

## **BARNSELY METROPOLITAN BOROUGH COUNCIL**

**This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan**

### **REPORT OF THE EXECUTIVE DIRECTOR PLACE TO CABINET**

#### **SUPPLEMENTARY PLANNING DOCUMENTS**

##### **1. PURPOSE OF REPORT**

- 1.1 This report seeks authority to consult on several Supplementary Planning Documents (SPD's) and Planning Advice Notes.

##### **2. RECOMMENDATIONS**

- 2.1 **That approval is given to consult on the Supplementary Planning Documents and Planning Advice Notes covered in this report.**

##### **3. INTRODUCTION**

- 3.1 The Local Plan, adopted on 3<sup>rd</sup> January 2019, contains policies to be considered when determining planning applications. Supplementary Planning Documents contain further advice and explain how these policies will be applied. Where a document is referred to as a Planning Advice Note (PAN) it is providing guidance on an issue that doesn't have a direct link to a Local Plan policy.
- 3.2 Eighteen updated and new Supplementary Planning Documents and Planning Advice Notes were adopted by the Council in May 2019.
- 3.3 This report seeks authority to consult on a further eight SPD's and PAN's.

##### **4. PROPOSAL AND JUSTIFICATION**

- 4.1 Following adoption of the Local Plan, eighteen updated and new SPD's/ PAN's have been adopted. been prepared. This report seeks approval to carry out public consultation on a further eight new and updated SPD's. Public consultation will take place for a period of four weeks.
- 4.2 **SPD's proposed for consultation.**

- Sustainable Travel
- Planning Obligations
- Parking
- Section 38 agreements
- Section 278 agreements
- Contaminated Land

- Elsecar Conservation Area Design and Maintenance Guide SPD
- Cawthorne Village Design Statement

4.3 The Sustainable Travel and Planning Obligations SPD's were consulted upon with the first tranche of documents. These were held back in order to give further time to address the comments made, particularly in respect of the Sustainable Travel document.

4.4 Issues were raised with using the Accessibility Improvement Zone as a means to determine the level of contribution required. The revised version of the SPD proposes a different methodology based on number of trips that will be generated by a development. There will then be reductions applied depending on the level of accessibility of the area where the development is proposed. The reductions proposed are as follows:

50% if the development is within Barnsley Town Centre or a district centre  
25% if the development is within the Accessibility Improvement Zone

Where the site is outside these areas no reduction will be applied.

The Accessibility Improvement Zone is where sustainable transport is more readily available. Geographically the Accessibility Improvement Zone (AIZ) comprises Urban Barnsley and the five Principal Towns to the east of the M1. It is illustrated on the Local Plan's key diagram, and is the area which is the main focus of development and renewal in the Local Plan.

4.5 The cost per trip rate has been arrived at using indicative costs of the schemes included in the Transforming Cities bid, together with indicative costs from two of the projects in the delivery programme that accompanies the Infrastructure Delivery Plan. To achieve a cost per trip figure the total cost of schemes has been divided by the number of person trips per dwelling (10 trips per dwelling taken from TRICS). This gives a contribution cost of £101.26 per trip, which will be rounded to £100. This figure together with reductions based on location will be applied to each housing development over 10 dwellings. These figures have been applied to the list of housing allocations in the Local Plan to give an estimate of what the costs will yield. It is intended that the cost of schemes and the contribution per trip figure will be updated periodically based on updated evidence.

4.6 We have calculated that the Sustainable Travel SPD will generate approximately £12,398,400 using the £100 per trip figure, based on contributions from housing allocations. Contributions will be used for sustainable travel. This will partly be used as match funding for active travel projects. This figure will be reviewed periodically and amended based on updated evidence relating to infrastructure requirements.

4.7 Public consultation will take place for a period 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 versions.

4.8 Appendix 1 provides a summary of the purpose of each document and highlights any key points to note. The full version of the draft documents are contained in appendix 2.

4.9 Viability work undertaken in May 2019 looked at the section 106 contributions required by four draft SPD's in tranche 1: Affordable Housing; Financial Contributions to Schools; Open Space provision on new housing developments and Sustainable Travel. The viability report indicated that the figures sought in those four SPD's could be supported, and concluded that *the proposed supplementary planning document requirements are not considered to undermine the viability of the Local Plan (albeit accepting that viability is still likely to be a consideration on a case by case basis reflecting the specific circumstances of a scheme)*. The contribution figures from the previous version of the Sustainable Travel SPD were higher than those proposed in this current draft version, therefore it is considered that the conclusion of the viability work remains valid. Furthermore given the difference in contribution levels it gives some headroom to account for cumulative viability issues arising from all the documents that require developer contributions, including two of the new SPD's and PAN's on Section 278 and Section 38.

## **5. CONSIDERATION OF ALTERNATIVE APPROACHES**

5.1 One alternative approach would be not to update or prepare new supplementary planning documents. This would mean that there would be a vacuum of planning policy advice to support the Local Plan to help explain how policies will be applied and interpreted.

## **6. IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS**

6.1 The implications for local people and service users are that the updated Supplementary Planning Documents and Advice notes will be used to provide up to date information and guidance on how planning policies will be applied and interpreted.

