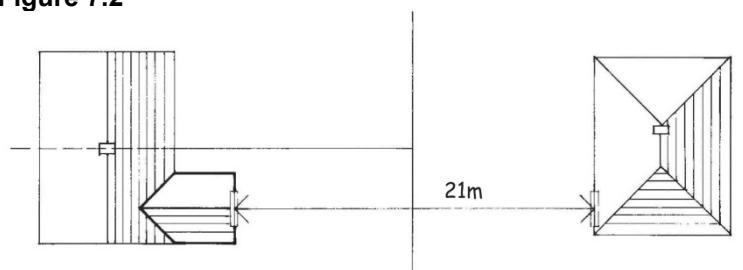
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Figure 7.1 Overlooking



- 7.4** A boundary fence may act as an effective screen to a single storey extension and could reduce overlooking from a side window.
- 7.5** As a general guide, windows to habitable rooms on an extended property should not be less than 21 metres from any other properties with habitable room windows, to ensure reasonable privacy to you and your neighbours. Figure 7.2 demonstrates.

Figure 7.2



Habitable rooms should be taken to include: lounge/living room, dining room, kitchen, bedroom and study. A distance of 12 metres should be maintained to a blank gable wall and a distance of 10m should normally be provided between rear-facing windows in the first floor (and above) and the rear boundary.

Overshadowing and loss of outlook

- 7.6** The position of an extension in relation to a neighbouring property and to the path of the sun can influence the level of daylight and sunlight received by that property. Extensions should not overshadow neighbouring properties or their gardens to an unreasonable degree. Extensions directly to the south and to the south east and south west of a neighbouring dwelling will generally have a greater impact than those located to the north, east or west.
- 7.7** The Council will seek to protect principal habitable room windows on the front and rear elevations of the adjacent property, but not secondary windows, i.e. halls, stairs, utility rooms, toilets and bathrooms including en-suites, particularly those on side elevations of adjacent dwellings.

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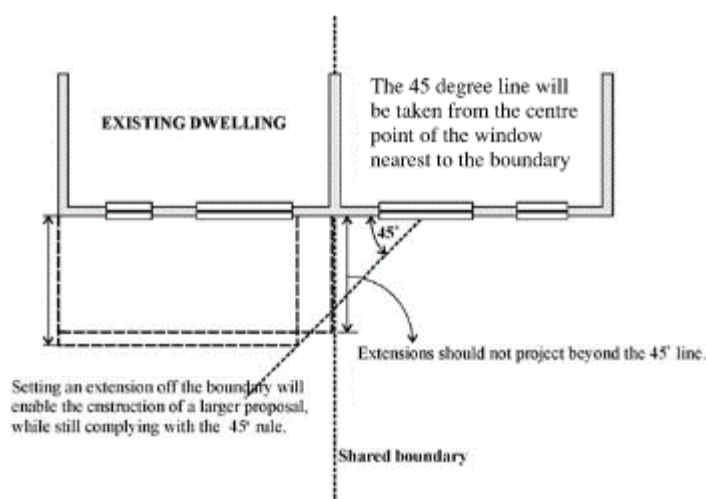
- 7.8 To ensure no unacceptable loss of daylight and to avoid an overbearing relationship with neighbouring properties, particularly adjoining ones, a 45 degree rule shall be applied. How this will be applied is set out below:-

The 45° Rule

This is a general test that will be applied as a guide to what will be acceptable for extensions to dwellings and is applied to reduce the impact of an extension on sunlight/daylight reaching neighbouring properties. In some circumstances it may be necessary to make a detailed calculation to establish the impact of a proposal on adjoining occupiers in terms of loss of daylight/sunlight to a property. The calculation used is detailed, but generally based on the 45° test (see diagram below)

The 45° test shall be applied to the nearest window of any adjacent residential accommodation which lights a habitable room or kitchen. To comply with the rule any extensions should be designed so as not to cross a 45° line, when drawn from the mid-point of the nearest window opening of the adjacent dwelling.

