

Barnsley Local Plan Examination

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Dear Ms Tweed,

Barnsley Local Plan – Interim Findings Following Stage 1 and 2 Hearings

1. I am writing to indicate my initial findings on certain matters following the Stage 1 and 2 hearings and outline my assessment of three matters which were covered during the Stage 2 hearing sessions. This letter refers to the Duty to Co-operate (DtC), the objective assessment of employment and housing needs, spatial strategy/settlement hierarchy, the approach to Safeguarded Land and Site RSV1.
2. I have given full consideration to all the representations made on the plan including the contributions made at the Stage 1 and Stage 2 hearing sessions. The detailed reasons for my conclusions on the following matters will be in my final report and these will not necessarily be my final conclusions on these matters as they may change depending on the evidence that is presented during the remainder of the Examination. My report will also cover other matters that have arisen during the Examination but which are not dealt with in this letter.
3. Whilst I am seeking a response from the Council on the options raised at the end of this letter, I am not inviting comments from the Council or anyone else on my interim views at this stage. They are provided to identify the main matters where additional work may be required and main modifications may be needed to make the plan sound. The letter does not cover every matter considered during Stage 1 and Stage 2 but provides a broad overview of the matters over which I have significant concern.
4. Necessary follow up actions for the Council at this stage are identified in **bold**.

Duty to Co-operate (DtC) and Legal Compliance

5. Firstly, I consider that from all I have read and heard that Council has met the statutory requirements arising from the DtC. The reasoning for this conclusion will be set out in my final report on the Examination of the plan. At this point I have no specific concerns in respect of other aspects of the plan's legal compliance but cannot reach a final conclusion on this matter until the Examination is complete.

Objectively assessed need for employment and housing

6. The economic strategies adopted by the Council including the Jobs and Business Plan (EB31) seek to achieve significant economic growth. The Borough does not have enough jobs to support the working age population and this is well documented by statistics provided to the Examination on job densities and levels of out and in-commuting.
7. Economic growth in the Borough will also contribute to the Strategic Economic Plans of the Sheffield and Leeds City Regions (SCR and LCR). Within Barnsley, M1 Junction 36 and the Dearne Valley and M1 Junction 37 and Barnsley Town Centre are identified as Priority Growth Areas in the SCR Strategic Economic Plan (SEP). Infrastructure funding from the Sheffield City Region Investment Fund (SCRIF) has been identified to support employment and housing development. However, there is no indication of how the 70,000 net additional jobs sought through the SCR SEP will be distributed between the constituent city region authorities.
8. The plan seeks to deliver approximately 33,000 new jobs to 2033 (27,778 on a Full Time Equivalent basis or 1462 jobs per year). This includes a 'baseline' figure of 12,555 jobs based on Regional Econometric Modelling (REM) and 17,558 'additional' jobs to be secured through Council and partner interventions with the balance accounted for by REM assumptions for additionality.
9. The broad assumptions set out in the Employment Land Review (ELR) (EB31) which have been used to calculate the associated employment land requirement of 307.1 hectares in Policy E2¹ appear to me to be robustly based and justified by the evidence.
10. The Council's growth strategy and preferred 'jobs-led policy on' scenario are fundamental drivers for the plan and for the assessment of housing need. The Planning Practice Guidance (PPG) advises that plan makers should make an assessment of future jobs growth and indicates that if future labour supply is less than the projected job growth this could 'result in unsustainable commuting... or reduce the resilience of local businesses'.
11. The submitted plan was informed by the 2014 Strategic Housing Market Assessment (SHMA) (EB45) and following submission additional evidence was provided in the Demographic Update (2017) (EB56) and 2017 SHMA

¹ As proposed to be modified by MM11

update (the 2014 and 2017 documents are hereafter referred to as 'the SHMA').

