
2019/0239

Mr P Thornton Bellway Homes Ltd (Yorkshire Division), The Strategic Land Group Ltd., and Stuart, Erica Adele and Stephen Thompson
Residential development of 250 dwellings with associated access, parking, engineering and landscaping and ancillary works.
Land to the south of Lee Lane, Royston

Introduction

This report relates to a planning application that was submitted in February 2019. The application sought planning permission for 250 dwellings on part of a large mixed-use allocation at Lee Lane, Royston (site ref MU5). The site-specific policy in the Local Plan requires the production of a masterplan framework covering the entire site. The Local Plan indicates that such masterplan frameworks shall be subject to public consultation and be approved by the Council prior to determination of any planning applications on the affected sites.

The applicant was therefore advised that their planning application would either have to be withdrawn, refused or held in abeyance pending the adoption of a masterplan framework. On 29th October 2019 the applicant issued a 10-day notice of appeal to the Council and subsequently appealed to the Secretary of State for non-determination. The Planning Inspectorate has since confirmed that the appeal will take the form of a public inquiry, which is due to commence on 24th March 2020. This report therefore seeks the endorsement of Planning & Regulatory Board to resist the proposal at appeal for the reasons set out in the report.

Site Description

The site is located on the western edge of Royston located approximately 4.5 miles north of Barnsley Town Centre. The site would be accessed from Lee Lane (B6428)

The site is roughly L shaped, extending to 8.69 ha with Lee Lane forming the northern boundary, with a farm and commercial premises beyond, together with a residential site under construction (Barratt) which also forms part of this mixed use site allocation. A public bridleway (Footpath number 10) lies on the western boundary. To the east are agricultural fields (allocated as mixed use site MU5), and approximately 500m away are dwellings at West End Avenue. Several small ponds are located close to the site.

The site itself currently comprises gently sloping agricultural fields with boundaries characterised by mature trees and hedgerows.

Proposed Development

Pre-application advice was provided prior to the adoption of the Local Plan. The planning application is for a residential development of 250 dwellings in the following mix:

24 no. 2 bed dwellings
108 no. 3 bed dwellings
118 no 4 bed dwellings

The dwellings would be a mix of semi-detached and detached properties, with a few terraced with all but 10 of the plots of 2 stories in height, the remainder being of 2.5

stories. Parking is provided either to the front or side of the properties, some of the house types have integral garages.

The developer has provided 13 different property types, elevations are very simply designed though some have canted bay windows to ground floor and some have gable elements to front elevations. Twenty five plots are proposed to be affordable (10%). A viability assessment has been submitted.

Planning History

2016/1490 Land to the north of Lee Lane, Residential development of 164 no. dwellings and associated works (Amended Plans) granted 16/2/18
2018/0687 Variation of condition 2 (schedule of approved plans) of planning permission 2016/1490 to allow plan amendments to alter development from 164 to 166 dwellings granted 19/12/18

The above site to the north of Lee Lane is within the MU5 area but were granted prior to the adoption of the Local Plan.

The Appellant's Case

The Appellants case is that the proposals accord with the policies of the Development Plan and that the production of the Masterplan Framework for the wider MU5 site has been delayed.

The Appellants consider that the proposal would not significantly prejudice the future use of the neighbouring land and the rest of MU5 but will advance the delivery of housing within the Local Plan allocation and considers that other than MU5 it is not in conflict with the development plan. The Appellant considers there would be no harm in granting permission and that there is no reason why it should not be approved in advance of the masterplan as was a Barratt/David Wilson Homes application on the opposite side of Lee Lane.

The Appellants case is that infrastructure requirements in terms in terms of affordable housing, education contribution and greenspace contribution comply with adopted SPD's and provides heads of terms within the appeal statement, and considers that other benefits include providing a mix of housing, an appropriate amount of on-site POS, improvements to two no. off site highway junctions which would benefit the whole MU5 area. The Appellant therefore considers that there are no adverse impacts of the development that would outweigh the benefits of the proposal and considers there are no technical issues that cannot be addressed through appropriately worded planning conditions.

Policy Context

The Local Plan was adopted in January 2019. It supersedes the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011). Along with the Barnsley, Doncaster and Rotherham Joint Waste Plan 2012 it forms the development plan for the borough.

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 objectives seek to improve the economic prosperity and quality of life for all residents and those who work here. The spatial strategy seeks to distribute growth in accordance with a settlement hierarchy within which Royston is defined as a Principal Town. Paragraph 5.8 of the Local Plan explains that no matter how much development a settlement can accommodate, it is intended that the local distinctiveness of that place will be retained such that what is good and special about a place is preserved and enhanced and what is not so good can be improved through development as appropriate. Site Allocation: The site is allocated for residential development under reference MU5 in the Local Plan. The policy states:

Site MU5 and off Lee Lane Royston. Indicative Number of dwellings 828

Planning permission has been granted on this site for 166 dwellings. The indicative number of dwellings above relates to the remainder of the site.

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

The development will be expected to;

- *Provide a primary school on site;*
- *Ensure that access is via the construction of a roundabout on Lee Lane which along with the road layouts will allow the development of the entire site.*
- *Provide a small scale convenience retail facility as part of the development that is in compliance with Local Plan policy TC5 small local shops;*
- *Investigate options for improving public transport access to the development and interventions to encourage public transport use by residents; and*
- *Ensure that hedgerows, the trees at the west of the site and the strip adjacent to the discussed railway line at the north of the site are retained buffered and managed.*

Archaeological remains may be present on this site and therefore proposals must be accompanied by an appropriate archaeological assessment (including field evaluation if necessary) that must include the following:

- *Information identifying the likely location and extent of the remains, and the nature of the remains;*
- *An assessment of the significance of the remains; and*
- *Consideration of how the remains would be affected by the proposed development.*

The policies and guidance most directly applicable to the application are:

SD1 'Presumption in Favour of Sustainable Development'.

GD1 'General Development' provides a starting point for making decisions on all proposals for development setting out various criteria against which applications will be assessed.

LG2 'The Location of Growth'

H1 'The Number of New Homes to be Built' sets the target of new homes for the plan period 2014 to 2033 at 21,546

H2 'Distribution of New Homes' states 43% of new homes to be built in Urban Barnsley

H6 'Housing Mix and Efficient Use of Land' proposals for residential development are expected to include a broad mix of house size, type and tenure

Policy H7 'Affordable Housing' seeks 10% affordable housing in this area

T1 Accessibility Priorities

Policy T3 'New Development and Sustainable Travel'

Policy T4 'New Development and Transport Safety'

Policy D1 'High Quality Design and Place Making'

Policy GS1 'Green Space' requires new development to provide or contribute towards green space in line with the Green Space Strategy.