There may be mitigating circumstances where this test may not apply, as each proposal is considered on its own merits. Such circumstances may include existing boundary screening, orientation and path of the sun, roof design, the distance between the extension and neighbouring dwellings and variation in levels. Where screening exists, this must be retained as a mitigating feature and may be subject of a condition if planning permission is granted to ensure that this is the case. Notwithstanding the 45° test for sunlight/daylight, an assessment will also be made with regard to whether a proposed extension would have an overbearing impact on adjacent dwellings.

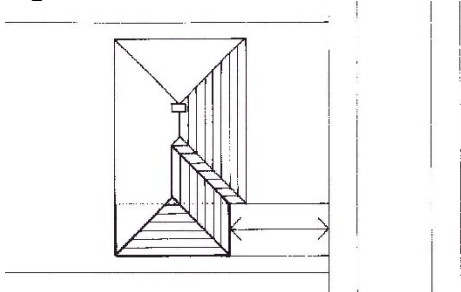
**Garden Space**

- 7.9 Extensions and outbuildings should not take up a disproportionate amount of private rear garden space and as a general principle should allow the retention of at least half the garden area. Account should be taken of existing trees and their future requirements for growth.

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Parking Space

- 7.1 An extension or outbuilding which incorporates a garage door should have a minimum distance of 6m between the garage door and the highway (see Figure 7.3).

Figure 7.3

- 7.2 Extensions or outbuildings which prevent the parking of at least 1 private car within the curtilage of a dwelling will not normally be acceptable if highway safety problems would result. The use of front gardens for parking can be visually intrusive unless very careful attention is given to boundary treatment and surfacing.

Highway Safety

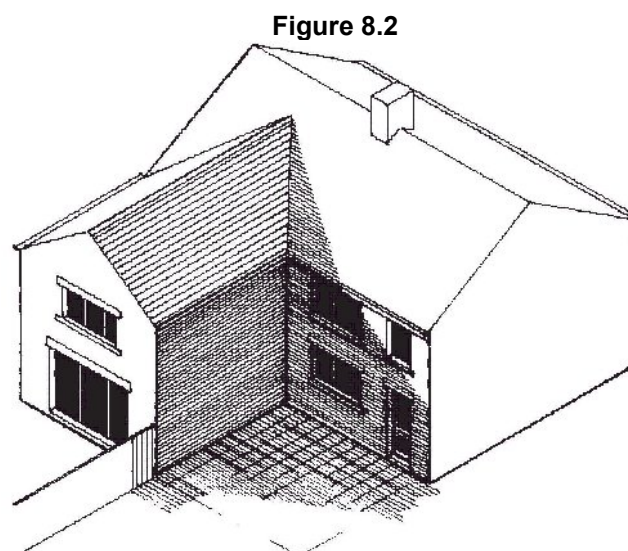
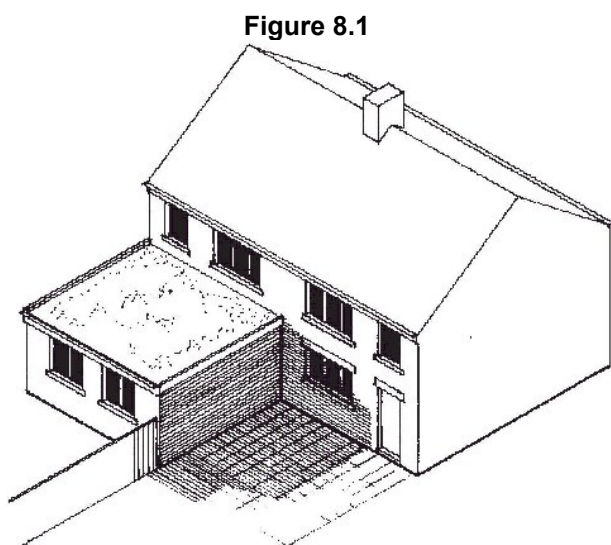
- 7.3 Extensions or garages should not be constructed in positions where they interfere with highway sight lines and should ensure that they maintain/provide an access with adequate visibility for drivers entering the highway.

