

## BARNSELY METROPOLITAN BOROUGH COUNCIL

REPORT OF: EXECUTIVE DIRECTOR OF GROWTH & SUSTAINABILITY

TITLE: LOCAL PLAN REVIEW

REPORT TO:	CABINET
Date of Meeting	2 November 2022
Cabinet Member Portfolio	Regeneration and Culture
Key Decision	Yes
Public or Private	Public

### Purpose of report

This report seeks endorsement of the Local Plan Review.

### Council Plan priority

Sustainable Barnsley

### Recommendations

That Cabinet:-

**Refers this report to Full Council to endorse the Local Plan Review. This is to retain the Local Plan in its current form until a further review is undertaken prior to the end of 2027.**

## 1. INTRODUCTION

1.1 This report seeks endorsement of the Local Plan Review.

1.2 Government regulations<sup>1</sup> require local planning authorities to review their Local Plans at least once every 5 years from their adoption date, to ensure that policies remain relevant and effectively address the needs of the local community. By the 3rd January 2024, we must have assessed our policies and set out our intention and timescale for any proposed updates, or publish our evidence to support no changes should we be of the view that the Local Plan remains fit for purpose.

1.3 The review process is a method to ensure that a plan and the policies within

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<sup>1</sup> regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

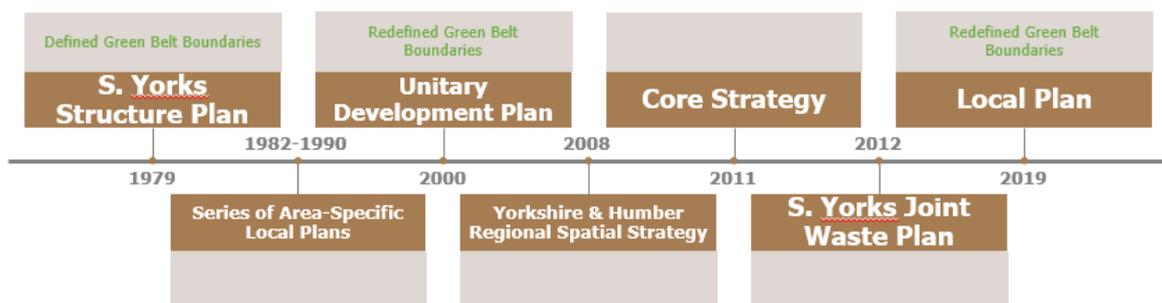
remains effective. The review process is initially a technical internal exercise undertaken by Council officers using proportionate, relevant and up-to-date evidence (such as annual monitoring data) to ascertain if the plan or any sections of it require updating. In Barnsley this has been supplemented by independent challenge by an independent, critical friend. Following the outcome of that process, should either a full or partial update be deemed necessary, the Council would then undertake public and stakeholder consultation as per Local Planning Regulations.

## Plan Making in Barnsley

1.4 The Local Plan was adopted on 3<sup>rd</sup> January 2019. The Local Plan replaced the Core Strategy, which was adopted in 2011 and included a new suite of strategy and development management policies. It also superseded parts of the Unitary Development Plan (adopted in 2000) that had not been replaced when the Core Strategy was adopted. This included the proposals map showing site allocations and defining the Green Belt boundaries. Prior to the Unitary Development Plan, the development plan for the borough consisted of:

- The South Yorkshire Structure Plan, which was adopted in 1979 and showed the general extent of the Barnsley Green Belt
- A series of Local Plans covering areas of the borough that were adopted between 1982 and 1990.

**Figure 1**



1.5 The timeline in Figure 1 shows the various documents that have comprised the development plan for the borough up to and include the Local Plan. It also identifies the plans which established and then redefined the Barnsley Green Belt boundaries, which were the South Yorkshire Structure Plan (1979), the Unitary Development Plan (2000) and the Local Plan (2019). This demonstrates that Green Belt boundaries have generally endured for around two decades.

1.6 Since the Local Plan was adopted, three neighbourhood plans have been adopted and also now form part of the development plan for the borough. These are:

- Penistone Neighbourhood Plan, adopted 2019
- Oxspring Neighbourhood Plan, adopted 2019
- Cawthorne Neighbourhood Plan, adopted 2021

- 1.7 The Local Plan is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed use sites). The Council has also since adopted a series of Supplementary Planning Documents which build upon and provide more detailed advice or guidance on specific policies in the Local Plan.
- 1.8 Since the plan was adopted there have been significant achievements. Examples of these are significant progress made in the Town Centre with the completion of the Glassworks scheme, closure of the Jumble Lane level crossing and construction of a new bridge as well as planning applications to develop Courthouse Campus (The Seam) and the Eastern Fringe (proposed Youth Zone) site allocations. Key infrastructure that was identified in the Infrastructure Delivery Plan has also been delivered to address longstanding issues and facilitate the delivery of sites allocated for development consistent with the socio economic objectives of the plan. The Dearne Valley Wetlands have been designated as a Site of Special Scientific Interest and there have been a number of new and updated listings and scheduled ancient monuments designated at and around Elsecar Heritage Centre, reflecting some of the plans environmental objectives.