Policy BIO1 'Biodiversity and Geodiversity' requires development to conserve and enhance biodiversity and geodiversity.

CC1 'Climate Change'

CC2 'Sustainable Design and Construction'

CC3 'Flood Risk'

CC4 'Sustainable Urban Drainage'

CL1 'Contaminated and Unstable Land'

Poll1 'Pollution Control and Protection'

I1 'Infrastructure and Planning Obligations'

I2 'Educational, and Community Facilities'

Joint Waste Plan

Policy WCS7 requires a waste management plan for all development proposals (excluding minor developments) which should include design and layouts that allow effective sorting and storing of recyclables and recycling and composting of waste.

Adopted SPD's

- Design of Housing Development
- Parking
- Open Space Provision on New Housing Developments
- Sustainable Travel
- Planning Obligations
- Financial Contributions For Schools
- Trees and Hedgerows
- Affordable Housing
- Biodiversity and Geodiversity

Other

Adopted Best Practice - South Yorkshire Residential Design Guide

National Planning Policy Framework (NPPF)

The National Planning Policy Framework 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.

Sections of relevance would be:

12. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

57. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available

62. Where a need for affordable housing is identified, planning policies should expect it to be met on-site unless:

- (a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and
- (b) the agreed approach contributes to the objective of creating mixed and balanced communities.

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

72. The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities. Working with the support of their communities, and with other authorities if appropriate, strategic policy-making authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way

92. To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
- b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;
- c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
- d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and
- e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

94. It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
- b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted

National Planning Policy Guidance (NPPG)

Para 003 states : A plan's vision and objectives can be used to set out the types of place(s) which the plan aims to achieve, how this will contribute to the sustainable development of the area and how this translates into the expectations for development and investment, including design.

Para 006 Masterplans set the vision and implementation strategy for a development. They are distinct from local design guides by focusing on site specific proposals such as the scale and layout of development, mix of uses, transport and green infrastructure. Depending on the level of detail, the masterplan may indicate the intended arrangement of buildings, streets and the public realm. More specific parameters for the site's development may be set out in a design code, which can accompany the overall masterplan.

A range of other plans and technical reports may be needed alongside a masterplan, to provide supporting evidence and set out related proposals, such as a local character study, landscape assessment, transport assessment and proposals for securing biodiversity net gain. An implementation strategy could also be included, especially where development is expected to be brought forward in a number of phases.

Consultations

Affordable Housing – no comments received

Air Quality - no objections in principle, subject to conditions requiring EV charging points

Biodiversity – objects as despite updated ecology information submitted on 29th October, and 26th November insufficient information has been provided to determine if protected species are affected by the proposal.

Civic Trust – no comments received

Conservation – no comments received

Commercial Services – no comments received

Contaminated Land Officer – no comments received

Design – a number of design concerns are raised

Highways Drainage - no objection subject to conditions

Education - education contribution required for secondary places, a new primary school is required in accordance with MU5

Highways DC - serious concerns about on-site highway proposals regarding layout and access from Lee Lane; serious concerns about offsite impacts and proposed mitigation

Forestry Officer –trees generally taken into account though some conflicts with trees, AIA is required

Pollution Control - no objections subject to condition

Public Rights of Way – Any paths linking to existing PROW should be to adoptable standard

Superfast Broadband – Developer should provide gigabit-capable full fibre broadband for dwellings

Sustainability/Energy – Energy/Sustainability statement is required

SYMAS – the site does not lie within a coal mining legacy risk area. Coal Authority standing advice only is proposed

SYAS – no objection subject to a condition

SY Police – advice on construction phase provided

Transportation - seeking S106 monies to provide a 3m wide cycle track

Yorkshire Water – no objection subject to conditions

Waste Management – suitable turning points required for refuse vehicles

Ward Councillors – no comments received

Representations

The application was advertised in the press, by neighbour notification letters and site notices. 3 representations have been received. Objections raised are:

- Object to dwellings built on greenfield site
- Highways safety concerns due to number of vehicles accessing Lee Lane
- More infrastructure needed in terms of schools nurseries, GP surgery
- Queries as to appeal procedure for third parties

Assessment

Principle of Development

The vision and objectives of the Local Plan are set out on page 5. The opening sentence sets out a clear intention to enhance Barnsley as a location to do business and a place that will improve the quality of life for residents. Amongst the Local Plan objectives are a desire to widen the choice of high quality homes, improve the design of development and to achieve net gains in biodiversity. These will be achieved by enabling the delivery of at least 21,546 homes that provide housing for all, including affordable housing, enabling the provision of critical infrastructure and protecting and enhancing the natural built and historic environment.

Chapter 13 of the Local Plan deals with Local Character and identifies the key challenges as being:

- Encouraging the community to expect, demand and appreciate high quality urban environments
- Achieving sustainable development
- Insisting of excellent design
- Protecting local distinctiveness

Identified policy solutions to these challenges include:

- Requiring developers to embrace good design and protect and enhance the historic environment
- Encouraging developers to work in partnership with organisations such as the Barnsley Civic Trust, community and school partnerships and other local relevant organisations funding proposals
- Using the advice of the Design Advisory Panel on major projects to secure improvements to schemes coming forward and achieve the best design solutions
- Building the capacity of the community to appreciate and expect higher standards of design by involving them in decisions and consulting them on proposals and strategies
- Producing local design guidance such as SPDs, village design statements, planning and design briefs and masterplans.

To help deliver development on the largest site allocations consistent with the vision and objectives of the local plan and the identified policy solutions, there is a requirement for such allocations to be subject to masterplan frameworks that are subject to public consultation and need to be adopted by the Council. By adopting a local plan with ambitious objectives, the Council is showing a willingness to accept housing growth over and above minimum demographic requirements. This willingness is not unconditional though, and if it stands a chance of being retained in future years, the residents of the borough need to see proposals coming forward that are policy compliant and in respect of the larger site allocations/urban extension, it is fundamental that they have the chance to get involved at the master planning stage to ensure that the optimal design solutions are delivered (rather than looking at various parcels individually and assessing whether they are bad enough to refuse).

Planning Practice Guidance indicates 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 follows that if planning applications are allowed on an ad hoc basis this will be without a full understanding of the cumulative infrastructure requirements. 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 policy concessions or requests for public sector funding. This would either stall or slow down delivery undermining the alleged benefits of earlier delivery.