12. As recommended in the PPG, the SHMA explores a number of alternative population projections based on migration over 5 and 10 year historical periods and alternative assumptions that examine an improvement in the headship rates of younger age groups. It also assesses the dwelling requirement over the plan period based on three jobs-led scenarios with sensitivity testing of different commuting, economic activity and unemployment rates.
13. Local Plans should meet the full, objectively assessed needs for market and affordable housing in their Housing Market Area (HMA), as far as is consistent with other policies set out in the NPPF. This requires an initial assessment of 'need' based on demographic change over the plan period, starting with the latest household projections from the Department for Communities and Local Government (DCLG). The achievement of economic potential also needs to be considered.
14. The SHMA concludes that the OAHN lies within a range from 967 (the demographic starting point) to 1389 (the 'jobs-led policy on' projection having regard to planned jobs growth). The upper figure would support the planned growth of 1462 jobs per annum but incorporates adjustments to reflect assumptions made about reductions in out-commuting and unemployment and increased economic activity rates. Without those assumptions, the OAHN would be 1910 dwellings per year to meet projected jobs growth, a figure which is supported in some representations.
15. Within that range, a precise figure of OAHN has not been identified or adopted by the Council. Notwithstanding the additional evidence submitted to the Examination, it remains unclear how many jobs would be supported by the plan's housing requirement figure of 1100 per year (20,900 over the plan period) and how this relates to the economic aspirations as set out in the Jobs and Business Plan (EB31).
16. Based on the findings of the SHMA and the jobs target set out in the plan, my view is that the OAHN is a minimum of 1389 dwellings. Whilst the relationship between economic growth and new housing is complex, undersupplying the number of new houses required for employees would mean that the economic strategy would not be delivered without increasing rates of commuting into the Borough. Whilst accepting that some of the jobs created would provide employment for residents in neighbouring Districts, one of the economic objectives is to increase self-containment and the proportion of residents living and working in the Borough.
17. During the hearing sessions, the Council re-iterated the factors set out in the Housing Background Paper (BP3) which have informed the overall housing requirement. As expressed in my Initial Issues letter (ID001), whilst there are likely to be relevant policy and deliverability considerations informing the housing requirement figure including Green Belt matters, these should not be applied to assessments of housing need.

18. Throughout the plan preparation process the OAHN and housing requirement have been based on the 1100 figure. The sustainability implications of higher levels of housing growth have not been assessed through the Sustainability Appraisal. Accordingly, it is not possible to be certain that there are environmental or other constraints to meeting the OAHN in full. This leads me to conclude that the approach to the OAHN and the housing requirement are not fully justified or consistent with national policy.
19. Further work needs to be undertaken to assess the implications of a higher OAHN which aligns with the plan's economic strategy in order to ensure that the housing requirement figure is soundly based. Depending on the outcome of this work, it may be necessary to identify additional housing sites. Alternatively, it may be necessary to review the Council's economic strategy to ensure alignment with the plan's strategy for housing.
20. This is a fundamental concern in relation to the soundness of the plan and may affect the future progress of the Examination. I have outlined the options that the Council may wish to consider at the end of this letter. The additional observations on the Main Matters below are made for completeness together with an indication of modifications which may be necessary to address other soundness issues.

Policy LG2, Spatial Strategy and Settlement Hierarchy

21. The overall spatial strategy is set out in Policy LG2 and supported by the settlement hierarchy and gives priority to new development in Urban Barnsley and the five Principal Towns as the most sustainable locations in the Borough. Whilst there have been some changes to the distribution of employment land, it broadly reflects the spatial strategy in the Core Strategy which was adopted in 2011.
22. The settlement pattern within the Borough, the location of rail and road networks, public transport and environmental constraints all limit the reasonable alternative strategies. The Local Plan Sustainability Appraisal (SD4) tested reasonable alternatives for the spatial strategy and distribution of development as set out in Policy LG2 against the sustainability objectives. The spatial strategy appropriately identifies Urban Barnsley and the Principal Towns as the focus for development. This is justified based on the assessment of alternatives within the SA and having regard to the need to promote sustainable patterns of development in accordance with the principles set out in the NPPF.
23. However, I am concerned that the approach to the 34 villages listed in the settlement hierarchy lacks clarity, is not sufficiently justified by the evidence and contributes to an approach to safeguarded land which is inconsistent with the NPPF.
24. The plan does not identify sites for new housing within the villages and directs the majority of new development to Urban Barnsley and the

Principal Towns. Policy LG2 allows for development in villages if consistent with Green Belt policy and necessary for the viability of the settlement and to meet local needs. Policy H2 indicates a zero figure for housing development in 'other' locations which includes the villages.

