

Applicant: Network Space

Description: Residential development of up to 215 dwellings with associated car parking/garages, landscaping, public open space including both equipped and non-equipped areas of play, SUDS and drainage, with details of a new vehicular access onto Shaw Lane (Outline with all matters reserved apart from means of access)

Site Address: Land north of Shaw Lane, Carlton, Barnsley, S71 3HH

32 letters of objection have been received from local residents.

Site Location & Description

The site consists of a 7.57 hectare area of land that forms part of Mixed Use Allocation MU3 in the Local Plan (indicative number of dwellings 1683 overall within the allocation and green space) and also forms part of the Carlton Masterplan Framework.

This parcel of the Carlton Masterplan site is located to the north of Shaw Lane and is currently used as agricultural land with areas of marshland. It has an irregular shape and is relatively flat. The main body of the site is open agricultural land with vegetation predominately being located around the edges of the site on the field boundaries.

The surrounding area mainly consists of other fields and undeveloped land to the north and south that are also the subject of Local Plan allocation MU3. That includes the former Carlton Colliery immediately opposite to the south of the site. There are a small number of residential properties positioned opposite to the south and a greater number further along Shaw Lane to the west. Premier Foods Carlton Bakery is located to the south west.

To the east the site shares the boundary with a disused former railway line which is positioned on an embankment. Further to the east beyond the disused railway line is the large Boulder Bridge complex of industrial and scrap vehicle uses.

To the west and north are more open fields. The field to the west contains the former Barnsley Canal including sections of it that are still in water. Beyond that to the west is Carlton Park. To the north west is Outwood Academy Carlton.

More built up areas are located further along Shaw Lane to the west in Carlton and at Boulder Bridge and at Weetshaw Lane to the east. The site is separated from Boulder Bridge by a railway bridge that contains thick abutments and long and tall retaining walls that create a small tunnel. The road is narrowed to one lane passing underneath the bridge only allowing one lane of vehicular traffic to pass through at a time and a give way priority system is in place on the road to enable traffic to flow both ways. There are no footpath provisions to pass through. Immediately on the other side of the bridge to the east is an 'S' bend that passes through the Boulder Bridge complex. Eventually Shaw Lane becomes Weetshaw Lane and joins the A628 Cudworth Parkway to the at Weetshaw Lane roundabout to the north west of Cudworth and the south west of Shafton.

Proposed Development

The application is in outline form with all matters reserved except for means of access. The proposal consists of an indicative number of 215 dwellings with associated car parking, garages, access, landscaping, open space and drainage provision.

Vehicular access to the site is proposed from Shaw Lane to the South. It is proposed that this access would allow the site to come forward independently from the rest of the MU3 allocation. The access and internal road layout is proposed to provide access into the wider allocation.

The indicative site layout plan submitted with the application shows public open space with associated equipped play areas to the North West of the site with further informal play areas

located centrally and to the South Western corner. A surface water attenuation basin, along with associated landscaping, is shown to the South Eastern corner.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

Local Plan Allocation – Mixed use site MU3 Land off Shaw Lane Carlton.

This site is proposed for mixed use for housing and green space. The indicative number of dwellings proposed for this site is 1683. These are included in the Housing figures for Urban Barnsley in the Housing chapter.

The development will be subject to the production of a phased Masterplan Framework covering the entire site to ensure that development is brought forward in a comprehensive manner.

The development will be expected to:

- Retain areas of woodland, not affected by the road. Should any part of the existing Wharnccliffe Woodmoor green space be developed, an area of compensatory biodiversity-value green space of equivalent size should be created on the land within site MU3 to the east of the existing Wharnccliffe Woodmoor green space. Compensatory areas will need to be linked to Wharnccliffe Woodmoor by wildlife corridors;
- Provide access from Far Field Lane roundabout;
- Provide off site highway works;
- Retain the higher ecological value habitats in the southern part of Wharnccliffe Woodmoor green space, together with the water courses in the centre of the site with a buffer;
- Provide robust measures to mitigate ecological impact where the construction of the access road impacts upon the southern part of the site which has high ecological value and in particular woodland blocks;
- Provide robust mitigation measures to mitigate against noise, odour and other potential impacts arising from the existing industrial operations at Manor Bakeries and Boulder Bridge;
- Provide small scale convenience retail and community facilities in compliance with Local Plan policy TC5 Small Local Shops; and
- Avoid locating built development in parts of the site within flood zone 2 and 3.

In addition mixed use site MU2 'Land between Fish Dam Lane and Carlton Road' is in close proximity to the west and is also the subject of the adopted Carlton Masterplan Framework:-

This site is proposed for mixed use for housing and a primary school. The indicative number of dwellings proposed for this site is 294. These have been included in the housing figures for Urban Barnsley in the housing chapter.

The development will be subject to the production of a phased Masterplan Framework.