Although it is anticipated that masterplan frameworks for the remainder of the sites will be in place within the next 15 months or so, the fundamental issue in this case is

that the appellant has made no attempt to masterplan the wider allocation in accordance with local plan requirements (including meaningful engagement with stakeholders), presented the scheme to local, independent design review panel or quantify cumulative infrastructure requirements and has instead made an arbitrary offer for off-site highway works. The disbenefits of granting planning permission for piecemeal development ahead of the adoption of a masterplan framework are therefore significant and manifest. A planning permission granted in breach of Local Plan policy would potentially prejudice the comprehensive delivery of the site and may not contribute towards the overarching requirements for infrastructure for the wider site (which have yet to be determined as part of the masterplan). This could result in preferential S106 terms compared to the remainder of the landowners', in particular with respect to potential highway infrastructure which may be required for the whole masterplan site and the provision of a new primary school required by the policy. It may also force other landowners to provide the lower value uses required by the MU5 policy. This would likely encourage others to do likewise in order to maximise land value at the expense of other landowners or the public purse.

Additionally, in advance of the framework, it is not clear if the Bellway site would integrate with the MU5 infrastructure requirements in terms of delivering the full range of green space required to include sport and recreation, which requires the whole area to be comprehensively assessed to ensure the most suitable size, and type of provision will be located in the most appropriate places; other infrastructure such as SUDs and footpaths should be designed comprehensively and not in a piecemeal manner. Connectivity within the site and to the wider area is key and again, should not be piecemeal.

Density is also a key consideration. The appellant is presenting a scheme at 34 dwellings per hectare. This falls short of the Local Plan requirement for a minimum of 40 dwellings per hectare. As the site adjoins agricultural land to the south and west it may well be that there is a case for a lower density towards the periphery but with the allocation, as a whole, achieving the local plan yield by incorporating a higher density towards the centre. This will be established through the masterplan framework but, in the absence of this, we have no way of knowing whether or not there is a justification to depart from the minimum 40 dwellings per hectare.

Having regard to the above and the various technical matters covered within subsequent sections of the report it is considered that the requirements for the MU5 site should be determined as a whole to ensure that all landowners make the appropriate level of contributions and links to the other part of the sites in a comprehensive manner. Allied with the adverse place-making implications and technical matters where the proposal is deficient, this weighs substantially against the proposal and significantly outweighs the alleged benefits of a short-term increase in housing delivery.

The application does not therefore comply with Local Plan Policy MU5 which requires development proposals to be subject to the production of a Masterplan Framework covering the entire MU5 site. As submitted, this residential scheme is considered a form of piecemeal form of development prejudicial to the policy, as it does not provide a primary school, retail facility or other infrastructure required by the MU5 policy or sufficient contributions or methods to secure the infrastructure which is required through Policy MU5, or other contributions required by I1, I2, GS1 or the relevant SPD's.

Comparison with the Barratts David Wilson Scheme

The appellant seeks to argue that the site is little different to the Barratt David Homes site on North Lee Lane currently under construction. However, that scheme was granted in March 2014 before the Local Plan had reached publication stage and at a time when the Council could not demonstrate a five-year housing land supply. The requirement for sites to be subject to a masterplan framework emerged during the Local Plan Examination. As the examination progressed and it became evident that the plan was capable of being found sound, justification for allowing proposals on an ad hoc basis fell away. With the plan now adopted, the circumstances are completely different and accordingly no weight should be given to the alleged similarities between the two sites.

Objectively Assessed Housing Need and Housing Requirement

The Appellants are refraining from a 5 year supply shortfall case given the recently approved status of the Plan. However, they are seeking to argue that delivery against the Local Plan's housing trajectory, particularly in relation to strategic and mixed-use sites allocated in the Local Plan, is predicted to be slower than expected. They consider this provides greater urgency to make positive decisions on allocations where possible in order to meet the housing requirement of the Plan.

When assessing this case, it is important to understand how the housing requirement in the adopted Local Plan was arrived at and the flexibility within the plan to enable housing delivery in a scenario where delivery on allocations does not come forward in the manner anticipated. The Council's performance in respect of the housing delivery test is also highly significant as this will inform whether or not the housing market is overheating.

As explained in the Local Plan Inspector's report, the 2017 Strategic Housing Market Assessment (SHMA), informed by the 2014 based DCLG housing projections, "identifies a baseline requirement of 880 dwellings per year over the 19-year plan period. In accordance with the advice in the PPG, a number of alternative trend scenarios were developed based on different migration and household formation rate assumptions. The use of a 10 year migration trend from 2005/06 to 2014/15 which takes account of fluctuations in economic cycles and unattributable population change is a robust and appropriate approach. A recovery in household formation rates in the younger age groups (15 – 44) also represents an appropriate adjustment and results in an increase in the baseline demographic need to 1088 dwellings per year. Based on the evidence, this represents an appropriate starting point on which to base any further uplift".

Importantly, in respect of market signals, the Inspector accepted that there was limited pressure on the housing market taking account of market signals such as house prices, affordability ratios, vacancy rates and overcrowding. Given that the plan includes an ambitious strategy for jobs creation, demographic forecasts were undertaken for three scenarios with the chosen one producing an objectively assessed housing need figure of 1,134 dwellings per annum, which the housing requirement seeks to meet in full.

The Inspector's report (para 59) also references the first published standard methodology figure for Barnsley of 898 dwellings per year but given that the plan was being examined against the 2012 NPPF and the job growth envisaged within the plan, the Inspector saw no reason to dispute either the OAHN or housing requirement figures on this basis. Nonetheless, for the purposes of assessing the

appellant's case, it is important to note that the Objectively Assessed Housing Need figure in the Local Plan is over 20% above the housing delivery test figure.

Prospects for maintaining a 5-year supply of deliverable sites over the plan period

Whilst the appellant is not pursuing a 5-year housing land supply argument, they are seeking to make a case that a fundamental policy requirement for larger sites to be subject to masterplan frameworks should be set aside to enable short term housing delivery to increase. To establish the weight that can be attributed to this argument it is therefore important to understand the Council's approach and the Local Plan Inspector findings, which are set out in paragraphs 240 to 250 of her report.

Notably, the examined housing trajectory included 566 completions of windfall sites within the supply for the first 5 years of the plan and a further 200 completions within the villages over the entire plan period but made no provision for any other windfalls meaning they account for just 3.6% of anticipated completions throughout the whole plan period. The Inspector concluded that "this represents a cautious approach having regard to evidence in the SHELAA that windfalls contributed an average of 142 dwellings per year from 2006 – 2016 or 15% of total completions".