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8. Detailed guidance on types of extensions and alterations**Rear Extensions**

Extensions should be designed in line with the general principles outlined in Section 3.1 and the specific extension principles outlined below.

- 8.1 Usually, the problem of overshadowing and loss of outlook arises as a result of rear extensions. The single storey rear extension shown in Figure 8.1 is not acceptable because it has an adverse, overshadowing effect on the adjoining property whilst the two storey extension in Figure 8.2 has an even greater impact and would not be permitted.

**Single Storey**

- 8.2 To combat the problems of loss of light, as well as loss of privacy and outlook, the size and projection of rear extensions need to be strictly controlled.
- 8.3 Single storey extensions to the rear of terraced houses should not exceed 3.5 metres in projection and where they exceed 3m in length the eaves height should not exceed 2.5m. On semi-detached dwellings an extension should not project more than 4m and again, the eaves height should not exceed 2.5m where the extension would project beyond 3m.

Two Storey

- 8.4 Two-storey rear extensions will be considered on the basis of the extent of overshadowing, loss of privacy and outlook. Two-storey extensions to terraces and semi-detached properties which abut a party boundary and adversely affect main windows will not normally be allowed. Two-storey rear extensions to semi-detached houses should, therefore, generally be designed with a rear projection of less than 3.5 metres and for terraced houses 2.5 metres. Larger extensions may be acceptable in certain circumstances -for instance: where the neighbouring house has been extended; or where there is a strong boundary treatment, such as a high wall or an outbuilding or garage built close to the boundary. Similarly, there may be circumstances where only smaller

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extensions are acceptable for instance: on sloping sites or where neighbouring houses are already overshadowed.

- 8.5** Extensions to the rear of detached houses will be considered on their design merits and where no adjacent properties are affected.

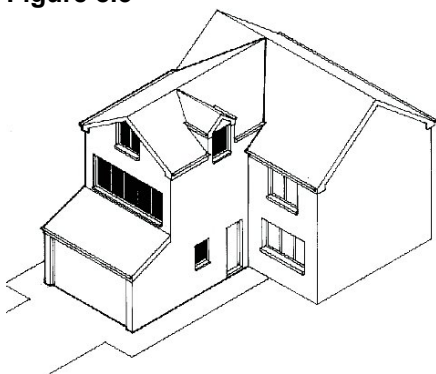
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Front Extensions

8.6 The front elevation of a building is the most important for its contribution to the street scene. Generally, therefore, such extensions need to be of a high standard of design and will not be considered acceptable where they detract from the quality of the existing dwelling or character of the street scene or cause overshadowing to neighbouring dwellings. Large extensions and conservatories are likely to appear particularly intrusive and will not normally be acceptable.

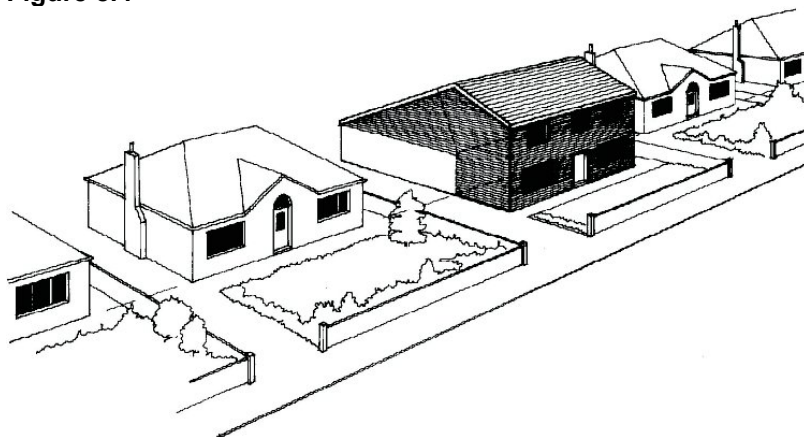
8.7 The front extension in Figure 8.3 would not be acceptable. It alters the character of the original by overwhelming it in an unsympathetic manner. For example, the front door has been removed from the main elevation, and the garage door given excessive prominence.