## **7. FINANCIAL IMPLICATIONS**

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

7.2 The cost of the public consultation including printing and publicity costs are estimated to be approximately £1,500.

7.3 This additional expenditure will be financed from the reserves previously earmarked for the Local Plan.

7.4 The financial implications to this report are summarised in the attached Appendix A.

## **8. EMPLOYEE IMPLICATIONS**

8.1 There are no employee implications arising from this report.

## **9. COMMUNICATIONS IMPLICATIONS**

9.1 Communications support will be required in publicising the consultation through press releases and social media.

## **10. CONSULTATIONS**

- 10.1 Consultation has taken place internally with the various officers who act on behalf of the teams responsible for providing input into planning applications (e.g. Highways, Housing, Public Health).

## **11. THE CORPORATE PLAN AND THE COUNCIL'S PERFORMANCE MANAGEMENT FRAMEWORK**

- 11.1 The Local Plan is a key Council strategy document that will support achievement of each of the three main priorities set out in the corporate plan and more specifically outcomes 1-6, 9 and 11. The suite of SPD's provide further detail on how Local Plan policies will be applied.

## **12. PROMOTING EQUALITY, DIVERSITY AND SOCIAL INCLUSION**

- 12.1 The Local Plan was subject to an Equality Impact Assessment to assess the impact of its policies and proposals. This 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 and the accommodation needs of gypsies and travellers. The Design policy D1 also seeks to ensure development is designed to be accessible to all. The Supplementary Planning Documents will support these policies ensuring that equality, diversity and social inclusion are promoted as far as possible when planning applications are considered.

## **13. TACKLING THE IMPACT OF POVERTY**

- 13.1 If the objectives of the Local Plan are achieved it is anticipated that levels of poverty, deprivation and inequality will have reduced by the end of the plan period. A number of the supplementary planning documents will play important roles in securing planning contributions for sustainable travel (public transport, walking and cycling), investment in public open space, provision of additional school places and affordable housing. These contributions will benefit communities affected by development proposals, helping to mitigate impacts but also maximize opportunities. In turn, benefits should also be realised for those in poverty.

## **14. TACKLING HEALTH INEQUALITIES**

- 14.1 A Health Impact Assessment was produced to consider the Local Plan proposals on health. This considered the impact of the various policies within the plan on the health of the various communities as well as whether they contribute to the ambitions of the Corporate Plan and reduce health inequalities. It concluded that as a whole the plan would potentially improve the health of residents and help address health inequalities.
- 14.2 The Sustainable Travel SPD will also contribute towards improving health through seeking contributions for improvements to active travel.

## **15. REDUCTION OF CRIME AND DISORDER**

- 15.1 The Police Architectural Liaison Officer has been consulted on those documents which relate to layout and design of development to ensure that principles of Secured By Design are embedded.

## **16. RISK MANAGEMENT ISSUES**

- 16.1 The previous SPD report recommended that the Community Infrastructure Levy (CIL) is no longer pursued. CIL is non-negotiable whereas Section 106 can be negotiated. This is a risk but we consider it is outweighed by the benefits of focusing on section 106 contributions.

## **17. HEALTH, SAFETY AND EMERGENCY RESILIENCE ISSUES**

- 17.1 Over and above the matters referred to under the heading “Tackling Health Inequalities”, there are no direct implications for health, safety and emergency resilience arising from this report.

## **18. COMPATIBILITY WITH THE EUROPEAN CONVENTION ON HUMAN RIGHTS**

- 18.1 There are no implications arising from this report.

## **19. CONSERVATION OF BIODIVERSITY**

- 19.1 The adopted Local Plan seeks to achieve a net biodiversity gain by the end of the plan period.

## **20. GLOSSARY**

SPD Supplementary Planning Document  
PAN Planning Advice Note

## **21. LIST OF APPENDICES**

Appendix 1: List of SPD's and summary of their content  
Appendix 2: Draft SPD documents  
Appendix A: Financial Implications

## **22. BACKGROUND PAPERS**

Local Plan <https://www.barnsley.gov.uk/media/9924/local-plan-adopted.pdf>

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

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SPD/PAN	SUMMARY
Sustainable Travel	This is a new SPD which seeks contributions to sustainable and active travel. An earlier version was consulted on with the first tranche of SPD's that were adopted in May 2019. The methodology for calculating contributions in this revised version has been changed and is based on trips generated by a scheme, with reductions depending on whether it is located in Town Centre or a District Centre, or in the Accessibility Improvement Zone (AIZ). This SPD also sets out the number of electric vehicle charging points to be provided by developments as a minimum.
Planning Obligations	This is a new SPD which introduces the topic specific SPD's which seek section 106 contributions (Sustainable Transport, Affordable Housing, Financial Contributions for Schools and Open Space Provision on New Housing Developments). This SPD sets out priorities for contributions. It makes it clear that where multiple developer contributions are required those for schools and sustainable travel will take precedence.
Parking	This is an update of a 2012 SPD. The policy context has been updated. The reference to the parking standards being 'maximum' has been deleted and some standards updated.
Section 278 agreements	This is a new SPD which sets out the process of Section 278 agreements which relate to works within the highway.
Section 38 agreements.	This is a new SPD which sets out the process of Section 38 agreements which relate to adoption of highway.
Development on Land Affected by Contamination	This is a new SPD which gives information on how to deal with contaminated land.
Elsecar Conservation Area Design and Maintenance Guide SPD	This is a new SPD which supports the Elsecar Heritage Action Zone (HAZ) and the conservation area status.
Cawthorne Village Design Statement	This is an update of a previously adopted document. The policy context has been updated.