### **National Planning Reform - Levelling Up and Regeneration Bill**

- 1.9 The Government has prepared the Levelling Up and Regeneration Bill which is currently going through Parliament. This proposes several significant changes to the planning system including the following:
- the option for groups of Local Planning Authorities (LPAs) to prepare joint spatial strategies
  - restriction to one local plan per LPA
  - a requirement to publish a timetable for plan preparation, with an expectation that it will take less than 30 months
  - the introduction of “supplementary plans”, to replace SPDs
  - repeal of the duty to cooperate, allied to a new soundness test
  - data standards for plan making
  - national development management policies
  - environmental outcome reports to replace SEA, EIA and sustainability appraisal
  - gateway checks by an independent person at prescribed stages
  - design codes to be prepared for entire LPA areas
  - neighbourhood priorities statements as an input into local plans
  - greater weight for local plans and national DMT policies in decision making
- 1.10 The Bill also proposes the replacement of the Community Infrastructure Levy by a new Infrastructure Levy, which will be mandatory for all local planning authorities.

- 1.11 The Bill also contains extensive powers for the Secretary of State to make regulations, which it is suggested could include coverage of the scope, content and form of local plans. Progress with the Bill is uncertain given that a number of recent proposed planning reforms (e.g. zonal system) have not proceeded and this is heightened by a change in the Prime Minister and Secretary of State..

### **Review of the Local Plan**

- 1.12 The Planning & Building Control Service has completed a Planning Advisory Service (PAS) Toolkit (Appendix 1) as a basis for establishing which topic areas and policies of the Local Plan may require updating. PAS are funded by the Department for Levelling Up, Housing & Communities to help get local plans up-to-date and to improve decision-making, as well as running event series on topical issues. They were originally set up in 2005 by the then Office of the Deputy Prime Minister to help councils respond to the significant changes initiated by the 2004 Planning Act. Since then their focus has always been on helping Local Government play their part in an effective planning system. Their Toolkit is therefore specifically designed to enable Local Planning Authorities to undertake a Local Plan review, project plan, manage and carry out any update of a Local Plan.
- 1.13 As well as using the PAS Toolkit, Planning Officer Society Enterprises were appointed as a critical friend to advise on our Local Plan Review, using the PAS toolkit as a basis for their advice. They provide expert advisory support and training, and are passionate about promoting best practice and achieving better planning outcomes. Their associates are eminent specialists in their fields, and come from senior positions in local government.
- 1.14 The appointment of a critical friend is reflective of the desire for constructive challenge and feedback to help ensure that the review is robust. This is particularly so given the likely interest from communities, landowners/ promoters and developers who, for varying reasons, may prefer the Council to pursue one of the alternative options.

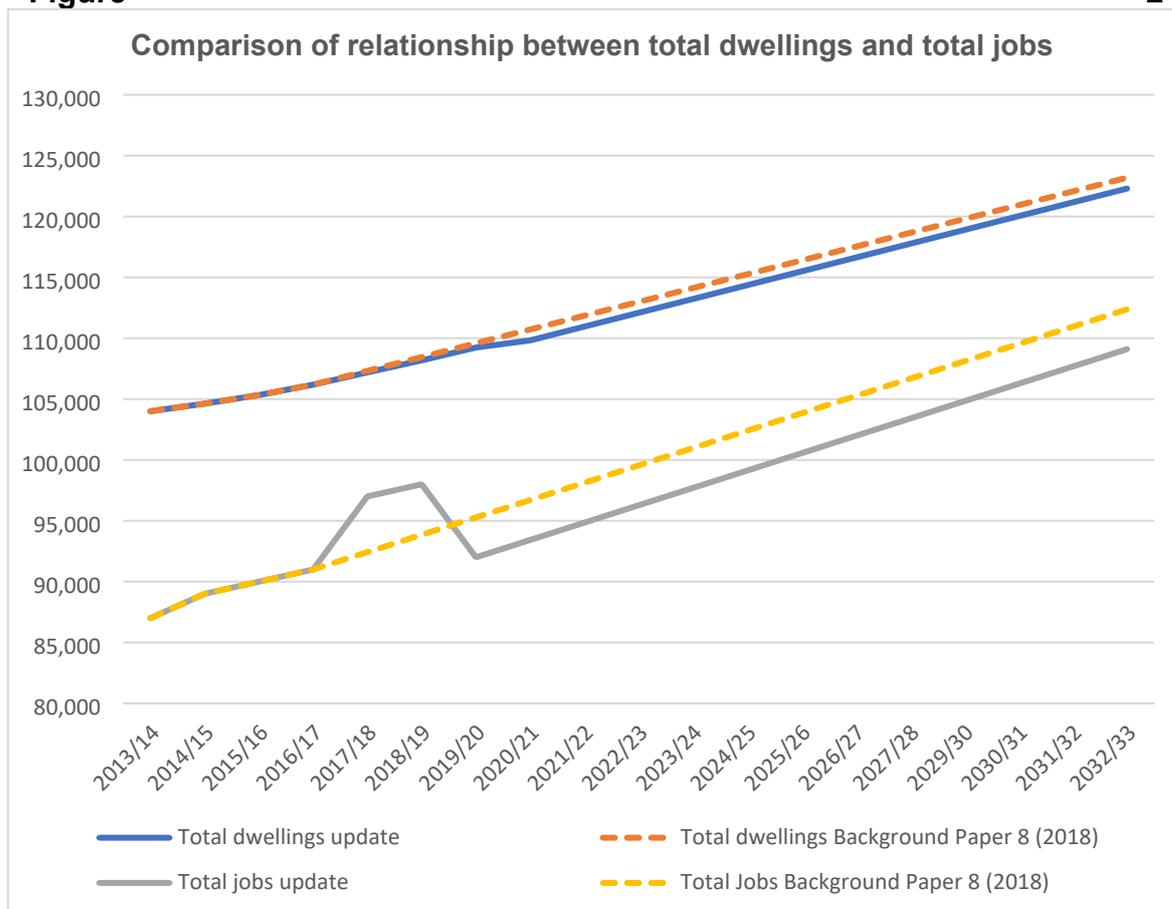
## **2. PROPOSAL**

- 2.1 It is proposed that, as the policies of the Local Plan are still fit for purpose, no update is required until 2027 or earlier if circumstances, including fundamental changes to the Local Plan system, require it.
- 2.2 It is proposed that we look at alternative ways to deal with new issues and those not addressed in detail in the Local Plan. The issues considered in the toolkit are taken in turn below.