During the Local Plan examination, the Council argued that there would likely be an inverse relationship between delivery on housing allocations and windfall sites such that there would be less windfalls as delivery increased on allocated sites. Conversely delivery on windfalls would increase if allocated sites were not coming forward in the manner envisaged. Given that the Inspector accepted that policies H4 and H5 will support development on specified unallocated sites and that the approach to windfalls throughout the plan period (as a component of the housing requirement) is cautious, limited weight can be given to the appellant's selective approach of assessing anticipated housing delivery only on the larger allocated sites.

Further evidence to counter the appellants argument that greater urgency is needed is contained within paragraphs 244 and 245 where the Inspector concluded that a shortfall in delivery (against the annualised average) during the early years of the plan period "has not translated to acute problems of affordability, suggesting that there is no significant 'pent up' demand that needs to be addressed in the short term". On this basis the Inspector concluded that the shortfall in delivery could be made up over the remainder of the plan period (i.e. the Liverpool approach).

As set out in paragraph 248 of the Local Plan Inspector's report, "assessing the precise level of 5 year supply and anticipated rates of delivery is not an exact science. It involves making assumptions about a large number of sites and various factors including likely start rates and annual rates of building which could be subject to change". The Council recognises that the 5-year requirement as set out in the housing trajectory is challenging given that annual figures for the next 4 years all exceed 1400. However, these figures need to be seen within the context on an annualised average figure of 1,134 and a housing delivery test figure of around 900. Given that housing delivery is exceeding the published housing delivery test figure and that housing delivery is broadly on a positive trajectory since the beginning of the plan period, even accounting for some delays to delivery on larger sites such as MU5 in the coming year or two, the prospects for delivering the local plan requirement of 21,546 homes by the end of the plan period remain strong.

The Council's Approach to Delivering the Spatial Strategy

Following the adoption of the Local Plan the Council recognised that there were a number of matters that needed to be prioritised in order to facilitate the delivery of the spatial strategy. The first of these was to get in place a new suite of Supplementary Planning Documents (SPDs). This has included updating previous SPDs and creating new ones. By the end of 2019 (i.e. less than 12 months following adoption of the Local Plan), 26 Supplementary Planning Documents have been adopted, underpinned by an updated viability study.

At the same time, it was necessary to restructure the service by reducing the resources devoted to plan making and to create new project manager roles as well as boosting the capacity to deal with technical matters to support the master-planning and development management functions. Financial resources also needed to be identified to ensure that masterplan frameworks could be progressed where they were not going to be developer-led.

Within the Local Plan there are seven areas that are required to be covered by masterplan frameworks. The table below identifies these areas and the progress made to date:

Masterplan Framework	Local Plan Allocation(s)	Uses	Progress to Date
Barnsley West	MU1	Employment, Residential, School, Small Scale retail/community uses	Developer-led Masterplan Framework adopted December 2019
Hoyland North	ES14, ES17, HS56, HS64, HS66	Employment, Residential, Formal Recreation	Developer-led Masterplan Framework adopted December 2019
Royston	MU5	Residential, School, small scale retail	Technical studies undertaken 2019, OVE ARUP commissioned by the Council to complete masterplan framework, anticipated adoption Autumn 2020
Hoyland South	HS58, HS61, HS65, HS68	Residential	OVE ARUP commissioned by the Council to complete masterplan framework, anticipated adoption Autumn 2020
Goldthorpe	ES10	Employment	Technical Studies undertaken 2018, Edward Architecture commissioned by the Council to complete masterplan framework, anticipated adoption Autumn 2020
Hoyland West	ES13, HS57	Employment, Residential	Developer-led Masterplan, anticipated to be adopted by Autumn 2020
Carlton	MU2 & MU3	Residential, School expansion, small scale retail/community uses	Finances earmarked to procure consultants in Spring 2020, anticipated adoption winter 2020/21

For the first two (MU1 and Hoyland North) developers came forward with offers to work in partnership by funding technical studies and master-planning working in partnership with the Council with a view to getting masterplan frameworks adopted by the end of 2019. More recently, the Council has received a similar approach for Hoyland West but for the remaining 4, no such approaches have been forthcoming despite there being a submitted planning application on part of the Royston site (i.e. this appeal) and pre-application advice for a substantial part of the Carlton allocation.

Officers therefore contend that with the resources available at our disposal we have made substantial progress since the adoption of the Local Plan, including the adoption of two masterplan frameworks and have a clear plan in place to ensure the remaining masterplan frameworks are adopted within the next 12-15 months.

Royston Masterplan Preparation

Whilst the Masterplan for this site has not yet been adopted, governance arrangements have been established including a project board formed, comprising agents and interested house builders, including representatives of Bellway. Technical surveys have been undertaken including highways, drainage, topographical and utilities surveys as well as early informal consultations undertaken with landowners.

In addition, the council have appointed Ove Arup as the master planning consultant for site MU5 (together with Hoyland South) with progress on the Masterplan Framework now underway. This is following a two stage procurement exercise that commenced in September 2019 utilising the Homes England Framework. The anticipated programme for adoption of the Masterplan Framework is Autumn 2020 following a 6 week public consultation exercise on the Draft Masterplan Framework in May/June 2020.

Contributions and Viability

A viability assessment was submitted by the applicants in support of their application which states that the proposal would be marginally viable if 10% affordable housing was provided, but did not appear to include any other contribution. However, the Statement of Case lodged with the appeal offers to provide 10% affordable housing and contributions towards education, public open space and off site highways works.

With respect to submitted details, the plan legend on the latest amended layout plan 1867.01 REV L identifies Farrier and Wainwright as 3 bed house types when the house type plans show they are 4 bed dwellings, although this error was previously on 8th November 2019 on a previous layout (REV H). It is questionable whether the viability assessment submitted has therefore identified the correct costs values and contributions rates associated with these house types. The required contributions for 250 proposed dwellings of the latest layout are set out below:

Education

There is a severe shortage school places in the locality and if contributions were required to provide additional spaces at existing schools then the sum as calculated in the adopted SPD would be £1,456,000, calculated as follows:
Primary yield is 53 pupils at £16,000 per pupil totalling £848,000;
Secondary yield is 38 pupils at £16,000 per pupil totalling £608,000.

However, in this case the site specific policy MU5 requires that a new primary school is built as part of the development of the MU5 area, the costs of which may be different to the calculation above. This is supported by Policy I2 which states that the Council will support the provision of schools, educational facilities and other community facilities. In addition to developers of the MU5 site providing a primary school, the contribution towards secondary school places would still be required.