The development will be expected to:

- Respect the setting of the listed Manor Farmhouse and the Carlton Conservation Area immediately adjacent to the East by the use of appropriate site layout, sympathetic design that reflects the setting, scaling, massing, details and materials;
- Retain the woodland and grassland to the north west of Manor Street; and
- Retain existing vegetation on the wildlife corridor adjacent the stream at the south and west of the site.
- Archaeological remains are known/expected to be present on this site therefore proposals must be accompanied by an appropriate archaeological assessment.

Other relevant Local Plan Policies include;

SD1 Presumption in favour of Sustainable Development

LG2 The Location of Growth

GD1 General Development

GS1 Green Space

H1 The Number of New Homes to be Built

H2 The Distribution of New Homes

H6 Housing Mix and Efficient Use of Land

H7 Affordable Housing

T3 New Development and Sustainable Travel

T4 New development and Transport Safety

D1 High Quality Design and Place Making

Poll1 Pollution Control and Protection

BIO1 Biodiversity and Geodiversity

CC1 Climate Change

CC2 Sustainable Design and Construction

CC4 Sustainable Drainage System (SuDS)

RE1 Low Carbon and Renewable Energy

I1 Infrastructure and Planning Obligations

SPD's

Those of relevance to this application are as follows:

- Design of Housing Development
- Parking
- Sustainable Travel
- Financial Contributions to schools
- Open Space Provision on New Housing Developments

Other

South Yorkshire Residential Design Guide
Strategic Housing Market Assessment (July 2021)

Carlton Masterplan Framework

In the Local Plan, the MU2 and MU3 Carlton allocations have been designated to be a combined new mixed-use development for 1977 homes, a small local shop and expanded education provision. However, after working through the masterplanning process, the Masterplan Framework is intended to provide 1500 homes.

The purpose of the masterplan is to ensure coordinated, comprehensive and quality development is brought forward at Carlton. It forms material guidance in the determination of any planning applications on the site.

Applicants are required to present each planning application to the Design Panel at key stages throughout design development and demonstrate compliance with the Masterplan Framework and Design Code.

Carlton Masterplan Framework Delivery Strategy

It is expected that development of the site will come forward in a series of phases. It is noted that phases will not necessarily be delivered sequentially, however the delivery of certain phases will be dependent upon the availability of infrastructure networks (e.g. highways, drainage, utilities, etc.) to serve the respective parts of the site.

The application site is identified as phase 3 in Masterplan framework delivery strategy which states:- *Due to congestion on the existing highway network, access needs to be secured off Royston Lane via the northern access road. This access road fits in with BMBC's wider strategic transport aspirations. The business case, alignment and environmental mitigation measures will need to be developed in detail. Services to be connected to existing infrastructure on Shaw Lane and/or Royston Lane.*

Para 5.4.6. Phase 3 – The site is identified to form the L11 Area. Specific requirements to be placed on land parcel ref L11 in relation to infrastructure delivery are as follows:

- To provide highway infrastructure for adoption by the Highway Authority to permit access to Shaw Lane via parcel L11.
- Make available land to allow improvements to Shaw Lane.
- To provide the active travel route through the parcel as indicated in the Masterplan Framework.
- To provide a wildlife corridor on and around the parcel as indicated in the Masterplan Framework.
- Prior to occupation of 25% of dwellings within parcel L11 complete the public open space shown on the Masterplan Framework within this parcel, in coordination with the developer of parcel L12.
- The surface water drainage system provided in parcel L11, including outfall to the existing combined sewer, shall also cater for the surface water run-off from parcel L12 based on a maximum permissible surface water runoff rate of 5 l/s / Ha.

- In planning, designing and installing the utility supply to parcel L11, the developer shall make provision for utility supply to parcel L12 for residential dwellings assuming an upper bound density as set out in the Masterplan Framework.
- The developer is encouraged to provide occupiers with a choice of telecommunications operator including Openreach and Zayo who both have apparatus in the vicinity of the site, and shall make available infrastructure to permit provision of these services to parcel L12.
- In planning, designing and installing the foul sewerage provision to parcel L11, the developer shall make provision for foul sewerage to parcel L12 residential dwellings assuming an upper bound density as set out in the Masterplan Framework.
- To provide a small local shop as required by the Local Plan and as indicated in the Masterplan Framework.

NPPF

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Paragraphs of particular relevance to this application include:

Para 7 - The purpose of the planning system is to contribute to the achievement of sustainable development.

Para 11 – Plans and decisions should apply a presumption in favour of sustainable development.

Para 65 - Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership

Para 92 - Planning policies and decisions should aim to achieve healthy, inclusive, and safe places.

Para 111 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para 126 - The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Para 131 - Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change.

Para 134 - Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

Consultations

Biodiversity – Consider that insufficient information has been provided with regards to the wide variety of survey data that is necessary in order to demonstrate that the development would avoid causing harm biodiversity including a number of protected species and upon the SSSI at Carlton

Marsh. In addition, the application would need to achieve 10% net gain (See more detailed comments in the assessment section).