### **Housing Need**

- 2.3 The National Planning Practice Guidance says (in effect) at paragraph 065 of the plan-making section that a reason a plan update may be required would be where there has been a change in the local housing need.

- 2.4 The Local Plan housing requirement was based on the Council's own Objective assessment of housing need (OAHN). Through the Local Plan examination process, the OAHN of 1134 dwellings per annum (dpa) was agreed upon with the Inspector, who noted that the indicative base figure for housing need, as defined in the Government's standard method, was 898 dpa. The 1134 dpa figure was deemed necessary to align with our economic growth aspirations, which seek to significantly increase the number of jobs in the borough during the plan period.
- 2.5 The toolkit notes that the standard method gives a lower figure than the local plan housing target. However, this is by no means unusual and hence National Planning Practice Guidance says that the figure arrived at using the standard method is a minimum starting point, and it remains necessary to consider whether actual housing need is higher than the standard method indicates, e.g. to align with an employment growth strategy.
- 2.6 The Council remains committed to enhancing the local economy through promoting growth in the amount and quality of employment. As and when we bring forward a full update of the local plan, we will need to review employment growth and land targets and consider whether the housing need figure given by the standard method at that time (which may be revised from the present formula) is in balance with the employment proposals or should be subject to an uplift. Without undertaking a considerable amount of work on employment and housing policy, including examination, we cannot say at this time whether the housing need figure which would emerge will be higher or lower than the current OAHN in the local plan. What can be said is that because the minimum starting point given by the standard method is well below the OAHN figure, there is no *prima facie* case that local housing need is higher.
- 2.7 Figure 2 below demonstrates the current relationship between projected job and housing numbers. It compares this to figure 3 from the Local Plan Examination Background Paper 8, prepared in 2018 which showed a reduction in the gap between the total number of dwellings and jobs in the borough, in accordance with our objective to increase job density. It is inevitable that jobs and dwelling growth will not precisely follow the projections with years where delivery will be lower and years where it will increase but it does nonetheless show that even where the job numbers increased between 2017 and 2019, there was still significantly more dwellings than jobs, and that is anticipated to continue to the end of the plan period. Therefore, it is considered that the alignment between jobs and homes is projected to continue to be satisfactory. A future full local plan update would consider the relationship between these figures, including any implications for employment land arising from new ways of working such as working from home.



\*Source 2013/14 estimated amount on graph in background paper 8 and then additional net dwellings from 5 year supply report to 2020/21, and then annual increase of 1134 as per agreed OAN from 2021/22

\*\*Source ONS data via Nomis 2013/14 - 2019/20) then an additional 1425pa as per REM Policy On figure

- 2.8 Should at any point it be considered that the Local Plan is not delivering the housing, rather than updating the plan it may be more effective to intervene in other ways. This reflects the situation where a local planning authority which is not meeting the Housing Delivery Test is required to prepare an action plan, with a view to bringing forward actions which will assist improvement of the supply. The critical friend has advised that we should reflect the reasoning in the PAS toolkit.
- 2.9 The response to A2 in the Local Plan Toolkit notes that a challenge with updating the plan now and in particular the objectively assessed housing need would be the lack of certainty regarding the 2021 census data. At present there appears to be contradictions between Census data and our monitoring data.

## **5-year supply of housing land**

- 2.10 The toolkit notes that the latest 5-year supply note indicates a supply of 5.6 years. It is of course possible that circumstances will lead to the Council being short of a 5-year supply at some future date, but circumstances might also change to improve the supply. Should the supply fall below 5 years at a particular date, the Council would need to ask whether the evidence suggests that this will continue, or that the supply is likely to increase again. As referred to in paragraph 2.7 above there are a number of ways local planning authorities can seek to improve their housing supply, as demonstrated by Housing Delivery Test action plans. The Council will need to keep its 5-year supply evidence up to date as part of annual monitoring. The critical friend concludes that as of now it is proper to record that the current evidence does show a 5-year supply.

## **Changes in economic conditions**

- 2.11 The draft toolkit answered “Agree in part” to Plan Review Factor A6, referring to the effects of the pandemic, the impacts of Brexit being unknown, and the possibility that global issues impacting rising cost of fuel etc will impact on local businesses. It is certainly correct to consider such factors, but the draft review says that there is no evidence that large sites will not be developed.
- 2.12 The critical friend advises that the Office for Budget Responsibility has estimated that the long-term effect of Brexit will be a 4% reduction in productivity, and that of Covid 2%. It is too soon to say what the longer-term effects of the Ukraine war will be. Moreover, it is in the nature of the economy to experience swings over time – which is why there is an inherent degree of uncertainty in economic forecasting. However, whilst the wider economy may be affected, as of now the council has no evidence of the effects locally, and as noted large sites continue to progress.
- 2.13 It is therefore advised that the review acknowledges that there are uncertainties about future economic conditions, but records the current evidence that sites continue to be delivered.