Para 4.3 of the adopted SPD states that “ when there are concurrent applications in the same area we will need to consider the full impact on schools from all those applications together (rather than considering applications individually), and Para 6.4 of the adopted spd states “This is the calculation (of £16,000 per pupil) 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. 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”.

This stance is supported by the Government Department for Education document entitled “Securing Developer Contributions for Education” dated April 2019 which specifically mentions in the purpose of the document that developer contributions towards new school places should provide both funding for construction and land where applicable, subject to viability assessment when strategic plans are prepared and using up-to-date cost information;

Para 5 further states that “There should be an initial assumption that both land and funding for construction will be provided for new schools planned within housing developments”.

Sustainable Travel

Local Plan Policy T3 discusses new development and sustainable travel and the adopted supplementary planning document “Sustainable Travel” identifies contributions which are required to deliver the infrastructure priorities for the Local Plan. Royston lies within the Local Plan Accessibility Improvement Zone and therefore attracts a 25% reduction. For 250 dwellings, the total sustainable travel contribution would be £187,500. The masterplan framework will help to establish how the contribution could be best utilised but this requirement is not referred to in the applicants Statement of Case.

Open space contributions

A LEAP is proposed on site which may satisfy local informal play. The pre-application advice in 2017/ENQ/00508 stated “A preliminary assessment indicates it is likely in this instance that the requirement will be met through a mix of on- and off-site provision. The advice continued that “It is likely that the informal open space element and children’s play area will be required on site and formal recreation provision is likely to be required by means of an off-site contribution”. As a masterplan has not yet been prepared, the location and type of formal sports facility within the wider MU5 area has not yet been determined. Nevertheless the off-site contribution for formal recreation as set out in the adopted SPD, based on the size and type of dwellings proposed in the latest layout plan and house types would be £262,888.92. This is a larger sum than proposed in the Appeal Statement which appears to have been calculated on a previous layout plan.

Affordable Housing

25 no. affordable dwellings are proposed on the layout which complies with the Local Plan requirement of 10%. This is also reflected in Para 64 of the NPPF. However, the viability assessment addendum dated 2nd December 2019 states in para 1.5 that the project with 10% affordable housing becomes marginal.

Local Plan Policy PI1 Infrastructure and Planning Obligations states that development must be supported by appropriate physical, social, economic and communications infrastructure, and that development must contribute as necessary to meet all on and off-site infrastructure requirements to enable development to take place satisfactorily. This policy is clarified by adopted SPD "Planning Obligations" which states that an obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- A. necessary to make the development acceptable in planning terms
- B. directly related to the development
- C. Fairly and reasonably related in scale and kind to the development.

The SPD goes on to state in par 4.2 that where contributions are required for school places or sustainable travel, these will take precedence.

The applicant offers no contributions towards sustainable travel, and insufficient contributions towards formal open space to mitigate the effects of this development of 250 dwellings. The viability assessment submitted also states that the proposal would be of "marginal" viability to provide the 10% affordable housing required by the NPPF and Local Plan Policy H7.

Based on the above, the appellant's position appears to have changed since the appeal was lodged in that they are now offering more in the way of planning contributions. This casts doubt on the reliability of their development appraisal, which has not yet been independently assessed. Officers have commissioned an assessment to inform the Council's position at appeal. Until that work is complete it will not be possible to say one way or the other the extent to which viability is an issue. However, the failure of the developer to provide a policy compliant scheme significantly weighs against their argument that the scheme should be allowed in advance of the masterplan framework.

In view of the above, the proposal is considered to be contrary to Local Plan Policies PI1 Planning Obligations, Policy T3 Sustainable Travel, and contrary to the adopted SPD's on Financial Contributions for Schools.

Design

A number of iterations of the layout plan and house types have been submitted. The Senior Urban Design Officer has assessed the latest layout REV L and considers that there are concerns relating to car parking, boundary treatments, refuse facilities, detailed design and location of garages. Of particular concern is the insufficient buffer proposed between the open space LEAP and the proposed dwellings, which may need plots to be moved or omitted.

Additionally, although the Appeal Statement lists the appeal application as including peripheral landscaping to the edges to the site, and soft landscaping through the site, no details have ever been provided. Neither have any plans been submitted relating to the proposed substation, water attenuation areas or foul water pumping station.

In terms of external private amenity space, the plots in the main meet the minimum requirements, further comments are set out below under residential amenity.

The developer has provided 13 different property types, elevations are very simply designed though some have canted bay windows to ground floor and some have gable elements to front elevations. No materials are specified.

As the development site lies within a mixed use site which will be subject to a masterplan framework, there is uncertainty about any design codes which may be agreed as part of that framework. There is also uncertainty about the suitability, size and location of infrastructure requirements relating to highways, education, drainage and sport and recreation in advance of the masterplan framework, which could affect the layout of this site within the wider masterplan area. In the absence of this it is not possible to conclude that the proposal represents the optimal solution for the site in respect of design and layout in order to ensure that the site and the allocation as a whole will be consistent with Local Plan policy D1 and associated supporting text.

Taking all the above into account the proposal does not accord with Local Plan Policy GD1 and D1 and the ten characteristics set out in the National Design Guide and the adopted SPDs Design of New Housing Development and Open Space on new Housing Developments.

Visual Amenity

A series of street scenes have been provided with the initial layout, although not updated to show most recent housetypes. There are a mix of 13 house types of detached, semi-detached and a few terraced. All dwellings are proposed to be of 2 stories apart from 10 dwellings at 2.5 stories. Elevations are very simple with limited differentiation between the house types, some having a canted bay window to front elevation and some with a gable element to front. Some of the house types have an integral garage.

Parking is proposed to be a mix of front of house and side of house parking. A central area of open space containing a LEAP is proposed, with an annotation which may be a MUGA towards the eastern boundary set within a larger area of open space. Materials have not been specified.

Local Plan Policy GD1 requires, amongst other things, that developments include landscaping to provide a high quality setting for buildings. Local Plan Policy D1 requires developments to provide landscaping and to provide a high quality public realm, promote safe, secure environments and access routes with priority for pedestrians and cyclists however, no landscaping is proposed, and little effort appears to have been made to produce an interesting or attractive design. This is also contrary to Local Plan Policy D1 in that it is not of high quality design which respects, takes advantage of and reinforces the distinctive local character and features of Barnsley.