Coal Authority – No objections subject to standard advice.

Drainage – No objections subject to conditions.

Education – Primary and secondary school places are required. Based upon the number of dwellings indicated the total contribution required would be £1,232,000.00.

Highways – Object and recommend refusal (see Highways section of the assessment part of the report for more detailed comments).

Natural England – Consider that insufficient information has been provided and that assessment of the potential impacts on the Carlton Marsh (Dearne Valley Wetlands SSSI) is required.

Public Rights of Way – No objections subject to informatives.

Regulatory Services – No objections subject to conditions.

Superfast South Yorkshire – No objections subject to condition.

The Coal Authority – No objections subject to standard advice.

Trans Pennine Trail – See comments in the assessment section.

Yorkshire Water – No objections subject to conditions.

Yorkshire Wildlife Trust – Object due to lack of baseline information included within the ecology report.

Representations

The application was advertised by way of a site notice and press notice with immediate neighbours being notified by letter (50no. in total). 32 letters of objection have been received as a result. The main points of concern are:

- Inadequate access
- Road infrastructure cannot cope with additional traffic
- Link Road not included in the plans which will increase pressure on existing roads
- Shaw Lane junction cannot cope with construction traffic and the traffic generated by the completed scheme
- The proposed traffic lights on the Shaw Lane junction will increase congestion
- Lack of bus services within the immediate area of the site
- Close to industrial uses causing noise and disturbance
- Increased overlooking/loss of privacy
- Add to flooding issues at Boulder Bridge
- Loss of fields/green spaces
- Negative impact on local wildlife and neighbouring SSSI
- Local facilities not adequate enough to cope with additional residents

Assessment

Principle of Development

The 7.57Ha site forms part of the much larger 117.2Ha MU3 Local Plan allocation. Together with the MU2 allocation further to the west, south of Carlton, they were initially allocated in the Local Plan to provide 1977 new homes, a small local shop and expanded education facilities. However, after working through the Carlton Masterplan process the number of new dwellings was reduced to 1500 homes.

Development of the site is subject to the Carlton Masterplan Framework and the associated Delivery Strategy to ensure that development and the associated infrastructure provisions are

brought forward in a comprehensive manner. There is flexibility on how phases may come forward and they may not be delivered sequentially. However, the delivery of certain phases could be dependant upon the availability of infrastructure networks to serve the respective parts of the site.

This development parcel is identified as L11 in the Delivery Strategy and is contained within Phase 3 of the phasing part. Within the strategy for Phase 3 it states that *“Due to congestion on the existing highway network, access needs to be secured off Royston Lane via the northern access road. This access road fits in with BMBC’s wider strategic transport aspirations.”* However, in order to secure access to Royston Lane, phased development of the parcels will require L12 to be brought forward in advance of L11. As such the proposal fails to accord with the Carlton Masterplan Framework and associated Delivery Plan as it seeks to gain access from Shaw Lane prior to the northern access being secured from Royston Lane.

The purpose of the Masterplan is to ensure coordinated, comprehensive and quality development is brought forward at Carlton. It forms material guidance in the determination of any planning applications on the site. Furthermore, the National Planning Practice Guidance states that masterplans *“help to clarify design expectations early in the planning process, set a clear vision for the site, inform infrastructure and viability assessments and identify requirements for developer contributions or other investment”*.

It therefore follows that if planning applications are allowed that do not comply with the masterplan, phasing and delivery strategies then it will undermine the delivery of the wide variety of its requirements and would jeopardise the critical infrastructure that is going to be needed to serve the remainder of the MU3 allocation preventing the coordinated and comprehensive planning of the whole area.

Another problem it would create is that in a scenario where those that obtain planning permission first are not making the required contributions for cumulative infrastructure, the burden will fall on the owners of the remainder of the land. This could mean that either they refuse to release their land or applications come in with requests for concessions. This could stall, slow down or prevent the remainder of the allocation from coming forward and harm housing supply and delivery on a large site that is required to make a significant contribution towards new homes delivery in the Local Plan.

It is noted that the applicants are proposing to make improvements to Shaw Lane and active travel routes in and around the site. The indicative plan also shows road ways from the site which would link with adjacent parcels also, including a section which could form part of the Northern Link Road. However, in section 5.3 of the Delivery Plan ‘Common Infrastructure’ delivery of the Northern Access Road should be provided from the developers of phases 3 and 4 in order to relieve congestion in Carlton and along Shaw Lane. There is no indication from the applicants that a contribution would be made for the section of Road from Royston Lane to parcel L12. If this site is solely accessed from Shaw Lane, contrary to the Delivery Strategy, then a critical part of the Carlton Masterplan required infrastructure would be under threat as there is no commitment within the application to assist with its delivery as is required and as the burden of the Northern Access Road would fall on the developers of the neighbouring sites. As such, the proposal would prejudice the whole of the development envisaged in the masterplan. This conflicts with the Carlton Masterplan, its Delivery Strategy and Local Plan Policy GD1.