## **Development viability**

- 2.14 In relation to the viability of development the draft toolkit referred to the rising costs nationally potentially having an impact on viability. The critical friend considered this response to be speculative as we have no evidence of this at present. If there is evidence that viability considerations are reducing the amount of affordable housing secured, or that developers have paused development on sites for viability reasons, that would impact upon the answer to this factor. But a view would need to be taken, based on evidence, as to whether this is a transitory situation or likely to be ongoing.
- 2.15 Moreover, in relation to a particular development project, it is available to the developer to present evidence that the viability conditions for the project present particular issues, and that the approach to assessment of viability prepared for the local plan is therefore not fully valid in that instance. This would need to be dealt with on a case-by-case basis. Therefore it is advised to note that rising costs nationally may impact, and that this will be monitored.

## **National planning policy**

- 2.16 The critical friend notes that it is an unavoidable feature of the planning system that once local plans have been adopted, aspects of national planning policy or guidance, or related regimes change, and need to be taken into account in decision making. It is of course impracticable to update a local plan every time there is a change in national policy or guidance. Rather the long-established practice is to take account of such changes by considering them as material considerations in decision making.
- 2.17 The issue is therefore whether changes have taken place since the plan was adopted which either on their own (because of their fundamental nature), or cumulatively mean that the local plan should be updated or replaced.
- 2.18 The toolkit lists a number of matters where national policy has changed, or new policy would be desirable. The critical friend agrees that none of the matters identified have changed so fundamentally as to make the local plan significantly out of date.
- 2.19 Apart from treating changes since the plan was adopted as material considerations in decision making, it is useful to consider whether there are other means of taking some of them on board.
- 2.20 The toolkit draft review refers to matters arising from the Environment Act, including the local nature recovery strategy and biodiversity net gain. The local nature recovery strategy will be prepared under separate legislation, and will not be part of the development plan, though appropriate connections may be desirable. As for biodiversity net gain, whilst the regime makes changes to how planning applications will be dealt with, including the requirement for the applicant to submit a “biodiversity gain plan”, the mechanisms will be set by the Environment Act and Regulations. A draft of the latter was the subject of consultation from January to April this year. It is not easy to see what more a local plan can say as policy, given that the biodiversity net gain regime is set out in some detail, and is mandatory.
- 2.21 In relation to First Homes, the policy context is set out quite fully in the new section of the NPPG added in December 2021. Moreover, the guidance says that where a local planning authority wishes to set local criteria different from the standard scheme, they may do so through an interim policy statement.
- 2.22 For other areas of change, particularly in relation to Climate Change we could consider whether there is sufficient clarity in the NPPF and NPPG to assist decision making; or whether some other means is required. One possibility would be the preparation of a supplementary planning document or documents (albeit recognising that they cannot introduce new planning policy). In recognition of the Council’s Climate Emergency Declaration and the associated Zero 40 and Zero 45 targets, it is proposed that a Supplementary Planning Document is approved for consultation setting out further detail regarding sustainable construction and climate change adaptation issues. This draft SPD is the subject of a separate cabinet report and would be prepared and adopted in line with current regulations. Further explanation for this approach is set out in the Sustainability Implications section of this report.

## **Conclusions**

- 2.23 The review of the Local Plan through the toolkit concludes that the Local Plan remains fit for purpose and is adequately delivering its objectives and these findings have been endorsed by POS, who were appointed as critical friend. It is therefore proposed that formally we publish this decision. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. A further review will take place in 2027 or earlier if circumstances, including fundamental changes to the Local Plan system, require it.
- 2.24 Those issues that can be dealt with under existing Local Plan policies, for example those relating to sustainable construction and climate change, will be the subject of a Supplementary Planning Document prepared under the current SPD regulations.
- 2.25 In respect of Local Nature Recovery Strategies and Biodiversity Net Gain, these requirements are made clear in the Environment Act. We may wish to consider a planning advisory note to clarify those requirements.

## **3 IMPLICATIONS OF THE DECISION**

### **3.1 Financial and Risk**

- 3.1.1 Consultations have taken place with representatives of the Service Director – Finance (S151 Officer).
- 3.1.2 There are no direct financial implications arising from this report. There are future implications arising from preparing a full Local Plan update in respect of a budget required for evidence base, consultation and examination.

### **3.2 Legal**

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

### **3.3 Equality**

- 3.3.1 A full Equality Impact Assessment was completed to support publication and submission of the Local Plan. This summarised the equality impact as “*All policies and proposals apply to all sectors of the community equally. The policies make provision for a range of housing types to meet differing needs for example affordable housing etc. The Design policy D1 seeks to ensure development is designed to be accessible to all.*” Consultation was carried out in accordance with the Statement of Community Involvement which acknowledges that some support or reasonable adjustments may have been necessary for some groups such as preparing information in accessible formats or meeting people face to face in small groups. We liaised with the Equality Forums at each consultation stage of Local Plan preparation.