Residential Amenity

The proposed layout comprises a series of streets and cul de sacs. For the most part the minimum external private amenity space standards are met, although there are a number that fall well below, for example 2 bedroom plots 36,37, 153 to 156, 202 and 205 which have between 35sqm and 45sqm instead of the minimum 50sqm; and 3 bed plots 16,17 68,69 and 147 which have between 40 and 50sqm instead of the minimum required 60sqm.

A number of the plots are also proposed to be located very close to existing trees and hedgerows which may lead to overshadowing, leaf litter and pressure for

repeated pruning works (see the tree section below), particularly at plots 153 to 156 where a footpath accessing the rear is shown to be in the same position of T16 (ash), H3 and H4 hawthorn hedgerows, all of which are proposed to be retained.

Internally, the majority of the house types meet the minimum room sizes for the majority of rooms when judged against the adopted Best Practice in the South Yorkshire Residential Design Guide. However, of the 250 dwellings proposed, the following do not meet the minimum criteria:

97/250 have kitchens that are substantially below minimum required sizes for example 6.6sqm for the Potter instead of the required 11sqm, and 8sqm instead of the required 13sqm for the Wainwright;

27/250 have bedroom 1 that is substantially below minimum required sizes - en suites are discounted in the calculation as they do not form bedroom space for example 7.6sqm instead of 12sqm for the Tailor house type;

54/250 have bedroom 1 marginally below minimum required sizes - en suites are discounted - the Turner House Type;

46/250 have living rooms marginally below minimum required sizes for example the Thespian and Sawyer house types;

250/250 have insufficient designated storage space, although Farrier, Philosopher, Goldsmith and Lorimer have utility rooms which provide additional storage;

No garage meet Lifetime Homes Standard 3m x 6.5m internal space (SYRDG p 136);

25 no. (Farrier) garages do not meet minimum size for standard parking space (5 x 2.5m).

In terms of Design and Residential Amenity therefore, although the Appellant considers that technical aspects could be dealt with by condition, officers consider that a new layout would be required.

Means of Access and Site Layout

Amongst other things, the masterplan framework will include sustainable and vehicle movement frameworks aimed at prioritising pedestrians, cyclists and public transport. It will therefore identify a hierarchy of streets, including a bus route through the site and will clarify points of access into the various parcels taking into account pedestrian and road safety considerations. As the appellant is seeking permission in advance of the masterplan framework there is a fundamental issue in respect of whether or not their proposals represent the optimum highway solution for the whole of the allocation and their site itself. Moreover, the Highway Authority have considerable concerns about the onsite layout and proposed access.

This site forms part of the larger mixed use site MU5 contained within the adopted Local Plan. Whilst planning permission has been granted for 166 dwellings within the wider MU5 site, the plan is clear in that development will be subject to the production of a Masterplan Framework covering the entire site which ensures that development is brought forward in a comprehensive manner. Within this context the plan specifically states that the development is expected to ensure that access is via the construction of a roundabout on Lee Lane which along with the road layouts will allow development of the entire site. Furthermore, the development is expected to

investigate options for improving public transport access and interventions to encourage public transport use by residents.

The Appeal application proposes site access from Lee Lane is via a simple priority junction which has been previously objected to by former Highways Development Control Officers and South Yorkshire Police due to road safety concerns. This was due to speeding traffic on Lee Lane (in such a scenario a roundabout is considered to be safer than a priority junction hence the requirement for a roundabout to serve the entire MU5 site and develop the site in a cohesive manner as set out within the local plan).

However, notwithstanding the fundamental issue regarding the site access, non-compliance with the local plan and objection on road safety grounds, for completeness, the layout has been assessed as presented including the priority junction which is not acceptable in its present form for numerous reasons including:

- The priority junction proposals are not in accordance with the latest design parameters contained within the Design Manual for Roads and Bridges. Furthermore the swept path analysis for the access junction demonstrates that the refuse vehicle encroaches into the opposing lane when carrying out the left out manoeuvre. This is clearly a road safety issue and would no doubt have been picked up as part of a Stage 1 Road Safety Audit, however no such audit has been presented with the application.
- There is a distinct lack of speed restraint within the site. In accordance with the South Yorkshire Residential Design Guide (SYRGD) speed reducing features are generally required at 70 metre intervals for streets with a design speed of 20mph and 40 metre intervals for streets with a design speed of less than 20mph.
- There is a distinct lack of defined visitor parking spaces across the site. Due to the proposed width of carriageways, defined visitor parking bays will be required in accordance with the visitor parking standards contained within the Councils recently adopted Parking SPD.
- It is not clear whether the layout can accommodate bus services. Swept path analysis is required to ensure the layout does not compromise the ability of bus services to penetrate the site and in accordance with the requirements laid down in the South Yorkshire Residential Design Guide, there is a need to ensure that along the proposed bus route, running carriageways are to be kept free from parked cars by providing visitor parking within defined bays. Additional swept path analysis is also required to demonstrate that two cars can pass on curves and that the refuse vehicle can manoeuvre throughout the site using the entire carriageway.

Off Site Highway Works

The allocation represents a substantial urban extension to Royston. Whilst the starting point for the Council is to minimise private vehicle usage as far as possible, it is inevitable that key junctions within the vicinity of the site will experience increased usage, particularly during peak times. When dealing with previous planning applications on the former Royston High School site and the Barratts David Wilson proposal to the north of Lee Lane, assessments were undertaken to understand the impact on the crossroads in the centre of Royston (junction of High Street, Station

Road, Midland Road, The Wells). Locally there has been concerns regarding the capacity of this junction and these had been raised in representations to previous applications and the local plan.

The concerns regarding the capacity of the crossroads comes as no surprise. As explained in paragraphs 12.10 to 12.12 of the Local Plan:

12.10 “Barnsley’s existing transport infrastructure is a consequence of both the historical coal economy with more recent adjustments as part of the economic restructuring following the ending of coal mining in the 1990’s”.

12.11 “Because the coal mining communities were self-contained and coal was transported by rail, there was very little demand for travel of transport infrastructure linking the coalfield townships (the Principal Towns). The bus network serving the townships was a traditional hub and spoke pattern with services solely to Barnsley town centre. Alongside the closure of many of our railways in the 1960’s, which reflected little commuter use at that time, this pattern has resulted in a legacy of poor public transport, walking and cycling routes particularly between the Principal Towns”.

Paragraph 12.13 of the Local Plan explain that since the demise of the coal industry there have been a number of improvements to the highway pattern, public transport and active travel routes and for some settlements this has included by-pass schemes/relief roads (e.g. Cudworth and West Green by-pass). These have contrasted significantly with the appellant’s proposal to allow more traffic into the centre of Royston.