The Delivery Strategy also specifically requires parcel L11 ‘to provide a small local shop for the benefit of the local community and as indicated in the Masterplan Framework’. It is noted that the application is only in outline form with only access included, however, the indicative plan and associated documentation states that the shop is not within the applicant’s site and should be within parcel L12. Again, this is contrary to the Masterplan Framework and Local Plan Policy GD1.

Density is also a key consideration. The wider site allocation is divided into 3 density zones, a high density zone adjacent to Shaw Lane with an average density of 40-45 dwellings per hectare (DPH), a medium density zone centrally located within the site with an average density of 35-40DPH and a low density zone to the north of the site with an average density of 30-35 DPH. Combined, the average density across the site should be 40 DPH which is in line with Local Plan Policy H6 ‘Housing Mix and Efficient Use of Land’. The proposal subject to this application falls short within 2 of those density areas, high density and medium density.

As already explained, the application is only in outline form, but the indicative plan submitted shows up to 215 dwellings in total with 133 homes in 3.28Ha in the higher density area (40.6DPH) and 82 dwellings in 2.46Ha in the medium density area which equates to a combined 37DPH. This is below the requirements of Policy H6. The Masterplan compliance statement submitted by the applicant also identifies that the density falls short of the requirement. Again, the absence of a firm commitment to comply with the housing densities in the masterplan is unacceptable from a Local Plan housing delivery perspective.

In addition to the above all new dwellings must ensure that living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new residents and those existing. In addition, development will only be granted where it would maintain visual amenity and not create traffic problems/reduce highway safety. An assessment of the proposals against those criteria is set out within the sections of the report below:-

Highway's considerations

As outlined above, in the section of the report discussing the principle of development, the proposal is not in accordance with the Masterplan Framework and delivery Strategy covering this application site. Within the strategy for Phase 3 it states *"Due to congestion on the existing highway network, access needs to be secured off Royston Lane via the northern access road. This access road fits in with BMBC's wider strategic transport aspirations."* However, in order to secure access to Royston Lane, phased development of the parcels will require L12 to be brought forward in advance of L11 and as such this application is deemed to be out of sequence and premature. Shaw Lane and the associated junction at Church Street are not adequate to accommodate up to 215 dwellings.

The applicants argue, through their Transport Assessment, that the site can come forward out of sequence with the delivery of a junction improvement scheme at Shaw Lane/Church Street/Fish Dam Lane. However, that goes against the new road infrastructure requirements set out in the Masterplan Framework and in any case the submitted information has been fully assessed by the Council's Highways service and they thoroughly dispute the claim that the traffic generated by the proposed development would not have a material and detrimental impact on the local highway network when considered both in isolation and cumulatively with committed development. No committed developments have been included in the Highway Assessments, contrary to government guidance, as such, robust "predicted Growth" has not been fully accounted for. Current TAG guidance states "It is important to give appropriate consideration to the cumulative impacts arising from other committed development (i.e. development that is consented or allocated where there is a reasonable degree of certainty will proceed within the next 3 years). At the decision-taking stage this may require the developer to carry out an assessment of the impact of those adopted Local Plan allocations which have the potential to impact on the same sections of transport network as well as other relevant local sites benefitting from as yet unimplemented planning approval".

The modelling / network assessment work undertaken includes errors and omissions and cannot be accepted by Highways Development Control. Furthermore, the scope of the Transport Assessment was not agreed with BMBC prior to the submission of the application and the requirements requested by Highways were not fully addressed in revisions.

The site access junction from Shaw Lane has not been designed in accordance with the design requirements of the South Yorkshire Residential Design Guide and gives rise to road safety concerns. The South Yorkshire Residential Design Guide states that the design vehicle should be able to turn without crossing into the opposing lane on the major arm when undertaking left in / left out manoeuvres and leave 0.5m clearance between vehicle body and carriageway edge on the minor arm. Swept paths demonstrate that this requirement has not been fulfilled and therefore, the junction design is not acceptable.

The application has also not demonstrated that foot and cycle links provide appropriate levels of sustainable access to and from the site. The links shown to the TPT cannot be fully achieved without land outside the applicant's control. Walk distances to public transport far exceed the 400m walk distance guidelines at circa 700m. The proposed footway widening along Shaw Lane cannot be accepted as presented given the lack of information, and road safety concerns given the

carriageway would have to be narrowed to accommodate the footway widening. No swept paths have been undertaken to demonstrate that the carriageway narrowing is acceptable from an operational perspective.

The proposal also includes a Toucan crossing which is not acceptable as the site does not have cycle/footway provision on both sides of the road to facilitate a continuous route. This is contrary to NPPF Paragraph 110 which states that *when assessing specific applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users*. NPPF paragraph 112 goes on to state that developments should *'give priority first to pedestrian and cycle movements, both within the scheme and within neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use'*.