### 3.4 Sustainability

3.4.1 To be found sound by the independent Planning Inspector appointed by the Secretary of State to examine the Local Plan, it had to be deemed to contribute to the achievement of sustainable development. The version of the National Planning Policy Framework (NPPF) against which the plan was examined identified three dimensions of sustainable development, these being:

- *an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*
- *a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and*
- *an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy*

3.4.2 Paragraphs 8 and 9 then went onto state:

*8. These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.*

*9. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):*

- *making it easier for jobs to be created in cities, towns and villages;*
- *moving from a net loss of bio-diversity to achieving net gains for nature;*
- *replacing poor design with better design;*
- *improving the conditions in which people live, work, travel and take leisure; and*
- *widening the choice of high quality homes.*

3.4.3 The objectives in the Local Plan, as set out below, were therefore closely aligned with those in the NPPF:

- Provide opportunities for the creation of new jobs and protection of existing jobs
- Improve the conditions in which people live, work, travel and take leisure
- Widen the choice of high quality homes
- Improve the design of development
- Protect and enhance Barnsley's natural assets and achieve net gains in biodiversity

3.4.4 Although the NPPF has been updated since the plan was adopted and these sustainability “roles” are now referred to as “objectives”, they remain substantially similar (as does related text).

3.4.5 As well as considering the over-riding question of whether the Local Plan contributed towards the “achievement of sustainable development”, the Inspector also had to consider the tests of soundness, which were set out in paragraph 182 of the NPPF:

*182. The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is “sound” – namely that it is:*

- *Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;*
- *Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;*
- *Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and*
- *Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework*

3.4.6 In respect of whether or not the plan was justified when considered against reasonable alternatives, to establish this, Sustainability appraisals were carried out at all stages of the Local Plan process. In considering the sustainability of the Local Plan the Inspector noted the following in her report: *“Throughout the documents, a consistent framework of eighteen objectives which were developed following scoping and consultation have been used to assess the plan. They are appropriate to its circumstances and to the national and local context. SA of the plan’s policies and allocations has been undertaken at the same level of detail as that of the reasonable alternatives and the reasons for selecting particular*

*policy approaches and site allocations and rejecting others are clear. Specific representations on the SA work conducted during the examination are dealt with in the relevant sections of this report. Overall, I conclude that the SA work undertaken in connection with the plan is adequate.”*

- 3.4.7 The whole Local Plan process, including the tests of soundness and associated substantial scrutiny by an independent planning inspector, is therefore geared towards ensuring a plan is sustainable (economically, socially and environmentally). By definition, it is therefore unlikely there would be any adverse sustainability implications arising from the recommendation in the report.
- 3.4.8 Before reaching any such conclusion, it is important to highlight some legislative changes since the plan was adopted and to remind members that since the Local Plan was adopted the Council has declared a climate emergency and adopted its Zero 40 and Zero 45 targets.
- 3.4.9 In relation to legislation, the Environment Act has introduced mandatory 10% biodiversity net gain (BNG). However, this can be taken into account in decision making without having to resort to updating the wording of specific policies in the Local Plan. Indeed, prior to the Environment Act coming into force, we had required 10% BNG in most of the Masterplan Frameworks.
- 3.4.10 In relation to climate change, there has been progress nationally in respect of Climate Change adaptation and sustainable construction whereby recent changes to Building Regulations have been mandated to secure higher standards for both commercial and residential buildings. These include updated regulations for ventilation and conservation of fuel and power meaning that since June 2022 all new homes are required to produce 30% less carbon dioxide emissions than previous standards and there are also new standards to reduce energy use and carbon emissions during home improvements. New regulations have also been introduced relating to overheating of buildings as well as provision of electric charging points.
- 3.4.11 The Department for Levelling Up, Housing and Communities (DHLUC) believes the new regulations will help the UK to meet its net zero target, and marks a stepping stone towards the introduction of the Future Homes Standard in 2025, which will ban use of fossil fuels in new homes for heating and cooking. Given the future homes standard is only 3 years away and having regard to the timelines that would likely be involved in updating or partially updating the Local Plan, there would be little to be gained in seeking to change the existing policies relating to climate change adaptation and sustainable construction. Instead, more meaningful progress can be made in relation to whole life or embodied carbon (i.e. the emissions involved in the manufacturing, transport, construction, refurbishment and demolition of buildings). A separate report is therefore being presented to Cabinet seeking authority to consult on a draft supplementary planning document relating to Sustainable Construction and Climate Change Adaptation which will provide developers with up to date guidance, that can be treated as a material planning consideration when determining planning applications.

3.4.12 Having regard to all of the above, it is deemed that retaining the plan in its current form, alongside the introduction of a new Supplementary Planning Document covering Sustainable Construction and Climate Change Adaptation, will ensure there are no adverse sustainability implications. It also means the Council remains consistent with position nationally whereby the mandatory 10% biodiversity net gain can be applied to decision making and developers will be required to work to the updated standards set out in the building regulations.



### 3.5 Employee

3.5.1 There are no employee implications arising from this report.

### 3.6 Communications

3.6.1 The decision and supporting PAS toolkit will be publicised and made available on the Local Plan webpage.

## 4. CONSULTATION

4.1 The Local Plan was subject to extensive consultation throughout its preparation and during the examination in public. This led to over 3,000 individuals/groups submitting representations as well as public participation during the 4 hearing stages, which resulted in the plan being modified as necessary by the Council. This included formal public consultation exercises in 2014, 2015, 2016, 2017 and 2018. Similar, extensive exercises were undertaken in 2019, 2020, and 2021 in relation to the seven Masterplan Frameworks. The Supplementary Planning Documents and Neighbourhood Plans that have since been adopted were also consulted upon. Planning applications are also subject to statutory consultation requirements meaning the interested parties have and will continue to have the opportunity to comment on all stages of the planning process.