Figure 8.3



8.8 In Figure 8.4, the forward extension, which changes a hipped-roof bungalow into a gable-roofed two storey dwelling, has broken the common roof ridge line and clumsily interrupted the harmonious pattern and continuity of the street scene, to its detriment. Again this is unacceptable.

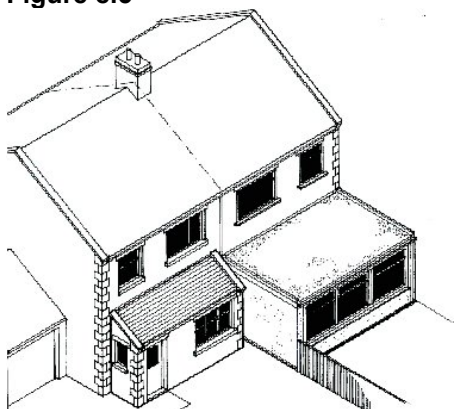
Figure 8.4



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- 8.9** Extensions at the front of individually-designed, detached houses, which are set back from the highway or set on staggered building lines, may, in certain circumstances, be acceptable. However, the extension must complement the original house and not adversely affect any adjacent property or the street scene.
- 8.10** Modest single storey front extensions, which are in keeping with the style of the existing house, may be allowed. For example, the left-hand semi shown in Figure 8.5 with a small extension to form a porch and provide some extra space in the front living room, would be acceptable because it is sufficiently discreet and adopts the form and features of the original. But the right-hand semi in Figure 8.5, with a larger extension, made more prominent by the alien form of the flat roof and conservatory-like front, is unacceptable.

Figure 8.5



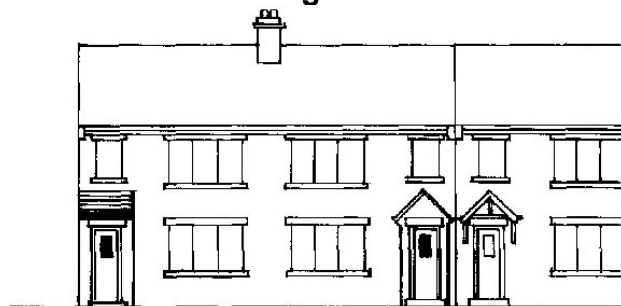
Porches and Canopies

- 8.11** Porches which fulfil their traditional function of providing shelter for the front door are normally acceptable as long as they respect the design and external finishes of the original dwelling. Figures 8.6 & 8.7 show examples of simple porches and canopies which fit in with the existing house style.

Figure 8.6



Figure 8.7



- 8.12** Whilst the joint porch shown in Figure 8.6 maintains the symmetry and balance of the pair of semis, it is preferable, but not always essential, to have the front door on the front of a porch. Sometimes to give it more shelter, or perhaps a better relationship with the approach path the front door needs to be set on the side of the porch. When this is the case, careful attention needs to be given to the porch windows on the front to ensure the style and rhythm of the existing fenestration is maintained.

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- 8.13** Porches which have flat or low-pitched roofs, or resemble small conservatories in appearance, as in Figure 8.8, will not normally be permitted.