25. The Council's position as expressed at the hearing sessions is that the plan's approach does not represent a 'moratorium' on development in the villages as sites could come forward through the application of Green Belt policy as set out in paragraph 89 of the NPPF and Policy LG2, through Neighbourhood Plans and as an 'exception' site to meet community needs in accordance with Policy H8 and the NPPF. I was also referred to housing developments which have been allowed on appeal and approved on the edge of villages including at Huthwaite (Appeal Ref 3134783) and Hoylandswaine (Application Ref 2014/0754).
26. However, the evidence on which the sustainability of the villages has been assessed dates from 2007 and at the hearing sessions the Council accepted that a selective update of the Settlement Assessment (EB27 & EB28) could be provided, informed by more up to date evidence documents within the evidence base. That work has been included within the list of follow up tasks from Stage 2.
27. The plan has been prepared in the context of the NPPF which advises that housing should be located where it will enhance or maintain the vitality of rural communities. Within this context it is surprising that the plan's approach to villages appears more restrictive than the adopted Core Strategy. The zero figure for 'other locations' in Policy H2 compares with the provision made in Policy CSP10 of the Core Strategy for 1000 homes in 'other locations' which included the villages (notwithstanding that approximately 500 of these were existing commitments).
28. Based on what I have read and heard to date, my view is that if the plan is to be found sound it should have a more positive approach to the future of the Borough's villages. Pending the Council's substantive response to this letter, Stage 3 of the Examination will address the supply and deliverability of housing sites. Should any additional sites be found to be required as a result of these discussions this may inform the Council's decision about the most appropriate course of action to be taken to address the issue of soundness in relation to the villages in due course.
29. However, notwithstanding any decision on the above point, addressing some of the issues on the spatial strategy that arose during Main Matter 5 would help to support a more positive approach to the Borough's rural communities within the context of the plan's proposed spatial strategy. In particular:
 - The settlement hierarchy in Policy LG2 does not distinguish between villages which are 'inset' and those that are 'washed over' by the Green Belt. As such, it is not clear whether there will be any difference in the application of Green Belt policy to 'inset' and 'washed over' villages as set out in Policies LG2 and GB8 of the plan. **A main modification would therefore be necessary to identify within the settlement hierarchy**

table in paragraph 5.9 the villages that are 'washed over' by the Green Belt and those that are 'inset' together with further explanation of the implications in paragraphs 5.59 and 5.60.

- Although a definition of 'infill' development is included within the glossary of the plan, it is not clear whether or how this relates to Policy LG2 nor how it would be applied within any of the locations in the settlement hierarchy, including the villages. **A main modification would therefore be necessary to provide further clarification of the approach to infill development within the Policy LG2 and the supporting text.**
 - **A main modification would be necessary to define the terms 'larger villages' and 'small hamlets' (para 5.59) within the glossary and the supporting text.**
 - As discussed at the hearing sessions, Policy LG2 also appears to be more restrictive of development in villages compared with CSP8 in the Core Strategy due to the phrase 'and is necessary' within the final sentence of the policy. **A main modification would therefore be necessary to replace 'and' with 'or'.**
 - Further clarity on what is meant by 'the viability of the settlement' should be provided by incorporating the text in the third bullet of paragraph 5.4 into the supporting text to Policy LG2 **and a main modification would be necessary.**
 - **A main modification would be necessary to show the villages on the key diagram.**
30. The Council's response to the Matters, Issues and Questions MM5 question 5.10 indicates that further modifications to Policies LG2 and H8 may be necessary. This may be addressed by responding to the above points but if there are any additional matters which you consider would not be covered please inform me via the Programme Officer.

Safeguarded Land

31. Policy GB6 of the plan reflects paragraph 85 of the NPPF that the permanent development of safeguarded land will only be permitted following the adoption of a replacement Local Plan which proposes its development. However, the supporting text to the policy outlines that safeguarded land may be released in 'exceptional circumstances' which may include a lack of five-year land supply or to meet a local need. This creates considerable uncertainty about the function of safeguarded land and its role in maintaining the boundary of the Green Belt in the long term.
32. The Council has proposed a main modification to the supporting text to replace the reference to 'exceptional circumstances' with 'special circumstances' in recognition that exceptional circumstances in the NPPF relate to changes to the Green Belt boundary. However, there are no

'special circumstances' relating to the release of safeguarded land in the NPPF which makes clear that safeguarded land should only be allocated for development through a review of the plan. The approach even as proposed to be modified appears to be inconsistent with national policy and risks undermining a plan-led approach to development.