4.2 In contrast, Local Plan Regulations do not require consultation to be undertaken as part of the review process – it would only be necessary if the plan was proposed to be updated. As we have concluded that the plan and its policies remain fit for purpose and given the advice from our critical friend, the plan is not proposed to be updated and there will be no such public consultation but we will nonetheless publicise our decision and update relevant webpages.

## 5. ALTERNATIVE OPTIONS CONSIDERED

5.1 The two alternatives to the recommendation were to either

- Partially review the plan, focusing on specific policies that were deemed to be out of date or
- To embark on writing a brand new plan.

5.2 In relation to a brand new plan, given that the Local Plan covers the period up to 2033, that nothing has fundamentally changed nationally or locally since the plan was adopted and that the plan was subject to such extensive scrutiny in order to be found sound by the independent Planning Inspector (including consideration of reasonable alternatives), the existing plan undoubtedly remains fit for purpose in terms of its aims and objectives, the spatial strategy, the suite of policies and the site allocations. The critical friend has also understandably advised against the pursuit of a new plan until national changes to the planning system come into force and bed in. Accordingly, this was deemed to be the least justifiable and favourable of the two alternative options considered.

5.3 The NPPG at paragraph 069 of the section on plan-making says “*A local planning authority can review specific policies on an individual basis*”. This is commonly referred to as ‘partial review’. This has also been dismissed principally because the existing plan remains fit for purpose but the critical friend also advises caution with a partial review and considers that an update of specific policies would pose significant risks associated with partial review of any policy which is fundamental to the strategy of a plan. That is because changes to such a policy could be expected to have knock-on effects on other aspects of the plan. In other words, it could prove difficult to retain the narrow focus of the plan review, without finding that wider changes were necessary which could make the review process more akin to a full plan update. Partial reviews are therefore most suitable for self-contained policies (or current policy gaps) which can safely be addressed in isolation from other aspects of the plan.

5.4 The preparation of a partial review must follow the same processes and stages as the preparation of a new plan or a full plan update. Whilst the way matters are dealt with can be proportionate to the nature of the changes proposed, the amount of work, cost and resources involved in a partial review should not be under-estimated. The critical friend has received comment from one authority that carried out a partial review, that the benefit gained was nowhere near worth the time and cost involved.

5.5 The focus of the Planning Service therefore remains on achieving the aims and objectives within the existing Local Plan by using the existing policies and guidance to determine planning applications in line with the spatial strategy for the borough. The uncertainty created by a proposed partial review would make this more difficult to do and could lead to confusion for applicants and interested parties alike. Accordingly, the option of a partial review has also been discounted.

## 6. REASONS FOR RECOMMENDATIONS

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

<i>Para</i>	<i>Text</i>
36	The demand for industrial floorspace particularly logistics and warehousing in South Yorkshire is more buoyant. Barnsley's strategic location on the M1, the availability of a local labour supply in the Borough and the Council's education and skills strategy represent realistic opportunities to secure a greater proportion of jobs in that sector.
43	The plan's strategy for employment and the economy including the employment land requirement is soundly based.
56	I have had regard to arguments that the Objectively Assessed Housing Need should be higher and lower than 21,546 but I consider that the figure is based on robust evidence and a reasonable set of assumptions in accordance with the Planning Practice Guidance and is justified having regard to the circumstances of the Borough.
72	The plan's strategy for housing including the OAHN, housing requirement and delivering an appropriate choice and mix of homes is based on a robust and objective assessment of needs and is soundly based.
75	The identification of Urban Barnsley as a single category within the settlement hierarchy is a logical and coherent approach. Whilst it encompasses different settlements and communities with distinct identities, it constitutes the main built up area around the town centre with opportunities to accommodate development in sustainable locations
76	The Principal Towns include separate settlements with their own identity and characteristics. However, in recognition of the links between them and to support existing services and facilities, their inclusion within the Principal Towns is appropriate and justified. Hence the inclusion of Hoyland Common within Hoyland Principal Town is soundly based as is the inclusion of

	Darfield within Wombwell and there is no justification for them to be listed as separate locations within the settlement hierarchy
85	The Sustainability Appraisal (SA) of the submitted plan tested reasonable alternatives for the spatial strategy against the SA objectives, including options for dispersing new development more widely across the Borough and a new settlement. The settlement pattern within the Borough, the location of rail and road networks, public transport and environmental constraints all limit the number of reasonable alternative strategies.
90	The plan's vision and objectives are justified and appropriate to the circumstances of the plan area and the spatial strategy, settlement hierarchy and distribution of development are soundly based.
91	Currently, approximately 77% of the Borough is within the South Yorkshire Green Belt. Its functions include maintaining the separation between settlements within Urban Barnsley and between the town and surrounding Principal Towns, protecting the Borough's wider countryside and focusing development within more sustainable locations. However, the current boundary is tightly drawn around the existing settlements which are identified as a priority for development in Policy LG2. Together with the overall extent of the Green Belt within the Borough, this means that the supply and suitability of land to meet longer term development needs outside the Green Belt is restricted.
94	One of the Green Belt purposes set out in the NPPF is to assist urban regeneration by encouraging the recycling of derelict and urban land. The supply of previously developed land has diminished as former colliery and associated sites have been progressively restored and redeveloped... The evidence demonstrates that the plan has sought to maximise the use of previously developed land.
96	Drawing matters together, there is a compelling case in principle to release land from the Green Belt to meet the objectively assessed need for development.
101	The Green Belt Review is fit for purpose and provides an appropriate basis for sites to be identified for removal for more detailed consideration through the employment and housing site selection methodologies
111	The NPPF indicates that where necessary (my emphasis) areas of safeguarded land between the urban area and the Green Belt can be identified to meet longer term development needs stretching well beyond the plan period. It also indicates that safeguarded land is not allocated for development and that planning permission for permanent development should only be granted following a LP review.
112	Having regard to the extent of the Green Belt and the boundaries around Urban Barnsley and the Principal Towns which are the more sustainable locations for development, the identification of safeguarded land is appropriate to the circumstances of the plan area and necessary in the terms of the NPPF. The identification of safeguarded land will help to ensure