Barnsley has become a significant net exporter of labour such that our commuting ratio is one of the highest in the region (1.25). The local plan seeks to increase job creation in the borough but, when calculating objectively assessed housing need, it is assumed the commuting ratio will remain unchanged in part because of anticipated growth elsewhere. Work is ongoing to improve public transport and active travel networks but Local Plan policy T4 is clear that developers will need to mitigate additional traffic generation. This is also replicated in policy I1 and the supporting text to that policy, including paragraph 25.4, which deals with cumulative effects.

Mitigation required to facilitate residential development on the High School site included the installation of MOVA and pedestrian detectors to maximise the operational efficiency of the crossroad junction in the centre of Royston. Subsequent modelling work identified that it would not be possible to further increase the capacity/efficiency of the junction without utilising third party land. Officers have therefore been clear with the appellant and other parties that the masterplan will need to include a robust solution to the address capacity issues in the centre of Royston. Such a solution would need to work in respect of capacity, safety and urban design/place making considerations (after all, settlements such as Royston ought to benefit from additional development as per local plan objectives).

Despite the above, the Appellant has put forward a proposal to reconfigure the crossroad junction so that more of the traffic from their site and the allocation as a whole will be directed to the centre of the settlement. It will ultimately be for the masterplan framework to come up with a solution for the whole allocation but the Highway Authority has assessed the Appellant’s proposal and identified significant concerns regarding road safety, network operation and junction modelling. In particular, there is concern about the Appellant’s theoretical assessment of current and predicted highway capacity, which was based around a series of inaccurate

critical model settings that could substantially overestimate the current levels of available highway capacity.

Further information was therefore submitted on 5th December 2019 by the Appellant's highways consultant as follows:

- For the Station Road/Midland Road Traffic Signal controlled crossroads, no additional proposals but retained the issues under review.
- For the A61/Lee Lane/Shaw Lane staggered junction, minor updates had been provided, however, no evidence of appropriate validation is provided

For Station Road/Midland Road, all of issues of concern covering road safety, network operation and the appropriateness of junction modelling have yet to be addressed for this junction. There remains further concern over the viability of this proposed traffic improvement scheme, specifically with the overall geometry of the junction, it's compliance to national design standards and how any non-compliance could change the current transport modelling results and proposed improvements.

Accordingly, up to December 2019, there remain a number of outstanding and significant highways concerns over the traffic assessment and level of supporting information provided for off-site highway impacts.

Taking all the above into account, the Local Planning Authority does not agree with the appellant that there is a layout which is highways terms is compliant with relevant policies, nor that the proposed off-site highway works would provide acceptable improvements for this site or for the wider MU5 area. Nor is a roundabout proposed as required by the MU5 policy. As such the appeal proposal is considered to be contrary to Local Plan policies MU5, Local Plan Policy T3 Sustainable Travel, and Local Plan Policy T4 New development and Transport Safety and Local Plan policy I1 Infrastructure & Planning Obligations.

Trees

Whilst the Forestry Officer is satisfied that the tree survey has been taken into account overall in the layout of the proposals, with the proposed retention of the majority of trees and hedgerows to the boundaries of the site, a number of the plots are proposed to be located very close to existing tree and hedgerows. This may lead to overshadowing, leaf litter and pressure for repeated pruning works or removal of the trees/hedgerows. Despite a request for an Arboricultural Impact assessment from the Forestry Officer in April 2019 to determine how the development would impact on trees/hedgerows and take necessary precautions to avoid damage during construction and in the future, none has been submitted.

Ecology/Biodiversity

An updated Ecology Report was submitted on 29th October 2019 and Ecological Impact Assessment on 26th November 2019. The Biodiversity Officer has several objections which include: insufficient information on methodology has been provided for survey of protected species (bats and great crested newts) to assess magnitude of impacts; no ecological evaluation of the trees to be removed appears to have been undertaken including bat roost status; the ephemeral ponds have incorrectly been assumed to be unattractive to Great Crested Newts and should be surveyed; insufficient mitigation is proposed, the adopted SPD Biodiversity and Geodiversity requires a net gain in biodiversity, and habitat mitigation and compensation should be

provided on site. The proposal is therefore considered to be contrary to Local Plan Policy BIO1. The LPA cannot agree that the Appeal submission complies with Local Plan Policy BIO1 as insufficient information has been submitted.

Drainage/Flood Risk

No objections from Highways drainage or Yorkshire Water subject to the imposition of several conditions.

Pollution Control

There are no objections in principle. However a robust Construction method statement would be required to ensure that noise and dust measures are implemented during the construction period. A planning condition is proposed.

Air Quality

There are no objections in principle. However, EV charging points should be provided for each dwelling as set out in the adopted SPD Sustainable Travel. A planning condition is proposed.

Summary and Conclusions

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 disbenefits of granting planning permission for piecemeal development ahead of the adoption of a masterplan framework are significant and manifest. A planning permission granted in breach of Local Plan policy would potentially prejudice the comprehensive delivery of the site and may not contribute towards the overarching requirements for infrastructure for the wider site (which have yet to be determined as part of the masterplan). This could result in preferential S106 terms compared to the remainder of the landowners', in particular with respect to potential highway infrastructure which may be required for the whole masterplan site and the provision of a new primary school required by the policy. It would also force other landowners to provide the lower value uses such as the retail facility required by the MU5 policy.

Additionally, in advance of the framework, it is not clear if the Bellway site would integrate with the MU5 infrastructure requirements in terms of delivering the full range of green space required to include sport and recreation, which requires the whole area to be comprehensively assessed to ensure the most suitable size, and type of provision will be located in the most appropriate places; other infrastructure such as SUDs and footpaths should be designed comprehensively and not in a piecemeal manner. Connectivity within the site and to the wider area is key and again, should not be piecemeal. The requirements for the MU5 site should be determined as a whole to ensure that all landowners make the appropriate level of contributions and links to the other part of the sites in a comprehensive manner.

It falls upon the LPA to consider the benefits and disbenefits of the proposal in more detail

The application proposes 250 dwellings on part of a larger mixed use allocation which, amongst other uses, is expected to provide 828 dwellings. This weighs in favour of the proposal.