33. The unplanned development of safeguarded land also creates a risk that the Council would have to rely on further Green Belt boundary changes to meet objectively assessed need for employment and housing development in future plan reviews.
34. I recognise that recent proposals on safeguarded land have taken place within the context of a shortfall in the five-year supply of housing land. Whilst the plan should have regard to its practical implications for the planning application process, the policies should not be predicated on there being any future shortfall in housing land supply.
35. The modifications discussed at the Stage 2 hearing sessions would not make the supporting text to Policy GB6 sound. **Consequently, a main modification with replacement wording for the supporting text to Policy GB6 would be necessary which reflects national Green Belt policy.**

Site RSV1

36. The site forms part of DE6 General Area which was found to be strongly fulfilling Green Belt purposes in the Green Belt review (EB103 & EB104) in particular in safeguarding the countryside from encroachment. Part of the general area in proximity to Bolton upon Dearne and the Aldi Distribution Centre has been identified for employment as Site D1 (73 hectares) with the remainder identified as a reserve site RSV1 (98 hectares). Site RSV1 does not form part of the employment land requirement of 307.1 hectares in Policy E2².
37. The justification for setting aside the findings of the Green Belt review and identifying both D1 and RSV1 for employment uses includes their location within the eastern part of the Borough where economic indicators support the need for jobs growth and the lack of suitable sites identified through the GB review and site selection methodology. The sites are also within the Priority Growth Area in the SCR LEP.
38. In addition, the Council and representors refer to the need for large readily developable sites with good road links meeting the requirements of large logistics operators. General reviews of market conditions and site availability commissioned by both the Council³ and site promoters⁴ indicate

² As proposed to be modified by MM11

³ Industrial/Logistics Market Review Supply & Demand Report Commercial Property Partners (EB35)

that within the SCR there is a limited supply of sites of sufficient size to accommodate this type of operation and that developed together, sites D1 and RSV1 would be of national importance for this sector.

39. The Council's position as expressed at the hearing sessions is that the identification of site RSV1 as safeguarded land would not enable a large footplate use to be accommodated should one come forward within the plan period. This is somewhat inconsistent with the general view on safeguarded land expressed in relation to Policy GB6. The site does not form part of the employment land requirement and the Green Belt review identifies an important role for the site in fulfilling Green Belt purposes. In the absence of any further evidence to demonstrate that the exceptional circumstances exist to delete the site from the Green Belt the identification of the site as a reserve site is not soundly based.

Next steps

40. In the light of my findings there are a number of options for the Council to consider for the future progress of the Examination:
1. Continue the Examination on the basis of the current evidence and approach. However, it is likely that I would probably conclude that the submitted plan is unsound due to the lack of clarity in the OAHN figure and the lack of alignment with the economic strategy, the approach to villages, safeguarded land and Site RSV1.
 2. Suspend the Examination so that the necessary additional work to align the strategies for employment and housing can be completed and considered before proceeding with the remainder of the Examination together with addressing the other matters identified. It would be necessary for the Council to prepare a programme and time estimates for the work to be carried out and to enable participants from previous hearing sessions to consider the outcome of this work. Depending on the outcome of this work, it may be necessary to identify additional housing sites. This would have implications for the Examination timetable as it is likely that a further round of hearing sessions would be necessary.
 3. Proceed to the Stage 3 hearing sessions having informed participants of these interim views. However, it would be necessary to receive an initial indication from the Council that it is prepared to undertake the additional work as identified under option 2. Any further matters arising from Stage 3 (for example site deliverability) could then be addressed alongside the matters identified in this letter.
 4. Withdraw the plan and resubmit it for Examination when all the necessary supporting evidence and consultation has been completed.

⁴ Tangent Properties – Employment Sites and Potential for Large Unit Development Submitted by White Young Green for Goldthorpe Developments Ltd & Fitwilliam Wentworth Estate.

41. In terms of practical arrangements, the Stage 3 MIQs were to be published on the Examination web site during the week commencing 21 August 2017. However, this could be delayed until the following week whilst maintaining a reasonable time for responses. I realise that the Council will need some time to consider the contents of this letter but if this is likely to be beyond the week commencing 28 August it is likely to be necessary to postpone the first week of the Stage 3 hearing sessions and I would be grateful for an early indication.
42. I realise that this is not the position in which the Council would wish to be and that the Council's aim is to adopt the Barnsley Local Plan as soon as possible. In this context, I will do all I can to move the Examination process forward. However, this is without prejudice to my final conclusions on soundness.
43. Please let me know via Mr Gilbert if there are any questions in the meantime.

Yours sincerely

Sarah Housden

INSPECTOR