In terms of the proposed design of the offsite highway works for the Church Lane / Shaw Lane / Fish Dam Lane it has been assessed and in its current form the design is not acceptable and gives rise to road safety concerns. The Road Safety Audit undertaken did not include all changes to the highway network and was undertaken without the Council having the opportunity to review the brief or for the Council (particularly a representative from Traffic) be invited to attend the audit. Furthermore, it does not appear from the information provided that the Road Safety Audit team were provided with the swept path drawings for review / comment before or following drafting of the Road Safety Audit report.

For the reasons set out above, Highways cannot support the application and have recommended refusal given that the scheme is contrary to the Masterplan/Delivery Strategy, the NPPF and Local Plan Policies T3 'New Development and Sustainable Travel' and T4 'New development and Transport Safety'.

Visual Amenity

The application is an outline with all matters reserved with the exception of access. As such, visual amenity would need to be considered in depth at the reserved matters stage. As this site is proposed to be the first development within the Carlton Masterplan area it is an opportunity to set the standard for subsequent development.

In order to justify the access to the site from Shaw Lane the applicants have proposed a number of amendments to the junction between Shaw Lane and Church Street including a 3 way signalised junction and pedestrian crossings. The existing junction is simple in design and bounded by stone walls with little in the way of street furniture except lampposts and signage. This area falls within the Carlton Conservation Area and is close to the historic core of Carlton. The street paraphernalia associated with the junction amendments would, through introducing additional street furniture, clutter and markings, cause a degree of harm to the setting of the Conservation Area and individual historic buildings in the immediate vicinity including the former Wharnccliffe Arms and 2 Church Street, contrary to Local Plan Policy HE1.

Residential Amenity

Given the application is only in outline form with all matters apart from access reserved, there is limited information to fully assess residential amenity. That is especially in terms of the separation distances between properties and the amenity of future residents regarding internal spacing and garden sizes and as such, that would be considered at the reserved matters stage.

The site does not share a boundary with any existing residential properties and is separated from dwellings to the South by Shaw Lane. However, as has been highlighted in the objection letters there are a number of commercial/industrial uses to the East of the site beyond the railway line on Boulder Bridge Lane and at Premier Foods Bakery to the south west.

A Noise Survey has been submitted with the application which concludes that the proposed development is not expected to have a significant adverse impact on health or quality of life and that mitigation measures can be incorporated into the scheme including higher fencing on the Eastern boundary of the site and appropriate glazing and means of ventilation. Regulatory

Services concur with the report findings and have raised no objections subject to a condition requiring the mitigation measure being installed prior to occupation and maintained.

Ecology

Natural England have objected to the application due to the potential significant impacts on Dearne Valley Wetlands Site of Special Scientific Interest (SSSI). The application was submitted without a SSSI assessment which needed to include the potential impacts on water quality, impacts from increased recreational pressure, impacts on birds using functionally linked land and impacts on air quality. Without this information Natural England object.

The Yorkshire Wildlife Trust drew similar conclusions stating *'The sensitive location of the application site in relation to the surrounding designated sites is not given adequate consideration with the ecological submission, both in terms of potential impacts, but also on the potential to positively contribute to nature's recovery in this location'*.

It is noted that following the initial submission further information has been submitted including a Willow Tit Survey (A key factor in achieving the SSSI status was the stronghold of Willow Tit), a Badger survey, Great Crested Newt letter and Biodiversity Impact Assessment (BIA). However, following assessment of the additional information objections still remain, including from the Council's Planning Ecologist.

Furthermore, the protected/priority species reports do not include data searches undertaken with the Barnsley Biological Record Centre (BBRC) or South Yorkshire Badger Group. Also, as no consultation has taken place with the local record centre the Ecology Report does not detail the proximity of the Barnsley Canal Wildlife site (approximately 45m to the West).

The extended phase 1 habitat report notes the statutorily designated Carlton Marsh (Dearne Valley Wetlands SSSI) is located within close proximity of the proposals site (approx. 35m to the south-east) and that Natural England may need to be consulted with regards to the proposals. However, the applicant needed to evaluate the proposed developments potential impact upon the SSSI in further detail. As outlined above, Natural England object to the scheme and state *'Proposed developments that have the potential to impact designated sites require environmental assessment before planning permission can be granted. The assessment provides the competent authority with the necessary information to determine a planning application. Therefore, an assessment of the potential impacts on the nearby SSSI is required at outline stage'*.

Public Rights of Way

There are no recorded public rights of way within the site boundary. The Trans Pennine Trail runs around the site, running along Shaw Lane on the southern boundary then along the canal to the west. The alignment of the TPT throughout the documentation is incorrect – this was noted at the pre-app stage.