	that Green Belt boundaries will remain permanent and will not need to be altered in the long term.
118	I conclude that there is a compelling case in principle for the release of land from the Green Belt to meet the objectively assessed need for employment and housing and for additional safeguarded land.
119	The employment and housing site selection methodologies are based on comprehensive, logical and robust criteria that are consistent with the Sustainability Appraisal (SA) objectives.
120	The process has been informed by relevant technical evidence, SA and the need to locate development in sustainable locations in accordance with the spatial strategy in Policy LG2... I am satisfied that the reasons for selecting allocated sites and rejecting others are clear and the conclusions reached are reasonable ones.
252	Consistent with the NPPF, Policy TC1 directs new retail and town centre development to the town centre and the six District Centres serving the Principal Towns. Smaller Local Centres will be the focus for shops and services serving more localised catchments. This is a soundly based and sustainable approach, focusing retail and other town centre development to support the vitality and viability of existing locations that are served by public transport and with the potential for the redevelopment of previously developed land.
264	The plan's retail and other policies for Barnsley town centre and the District and Local Centres represent a positively prepared strategy which will contribute to their vitality and viability
279	I conclude that the plan provides a soundly based approach to safeguard and enhance landscape character, the natural and built environment and to reduce the causes of climate change.
280	Ongoing dialogue between the Council and key infrastructure providers in plan preparation is evidenced in the Infrastructure Delivery Plan which provides an up to date and comprehensive assessment of existing and future capacity across the key infrastructure items and services needed to support the plan's proposals. The delivery programme makes clear the requirements including in relation to transport, education, utilities, telecommunications, flood risk and drainage, climate change and renewables, green infrastructure, leisure, sports and community facilities and health services.
292	The plan is based on a robust assessment of the necessary infrastructure requirements and there is a realistic prospect that they can be delivered over the plan period and that policy requirements can be supported.
293	The plan includes a monitoring framework that will provide an effective means of monitoring plan implementation and policy outcomes and will be reported through the Annual Monitoring Report.

294	The plan does not contain any commitment to an early review. Having regard to the requirement in the PPG that plans should be reviewed every five years, I do not consider that a specific policy is necessary. The monitoring processes set out above will provide an effective mechanism to assess whether the plan is meeting its objectives and intended outcomes
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6.2 The above extracts collectively demonstrate the level of detail within the plan, which was based on substantial supporting evidence that was thoroughly tested. It also hints at the lengths the Council, working with our partners, went to in order to ensure the plan was deemed sound when it was examined by the Local Plan Inspector.

6.3 As well as setting out strategic policies relating to employment and housing growth, associated infrastructure requirements and objectives (e.g. transport priorities) and setting out the spatial strategy for the borough to inform the distribution of development, the plan includes a range of policies that are being applied to preserve the amenity of our residents and places whilst safeguarding the environment or, at the very least, ensuring adverse impacts are adequately mitigated or compensated. These include:

<b>Policy Ref</b>	<b>Title</b>	<b>Summary</b>
GD1	General Development	Catch all policy used to determine most planning applications – includes text seeking to avoid significant adverse effects on living standards, residential amenity, the environment and natural resources, requires waste and pollution to be minimised and mitigated and seeks to protect trees and provide adequate landscaping in new developments
E6	Rural Economy	Encourages a viable rural economy but includes criteria to control the scale of development and ensure proposals are related to the needs of the settlement whilst also protecting the best quality agricultural land.
E7	Loss of Local Services and Community Facilities in Villages	Seeks to protect local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses, places of worship, post offices and petrol stations;
H6	Housing Mix and Efficient Use of Land	Expects a broad mix of house size, type and tenure to reflect local needs and expects specified densities to be achieved.
H7	Affordable Housing	Sets requirements for affordable housing provision within residential developments
H9	Protection of Existing Larger Dwellings	Seeks to avoid the subdivision of larger dwellings, including development within their curtilage.
T2	Safeguarding of Former Railway Lines	Protects former routes so that they can either be reinstated in the future or be used for active travel and recreational purposes

T3	New Development & Sustainable Travel	Seeks to reduce the need to travel and ensure walking and cycling and public transport infrastructure are embedded within new developments whilst promoting behavioural change.
T4	New development and Transport Safety	Ensures new development is designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.
D1	High Quality Design and Place Making	Sets our overall design principles
LC1	Landscape Character	Seeks to retain and enhance the character and distinctiveness of individual Landscape Character areas.
HE1	The Historic Environment	Encourages developments which will help in the management, conservation, understanding and enjoyment of Barnsley's historic environment
HE2	Heritage Statements and general application procedures	Sets out information requirements associated with applications affecting our historic environment
HE3	Developments affecting Historic Buildings	Sets criteria to be considered when assessing proposed additions or alternations to listed or locally listed buildings
HE6	Archaeology	Where relevant, it requires developers to find out whether there are any remains on site and to show the character and extent of those remains as well as identifying potential options for reducing or avoiding damage to the remains.
TC1	Town Centres	Expects retail and town centre developments to be appropriate to the scale, role, function and character of the centres in which they are proposed and requires sequential tests and retail impact assessments to be undertaken where circumstances require them.
GI1	Green Infrastructure	Seeks to protect, maintain, enhance and create an integrated network of connected and multi functional Green Infrastructure assets and identifies five strategic green infrastructure corridors within the borough (Dearne, Dove and Don River Valleys, Dearne Valley Green Heart area and a historic landscaping corridor running from the sculpture park down through Canon Hall and Wentworth Castle).
GI2	Canals – Safeguarded Routes	Where the routes of the canals exist and have a recognised green infrastructure function, they are shown on the Policies map and safeguarded from other forms of development. The land adjacent to the safeguarded parts of the routes including the towpaths are also protected by this policy.