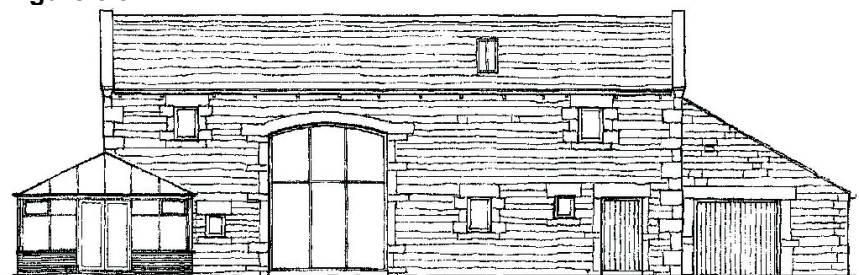
Figure 8.8



Conservatories

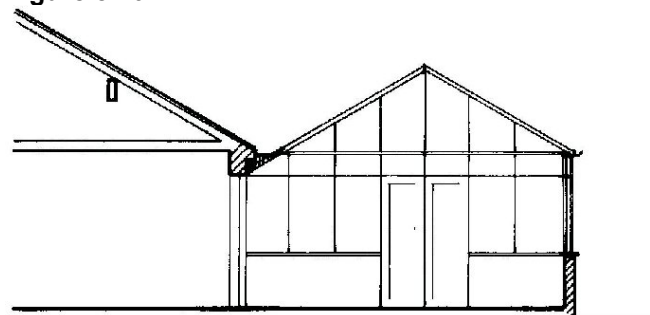
- 8.14** Conservatories are likely to appear particularly intrusive on front elevations and will not normally be acceptable. The conservatory shown in Figure 8.9 attached to this converted barn, a building not originally designed as a dwelling, is particularly inappropriate and must be avoided.

Figure 8.9



- 8.15** Where a conservatory abuts a bungalow, because of the level of the eaves it is often very difficult to construct a satisfactory roof slope, without resorting to a roof form such as is shown in section in Figure 8.10. This creates an awkward relationship between bungalow and conservatory, as well as a roof junction requiring a valley gutter, which is difficult to access and may give rise to maintenance problems in the long term. It also causes the conservatory to appear unnecessarily high and dominant.

Figure 8.10



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- 8.16** Where located at the rear, conservatories will also be assessed against the guidance set out in relation to single storey rear extensions (particularly in terms of projection).

Side Extensions

Single Storey Side Extensions

- 8.17** The design of a single storey side extension should reflect the design of the existing dwelling in terms of roof style, pitch materials and detailing and should not have an excessive sideways projection (i.e. more than two thirds the width of the original dwelling). In Figure 8.11 both the gabled roof shown on the left hand side and the hipped roof on the right reflect the form and pitch of the main roof. A lean-to roof (not shown) is a more traditional form and could be used as an option against a gable wall to reduce the impact on a neighbouring property.

Figure 8.11



- 8.18** Habitable rooms in the roof space of single storey side extensions will not normally be permitted, particularly where the eaves height would be increased (leaving a number of courses of brick work between the top of the fenestration and the bottom of the eaves) and/or dormer windows would be introduced.
- 8.19** On corner plots the sideways projection of a single storey side extension should not exceed more than half the width of the existing gap between the original dwelling and the side boundary.

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Two Storey Side and First Floor Side Extensions

- 8.20** Terraced housing is a perfectly acceptable form of building design. However, linking or closing the gap between semis or detached houses as in Figure 8.12 to give the effect of a terrace, is a detrimental change to the character of the street scene and must be avoided.

Figure 8.12



- 8.21** All two-storey side extensions should therefore have a pitched roof following the form of the existing roof. To prevent a terracing effect and to avoid detrimental changes to the character of the street scene, it will be desirable to provide a setback of at least 500mm from the main front wall of the dwelling. A setback from the front elevation allows for a vertical break in the roof plane and a lowering of the ridge line.
- 8.22** In addition to the set-back from the front, where practicable, a side extension should also be set in by one metre from the side boundary with an adjacent property, to further avoid the terracing effect (Figure 8.13). This also gives the benefit of external access to the rear of the property.