The application indicates connections to the Trans Pennine Trail that are welcomed but assurance is sought in terms of dedication and future maintenance. This will need dialogue with Barnsley's Public Rights of Way Team. It is also recommended that the route along Shaw Lane is upgraded to bridleway status, not just for walkers and cyclists, as the TPT along Shaw Lane caters for walkers, cyclists and horse riders. Again, this will need to be dedicated and discussed with Barnsley's Public Rights of Way Team.

Historical coal mining risks

The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach for a Coal Mining Risk assessment to be submitted.

Drainage

The site is within flood zone 1 which is an area with low probability of flooding. The Yorkshire Water drainage records shows a combined sewer crossing the site from the north to the south. A foul pumping station is located to the south of Shaw Lane, adjacent to the site at its South east corner.

The Delivery Strategy in the Masterplan Framework requires the surface water drainage system in parcel L11, including outfall to the existing combined sewer to also cater for the surface water runoff from parcel L12. The applicants have indicated that large scale infiltration SUDS are not considered appropriate but a variety of SUDS techniques maybe suitable to provide attenuation and the indicative plan show an attenuation basin in the South Eastern corner. However, the location of the SUDS pond is distant from parcel L12 with the Flood Risk Assessment stating that the drainage strategy is only intended to serve a development of approximately 200 dwellings. Not only is that short of the maximum number of dwellings indicated in the application (215), but it is well short of the 584 number of new homes that is to be built on parcels L11 and L12 combined. Therefore, the proposals fail to comply with this part of the Masterplan and Delivery Strategy in terms of the drainage strategy not being designed to cater for both parcels L11 and L12 combined.

Furthermore, in planning, designing and installing the foul sewerage provision to parcel L11, the developer is required by the Masterplan Framework and Delivery Strategy to make provision for foul sewerage to parcel L12 which assumes the upper bound density as set out in the Masterplan Framework. Again, this has not been demonstrated especially as the FRA is only indicated to set out foul sewerage provision and not the 584 dwellings that is due to be built on built on parcels L11 and L12 combined.

Planning obligation and infrastructure requirements

Education

SPD 'Financial contributions towards schools' states that 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 a need for contributions to ensure schools are in an appropriate condition

The Council's Education Officer has confirmed this is an area of high development which also borders other areas of high development and this high level is impacting the provision of school places.

The secondary school for this area (Outwood Academy Carlton) will not have sufficient school places to accommodate this development and the primary phase is also under pressure. The pupil yield from this development will require an additional one and a half form entry in primary and an additional form at secondary. As such, an education contribution would need to be sought for both primary and secondary provision. Based upon the indicative number of dwellings the contribution required would be:-

Primary phase – pupil yield of 45 pupils at £16,000 per pupil totalling £720,000

Secondary phase – pupil yield of 32 pupils at £16,000 per pupil totalling £512,000

As such the total education contribution that would be required for 215 dwellings = £1,232,000

Sustainable Travel

The objective of the 'Sustainable Travel' SPD is to ensure that the accessibility of new development via public transport, walking and cycling is acceptable in order to promote sustainable transport and active travel and where possible enhance the safety, efficiency, and sustainability of the transport network to meet Barnsley MBC's economic, health and air quality aspirations. This document also supports the Council's 'Zero to 40' Climate Change strategy.

The SPD requires contributions on developments of 10 or more dwellings using the calculation set out in the SPD. Based upon the number of 215 dwellings a contribution of £162,250 would be required. The contributions will be used to help finance and deliver the programme of public transport improvements and enhancements identified in the Infrastructure Delivery Plan, the updated Barnsley Rail Vision, and other relevant documents.

Affordable Housing

Policy H7 sets out that housing developments of 15 or more dwellings will be expected to provide affordable housing. The percentages required differ depending on the area of the borough, in this particular area 10% is required. These percentages will be sought unless it can be demonstrated through a viability assessment that the required figure would render the scheme unviable. The developer must show that arrangements have been put in place to keep the new homes affordable.

The type and tenure of affordable housing and their distribution throughout the site would need to be considered in more detail at Reserved Matters stage.

Open Space

In line with SPD 'Open Space Provision on New Housing Developments' a minimum of 15% of the gross site area of new housing development (of 20 or more dwellings) must be open space of a type appropriate to the character of the site, its location and the layout and nature of the new housing and adjoining land uses.

The submitted indicative plans and associated Design and Access Statement indicate that 15% open space could be accommodated on the site (excluding the Suds area) including informal play space, equipped children's play areas and formal recreational areas. However, the areas of MU3 to the north of Shaw Lane are due to accommodate approximately 584 homes and the application has been submitted out of sequence and in advance of the earlier phase L12. The open space has not been coordinated with phase L12 therefore as the masterplan requires.