Also weighing in favour of the proposal are that the majority of the proposed house types and plots meet minimum internal and external space standards as set out in adopted SPD and adopted best practice guidance

10% affordable housing is proposed, this carries weight in favour of the proposal

Informal open space is proposed and a Local Equipped Area of Play (LEAP) is proposed – this carries some weight in favour of the proposal

The majority of the trees and hedgerows surrounding the site are proposed to be retained, this too carries some weight in favour of the proposal

However, the following all weigh against the proposal:

Policy MU5 requires that development will be subject to the production of a masterplan framework covering the entire site which will ensure that development is brought forward in a comprehensive manner in terms of uses and infrastructure. As no masterplan framework is yet in place, the application is not in accordance with Policy MU5. This carries significant weight against the proposal.

Notwithstanding the acceptability in principle of housing within the MU5 site, Policy MU5 also requires a primary school, roundabout and retail facility. The proposal does not provide or sufficiently contribute to any of the above which carries significant weight against the proposal.

Local Plan Policy P11 Infrastructure and Planning Obligations states that development must be supported by appropriate physical, social, economic and communications infrastructure, and that development must contribute as necessary to meet all on and off-site infrastructure requirements to enable development to take place satisfactorily. The application for 250 dwellings will require significant contribution towards education, formal open space, and sustainable transport, totalling some £1,900,570.27 in order to make it acceptable in planning terms. However, the proposal fails to meet these requirements in full such that the negative impact on existing infrastructure would be significant, which carries significant weight against the proposal.

The site is to be considered to be piecemeal development which does not form part of a comprehensive development for the MU5 allocation and which may prejudice development of the wider MU5 site. This carries substantial weight against the proposal.

Highways impacts – the Local Highways Authority considers that the residual cumulative impacts on the road networks would be severe as a result of the development and that the means of access and internal road layout do not accord with required standards. These concerns substantially weigh against the proposal

Design Considerations – The scheme fails to adhere to a various design expectations/standards with the proposed density also failing to ensure efficient use of land. Conflict with policies D1 and H6 both attract significant weight against the proposal.

Impacts on trees – although trees and hedgerows are proposed to be retained, some plots are proposed to be located in very close proximity. Despite a request for an AIA, It has not been demonstrated through an Arboricultural Impact Assessment that hedgerows and trees can be retained, buffered and managed, or ensure that future residents would not need to remove trees too close to dwellings, contrary to Local Plan Policy MU5 and the adopted SPD trees and hedgerows. This carries some weight against the proposal.

Impacts on ecology – insufficient information has been provided in relation to protected species to determine impacts and insufficient mitigation/compensation has been proposed. This also weighs against the proposals.

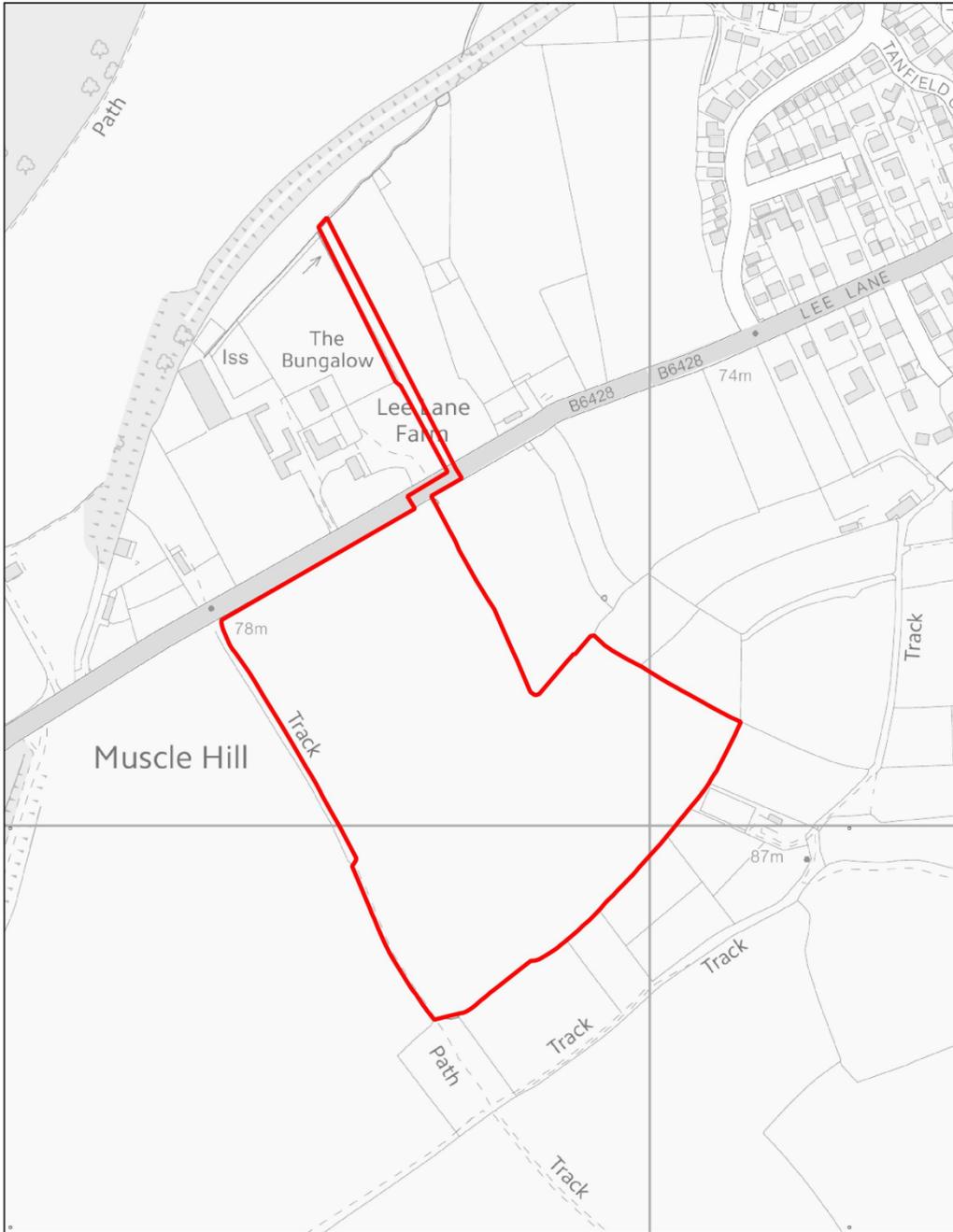
Based on the above, the proposal clearly and demonstrably fails to comply with the development plan and Members are therefore requested to endorse the Officer recommendation to defend the appeal in accordance with the recommendation below.

Recommendation

That Officers prepare a statement of case based on matters raised in this report in order to defend the appeal at the public inquiry.

PA Reference:-

2019/0239



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BARNSELY MBC - Regeneration & Property



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