Figure 8.13



- 8.23** The sideways projection of a two storey side extension should not exceed more than two thirds the width of the original dwelling. Where located on a corner plot the sideways projection should not exceed more than half the width of the gap between the side elevation of the original dwellings and the side boundary (unless the gap exceeded more than two thirds the width of the original dwelling).
- 8.24** In addition, on a corner plot where the rear elevation of the dwelling is clearly visible, a set back of 500mm will also be required at the rear to ensure the extension remains subordinate and to avoid the unsightly bonding of old and new materials.

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Garages, Outbuildings and Annexes

- 8.25 Detached garages **and outbuildings** should relate sympathetically to the main dwelling in style, proportions and external finishes. In most cases, it will not be appropriate for a garage to be sited between the house and the road.
- 8.26 Detached garages **and outbuildings** should be single storey structures and the eaves height should not normally exceed 2.5m from ground level, with the ridge height not exceeding of 4m. Proposals for garages will be benchmarked against the standard sizes for single garages as outlined in the South Yorkshire Residential Design Guide, which states the internal floor area for single garages should be 3m by 6.5m. For double garage proposals a standard floor area size is considered to be 6.5m x 6.5m. It is not considered appropriate for detached garages to include dormer windows as a way of accommodating rooms in the roof space, **but however**, in some circumstances (e.g. where the garage is set within a large curtilage) it may be possible to utilise the roof space for ancillary accommodation/storage but not as an annex/granny annex. Where the privacy of neighbouring residents would not be compromised it may therefore be possible to install roof lights.
- 8.27 Applications for annexes should be accompanied by a planning statement outlining the relationship between the existing dwelling and the proposed annex and that of the proposed residents. An annex building, often referred to as a 'Granny Annex' may be permitted in a rear garden where it would not occupy a disproportionate amount of the garden and would not have its own separate access or garden area. An annex should normally have a close physical relationship with the host dwelling and maintain a reliance with it having some shared facilities, be single storey and their size shall be benchmarked against the floor area of a studio apartment, of 33m² as outlined in the South Yorkshire Residential Design Guide. If the Council is mindful to grant planning permission, it will almost always be subject to a condition which requires the annex to remain ancillary to the main dwelling, same family occupancy and one which prevents it being used, sold or rented as an independent dwelling/separated planning unit at a later date.

Decking/Raised Platforms

- 8.1 Decking and raised platforms are commonly used where the rear garden is below the floor area of the dwelling in order to allow improved access to the rear garden and to provide a convenient outdoor amenity area on the same level as the dwelling. Decking and raised platforms are also used in other circumstances but can often give rise to increased overlooking of neighbouring dwellings and particularly their gardens.
- 8.2 In view of this, decking and raised platforms will only be allowed where the privacy of neighbouring residents is not detrimentally affected by significantly increased overlooking (e.g. where the decking is located away from the boundary and where there is sufficient permanent screening, such as a high boundary wall or an outbuilding in an adjacent garden). In addition, decking and raised platforms should not have a significantly detrimental impact on visual amenity and for this reason decking will not be allowed where it is prominently located and can be easily viewed from public vantage points.

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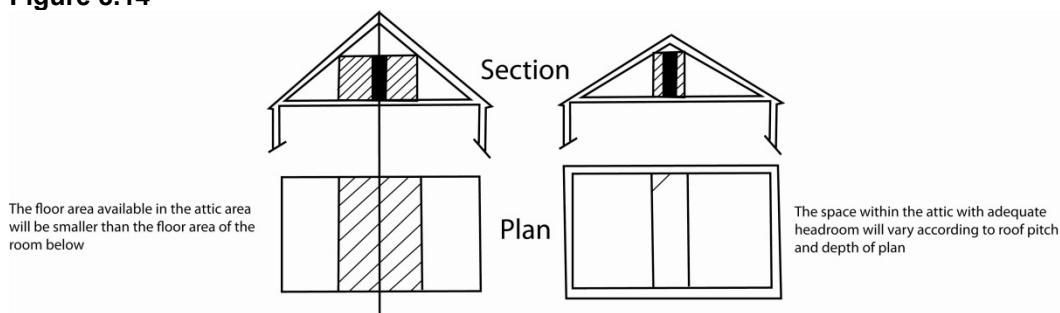
- 8.3 In some circumstances, to reduce overlooking, it may be possible to include screening such as fencing with an application for decking or a raised platform but any screening should not result in significant overshadowing or loss of outlook from neighbouring dwellings or have a detrimental impact on visual amenity or the character of the dwelling.