Link Road

In section 5.3 of the Delivery Plan 'Common Infrastructure' delivery of the Northern Access Road should be provided from the developers of phases 3 and 4 in order to relieve congestion in Carlton and along Shaw Lane making it an important aim of the Masterplan. There is no indication from the applicants that a contribution would be made for the section of Road from Royston Lane to parcel L12. If this site is solely accessed from Shaw Lane, contrary to the Delivery Strategy, then a critical part of the Carlton Masterplan required infrastructure would be under threat as there is no commitment within the application to assist with its delivery as is required and as the burden of the Northern Access Road would fall on the developers of the neighbouring sites. As such, the proposal would prejudice the potential development of the masterplan area because of the burdens likely to be imposed on other landowners, this conflicts with Local Plan Policy GD1. Connectivity within the site and to the wider area is key to deliver the aims of the Masterplan Framework and should not be overlooked, nor be piecemeal.

Conclusion

In summary, the development of this site and the wider MU3 Local Plan site allocation is the subject to a Masterplan Framework and an associated Delivery Strategy to ensure that coordinated, comprehensive and quality development is brought forward at Carlton, and to guarantee the provision of a wide variety of essential infrastructure that is required to enable the whole of the wider allocation to be delivered.

This development parcel is identified as land parcel L11 which forms part of Phase 3 of the phasing strategy. As has been explained within the assessment section of the report, a Northern Access Road needs to be created from Royston Lane by the developers of phases 3 and 4 in order to relieve congestion in Carlton and along Shaw Lane. However, in order to secure access to Royston Lane, phased development of the parcels will require L12 (also forming part of phase 3) to be brought forward in advance of L11 and as such this application is deemed to ignore one of

the important infrastructure requirements identified within the Carlton Masterplan Framework, its associated Delivery Strategy and is out of sequence and premature. Neither does the application include a commitment to pay a contribution towards its delivery. If this site is solely accessed from Shaw Lane, contrary to the Delivery Strategy, then a critical part of the Carlton Masterplan required infrastructure would be under threat and the burden of the Northern Access Road would fall on the developers of the neighbouring sites. As such, the proposal would have a prejudicial and undermining impact on the Masterplan Framework and would threaten the delivery of the wider Local Plan allocation.

In addition, the plans fail to include a small local shop for the benefit of the local community in this part of the site which is a requirement of the Masterplan Framework.

The proposals also fall short on achieving the minimum housing density figures required by the Masterplan. Again, the absence of a firm commitment to comply with the housing densities in the masterplan is unacceptable from a Local Plan housing delivery perspective.

The Masterplan Framework also requires the surface and foul water drainage systems built as part of this site to cater for all of the housing development taking place to the north of Shaw Lane (parcel L12 as well as the application site L11 = approximately 584 homes in total) and not only sufficient drainage provisions for the application site in isolation. This is another area where the application falls short of the necessary infrastructure provisions and is piecemeal, therefore.

From an open space provision perspective, the application has been submitted out of sequence and in advance of the earlier phase L12. The open space is not coordinated with that phase therefore as the Masterplan Framework requires.

The proposal is in therefore conflict with the Carlton Masterplan, the associated Delivery Strategy and the Local Plan including the allocation policy MU3 and Policy GD1.

The applicants have proposed an alternative Highway improvement scheme to Shaw Lane, the junction between Shaw Lane/Church Street/Fish Dam Lane and active travel routes in and around the site in order to justify this site coming forward outside of the sequencing set out in the Masterplan. However, this proposal does not accord with the Masterplan which requires the Northern Access Road for the broader highways reasons already explained. Furthermore, those works would have a material and detrimental impact on the local highway network when considered in isolation or cumulatively with committed development. Additionally, the modelling/network assessment work submitted to justify the development included errors and omissions. Both the design of the site access junction from Shaw Lane and the offsite highway works for the Church Lane/Shaw Lane/Fish Dam Lane junction are not acceptable and give rise to road safety concerns, contrary to the South Yorkshire Residential Design Guide, NPPF and Local Plan Policies T3 and T4.

Furthermore, the applicant has not demonstrated that foot and cycle links provide appropriate levels of sustainable access to and from the site. The links shown to the TPT cannot be fully achieved without land outside the applicants control and Walk distances to public transport far exceed the 400m walk distance guidelines.

The proposed junction improvements to Shaw Lane/Church Street/Fish Dam Lane fall within the Carlton Conservation Area and are close to the historic core of Carlton. The street paraphernalia associated with the junction amendments would, through introducing additional street furniture, clutter and markings, cause a degree of harm to the setting of the Conservation Area and individual historic buildings in the immediate vicinity including the former Wharnccliffe Arms and 2 Church Street, contrary to Local Plan Policy HE1.

The site is adjacent to the statutorily designated Carlton Marsh (Dearne Valley Wetlands SSSI). The applicants have not adequately assessed the impact of the development on the SSSI. As such, the sensitive location of the application site in relation to the surrounding designated sites has not been given adequate consideration with the ecology surveys. That is both in terms of potential impacts, but also on the potential to positively contribute to nature's recovery in this location. As a result, Natural England, Yorkshire Wildlife Trust and the Council's Biodiversity Officer have all objected. The development is therefore contrary to Local Plan Policy BIO1

'Biodiversity and Geodiversity'. For the reasons set out, the application is recommended for refusal.