GS1	Green Space	Provides protection for existing, allocated green spaces and requires new green spaces or enhancements to existing ones in certain circumstances (e.g. major residential developments).
GS2	Green Ways and Public Rights of Way	Protects them from development that may affect their character and function and seeks new links or routes in certain circumstances.
BIO1	Biodiversity & Geodiversity	Seeks to conserve and enhance biodiversity and geological features of the borough.
GB1	Protection of the Green Belt	Protects the Green Belt from inappropriate development as per national planning policy.
GB2	Replacement, extension and alteration of existing buildings in the Green Belt	Sets expected standards for such proposals in the Green Belt
GB3	Changes of Use in the Green Belt	Sets expected standards for such proposals in the Green Belt
CC1	Climate Change	Seeks to reduce the causes of and adapt to the future impacts of climate change
CC2	Sustainable Design & Construction	Expects developers to minimise resource and energy consumption through the inclusion of sustainable design and construction features
CC3	Flood Risk	Requires the extent and impact of flooding to be reduced by avoiding development taking place in areas at risk of flooding and expects run off from new developments to be attenuated and reduced .
CC4	Sustainable Drainage Systems	Requires such systems to be used to manage surface water drainage on all major developments and for their use to be promoted in minor developments.
CC5	Water Resource Management	Aims to conserve and enhance the Boroughs water resources, including water quality and ecological value.
RE1	Low Carbon & Renewable Energy	Sets standards to be considered when assessing proposals for renewable energy generation and expects new developments to incorporate such energy sources
MIN4	Mineral Extraction	Prevents such proposals from having unacceptable adverse impacts on the natural and historic environment or on human health.
CL1	Contaminated & Unstable Land	Requires necessary information to establish risks and requires such any risks to be addressed through a remediation strategy.
Poll1	Pollution Control & Protection	Protects people and the natural and built environment from unacceptable levels of pollution and nuisance.
AQ1	Development in Air Quality Management	Seeks to prevent residential development in air quality management areas or, at the very least,

	Areas	requires effective mitigation.
UT2	Utilities Safeguarding	Protects existing utilities from development that will detrimentally affect them.
I1	Infrastructure & Planning Obligations	Requires necessary physical, social, economic and communications infrastructure to be provided or for developer contributions to be made as necessary.
I2	Education & Community Facilities	Supports provision of schools, education facilities and other community facilities and protects existing ones unless they are no longer required.

- 6.4 In addition to these policies, the plan includes a suite of town centre specific policies reflecting the different areas within the centre and corporate policies around the day time and evening economies.
- 6.5 Each of policy in the plan is written in such a way that it should be capable of enduring for the life of the Local Plan and particularly the ones in the table above. This is made easier because planning principles, such as the need to protect humans and the environment from unacceptable impacts, tend not to change. A number of the policies are also used as hooks for Supplementary Planning Documents (SPDs), which tend to be more prescriptive and are more likely to require updates. This is deliberately so because updates to SPDs are far less onerous to undertake and hence two of them have already been updated (Affordable Housing & Sustainable Travel) since they were originally adopted in 2019.
- 6.6 Having regard to the monitoring data, the toolkit and the advice of the critical friend, the case for not updating the Local Plan, rather than to embark on a partial update or to begin work on a brand new plan, is a compelling one. Such a decision will enable the Planning & Building Control Service to focus its attention and resources on dealing with the whole range of planning and related applications. This includes the major applications anticipated on the large local plan allocations, particularly those which benefit from adopted Masterplan Frameworks. At the same time, the Policy team will continue to closely monitor the plan and the progress made by Government in relation to planning reforms in order to determine the timing for the next review of the plan, which will have to be undertaken before the end of 2027.

## 7. LIST OF APPENDICES

**Appendix 1 Planning Advisory Service Toolkit**

**Appendix 2 Critical Friend note by Planning Officers Society**

## 8. BACKGROUND PAPERS

Levelling Up and Regeneration Bill

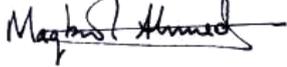
<https://publications.parliament.uk/pa/bills/cbill/58-03/0006/220006.pdf>

Barnsley's Local Plan

<https://www.barnsley.gov.uk/services/planning-and-buildings/local-planning-and-development/our-local-plan/barnsleys-local-plan/>

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

**9. REPORT SIGN OFF**

<b>Financial consultation &amp; sign off</b>	Senior Financial Services officer consulted and date  12/10/2022
<b>Legal consultation &amp; sign off</b>	Bob Power Locum planning solicitor 12/10/22

**Report Author: Paula Tweed**  
**Post: Planning Policy Group Leader**  
**Date: 17th October 2022**