Dormer Windows

- 8.4 When considering whether to install a dormer window you should assess whether there is adequate space within the attic to accommodate a room(s) with adequate headroom without requiring a dormer extension that will dominate the roof (Figure 8.14). In general, providing that the roof pitch allows adequate height, a space approximately half the area of the floor below can be created.

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Figure 8.14



Style

- 8.5 The design of the dormer window should reflect the character of the area, the surrounding buildings and the age and appearance of the existing building.
- 8.6 Vertically proportioned dormer windows with pitched roofs are traditionally found in the Barnsley area (Figure 8.15).

Figure 8.15

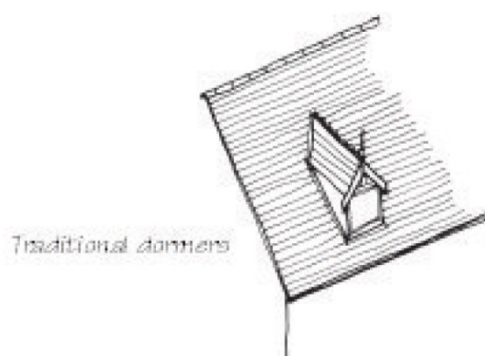
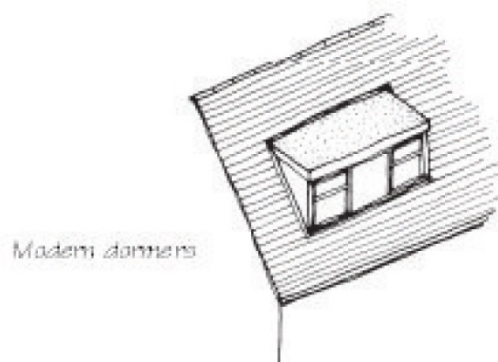


Figure 8.16



- 8.7 Flat roof dormers which tend to be larger and have horizontal emphasis can be seen in more recent housing developments. These have proved to be more expensive to maintain and prone to failure (Figure 8.16). Flat roof dormers are considered aesthetically inferior and are not normally acceptable.
- 8.8 Consequently, pitched roof dormers are generally considered more appropriate for both aesthetic and practical reasons.

Location

- 8.9 To assess whether a dormer on the front or principle elevation will be appropriate, the roofs of the surrounding buildings should be examined. Unless the street is characterised by dormers on the frontage, or these are a feature of the area/street/terrace, dormer windows should be located on the rear or secondary elevations.

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Positioning and relationship to other windows

8.10 The positioning of the dormer on the roof will have an impact on both the house and its neighbours.

Figure 8.17



8.11 So as not to dominate existing roof lines and retain its original form, dormers should be set within the roof plane (see Figure 8.17) and not be built off an external wall. The guidelines below should therefore be followed:-

- The dormer should sit within the roof plane and the top of the dormer should usually be below the ridge (A)
- Dormers and roof lights should be set back from the eaves (B) and gable by at least 0.5m (C)
- They should be at least 0.5m away from the party walls with adjacent properties. (D)

8.12 Where there are existing dormers in the same roof plane, for instance in a terrace, new dormers should line up horizontally.

8.13 It is also important that dormers and roof lights reflect the pattern of existing window openings. They should be positioned to line through vertically with the window openings below.

Materials

- Roofing materials for pitched roof dormers should match the main roofing material.
- Unless glazed, the sides (or cheeks) of the dormer should be the same or similar in appearance, particularly in colour to the main roofing material.
- Cladding to the front of the dormer should be minimised.
- Glazing on windows on the side elevation must be obscure.