Recommendation: Refuse

1. In the opinion of the Local Planning Authority the proposals would fail to bring forward a coordinated, comprehensive and quality development of the wider Local Plan MU3 allocation and would fail to provide the essential infrastructure that is necessary, including the Northern Access Road, that is required to enable the whole of the wider allocation to be delivered that is set out within the Carlton Masterplan Framework and its associated Delivery Strategy (application site = site ref L11 within that document). In addition, the proposal is also regarded to be an out of sequence, premature and piecemeal form of development. Furthermore, if this site is solely accessed from Shaw Lane, contrary to the Delivery Strategy, then a critical part of the Carlton Masterplan required infrastructure would be under threat as there is no commitment within the application to assist with its delivery as is required, and as the burden of delivering the Northern Access Road would fall on the developers of the neighbouring sites. It is also the case that the plans fail to include a small local shop for the benefit of the local community in this part of the site which is a requirement of the Masterplan Framework. As such, the proposal would have a prejudicial and undermining impact on the Carlton Masterplan Framework and would jeopardise the delivery of the wider MU3 Local Plan site allocation.
2. In the opinion of the Local Planning Authority the proposed site access from Shaw Lane has not been designed in accordance with the design requirements of the South Yorkshire Residential Design Guide and gives rise to road safety concerns. Furthermore, the proposed off-site highway works at the Church Lane / Shaw Lane / Fish Dam Lane junction are not acceptable as they would not help deliver the new Northern Access Road that is identified as being necessary in the Carlton Masterplan in order to relieve existing congestion in Carlton and along Shaw Lane. Furthermore, the proposed works would give rise to road safety concerns in their own right. The application has also not demonstrated that foot and cycle links provide appropriate levels of sustainable access to and from the site. The links shown to the TPT cannot be fully achieved without land outside the applicants control. Walk distances to public transport also far exceed the 400m walk distance guidelines. As such, the scheme is contrary to the Carlton Masterplan/Delivery Strategy, the NPPF and Local Plan Policies T3 'New Development and Sustainable Travel' and T4 'New development and Transport Safety'.
3. The site is adjacent to the statutorily designated Carlton Marsh (Dearne Valley Wetlands SSSI). The applicants have not adequately assessed the impact of the development on the SSSI, and as such, the sensitive location of the application site in relation to the surrounding designated sites is not given adequate consideration with the ecological submission, both in terms of potential impacts, but also on the potential to positively contribute to nature's recovery in this location, contrary to Local Plan Policy BIO1 'Biodiversity and Geodiversity' and the associated SPD 'Biodiversity and Geodiversity'. Furthermore, the protected/priority species reports do not include data searches undertaken with the Barnsley Biological Record Centre (BBRC) or South Yorkshire Badger Group and do not assess the impacts on the Barnsley Canal Wildlife site (approximately 45m to the West).
4. In the opinion of the Local Planning Authority, the street paraphernalia associated with the junction amendments would, through introducing additional street furniture, clutter and markings, cause a degree of harm to the setting of the Conservation Area and individual historic buildings in the immediate vicinity including the former Wharnccliffe Arms and 2 Church Street, contrary to Local Plan Policies D1 'High Quality Design and Place Making' and HE1 'The Historic Environment'.
5. In the opinion of the Local Planning Authority, the surface and foul water drainage systems proposed as part of this site are not sufficient to cater for the application site and the neighbouring site (L12) as required by the Carlton Masterplan Framework. The Delivery Strategy requires the surface water drainage system in parcel L11, including outfall to the existing combined sewer, to also cater for the surface water run-off from parcel L12. The

indicative location of the SUDS pond is distant from parcel L12 with the Flood Risk Assessment stating that the drainage strategy is only intended to serve a development of approximately 200 dwellings. Not only is that short of the maximum number of dwellings indicated in the application (215) but it is considerably short of the 584 number of new homes that is to be built on parcels L11 and L12 combined. Furthermore, the applicant has failed to demonstrate that proper provision for foul sewage to parcel L12 has been provided in planning, designing and installing the foul sewerage provision to parcel L11. Therefore, the proposals fail to comply with this part of the Masterplan and Delivery Strategy and are contrary to Local Plan Policies CC1 'Climate Change' and CC3 'Flood Risk'.

6. In the opinion of the Local Planning Authority, the proposed development falls short of achieving the minimum housing density figures required by the Carlton Masterplan Framework. The absence of a firm commitment to comply with the housing densities in the masterplan is unacceptable from a Local Plan housing delivery perspective and is contrary to Local Plan Policy H6 'Housing Mix and Efficient Use of Land' and specific requirements contained within the Carlton Masterplan.