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Extensions for the Benefit of Disabled Persons

- 8.14 There is an exemption from planning fees for applications that shall be used solely for the benefit of the disabled person. This is interpreted as necessary adaptations, such as a downstairs bedroom or toilet/shower room.
- 8.15 The majority of these applications are as a result of the person being assessed by the Council's Aids and Adaptations Unit, and that assessment, with a recommendation of needs, is passed to the Council's Grants Agency, who then evaluate that persons suitability for a Disabled Facilities Grant (DFG) if the person is a homeowner. Council Tenants would be passed on to Berneslai Homes for suitability checks.
- 8.16 If you are intending to submit an application on behalf of a disabled person, it may be worthwhile taking the following, used when assessing the suitability for DFG works by the Grants Agency, as a guide for the nature and type of the extension.
- Single Bedroom 8.4 square metres
 - Double Bedroom 10.2 square metres
 - Bathrooms (Level Access Shower, Toilet and Wash Basin) 5 square metres
- 8.17 All the above are internal floor area measurements. This is a minimum figure and may vary, for example, if a wheelchair turning area or hoist is required.

9. Other issues/consents

Building regulations

- 9.1 Even when planning permission is not required, it is almost always necessary to obtain approval under Building Regulations. Building Control is concerned with ensuring any alterations/ extension of your dwelling is undertaken in a safe and satisfactory manner. Please be aware that, under some circumstances, compliance with Building Regulations may well impact upon the overall design of an extension or alteration to a property, which may conflict with the planning design guidance given within this document. For further information please Tel: 01226 772678.
- 9.2 Good neighbourliness and fairness are among the yardsticks against which your proposals will be measured. You are strongly advised to discuss your plans with your neighbours before submitting your application. Your nearest neighbours, usually at least the properties either side of you will be notified of your proposals by the council and invited to make comments. Their views will be taken into account by the council in reaching a decision. If you are thinking of extending your house, think about what this may mean to your neighbour as well.

Listed buildings/Conservation areas

- 9.3 If your property is a Listed Building or is located within a Conservation Area, special policies and restrictions will apply. In such a case, it is advisable to discuss your proposal at the earliest opportunity with the Conservation Officer on 01226 772576.

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Security considerations

- 9.4 The most vulnerable areas for domestic properties are the sides and the rear. This is where extensions are often built and if not constructed to the appropriate standards they can become a security risk. The design of single storey extensions in particular should be carefully considered from a security point of view. Flat roofs can compromise the security of a property by allowing access to first floor windows.
- 9.5 Further information on security considerations can be sought from the local Police Crime Reduction/Designing out Crime Officer on 01226 736017, or at:

South Yorkshire Police
The HUB,
Safer Neighbourhood Services
Barnsley Police Station
S70 2DL

Email: barry.regan@southyorks.pnn.police.uk

Boundaries/private civil matters

- 9.6 When an extension or even a separate garage is built up to the property boundary, this may involve foundations or guttering encroachment over the boundary. This may not be acceptable to your neighbour and means that you cannot build the extension without your neighbour's consent even if planning permission is granted. Alternatively, set the extension away from the boundary to avoid encroachment. If an extension is built on or close to the boundary, access from your neighbours' property may be needed to build your extension and maintain it in the future. This would be a private legal matter between you and your neighbour and emphasises the need to discuss your proposals with your neighbour before submitting an application.
- 9.7 Even when planning permission is granted, this does not affect your neighbour's rights under civil law to prevent the work from being carried out if it involves development on their land.
- 9.8 Information regarding 'The Party Wall etc. Act 1996' published by the Ministry of Housing, Communities and Local Government (MHCLG), provides full information on your rights and duties under the Act and can be accessed using the following link:
- <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance>
- 9.9 If your extension or outbuilding is designed to be built up to a boundary with the highway (a footpath, road or verge) then encroachment of foundations or guttering over the boundary will not be acceptable and must be redesigned so that there is no encroachment.

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