



PB Planning

Oxspring

*Non-Green Belt Windfall
&
Safeguarded Land*

*Housing Deliverability & Capacity
Assessment*

July 2015

Strategy > Partnership > Delivery

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1.0 INTRODUCTION

- 1.1 This report has been prepared on behalf of Yorkshire Land Limited (YLL) to consider whether their proposed Oxspring Fields development site is required to be released for residential development in order to meet the identified housing needs of Oxspring.
- 1.2 PB Planning has over 12 years' experience in securing planning consent for residential development. PB Planning is headed up by Paul Butler, a chartered Town Planner, who has spent the last 5 years working as the Head of Planning for the Yorkshire Region for a national house builder, gaining a critical knowledge of the deliverability of residential development sites. In this period he successfully obtained planning permission for over 3,000 homes across the Region on a diverse range of sites. Prior to this role Paul's experience included working for the national town planning consultancy's Nathaniel Lichfield & Partners (NLP) and Barton Willmore.
- 1.3 Within this report we undertake an assessment of the existing safeguarded land and all of the potential non-Green Belt Windfall sites which are currently or potentially available for housing development within the settlement of Oxspring. The objective of the assessment is to identify whether these sources of land have the potential to deliver the identified housing needs of Oxspring up to 2033 to align with the emerging Barnsley Local Plan timescales.
- 1.4 Sections 2 and 3 of the report provide an assessment of the deliverability and capacity of all of the potential non-green belt sites located in Oxspring and the existing safeguarded land. Section 4 of the report then seeks to consider whether YLL's proposed development at Oxspring Fields is required in order to meet the identified housing needs of Oxspring.
- 1.5 The National Planning Policy Framework (published March 2012) sets out the following definitions for Windfall Sites and Safeguarded Land:-

Windfall Sites – *“Sites which have not been specifically identified as available in the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available.”*

Safeguarded Land – *“Safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development.”*

- 1.6 However, in respect of the definition of Safeguarded Land, the current local planning policy associated with such sites is that identified within the adopted Barnsley Unitary Development Plan (UDP) and this will continue to be taken into consideration in the determination of planning applications until the Draft Barnsley Local Plan is adopted, as expected, in 2017:-

“Policy GS10 - In areas shown as safeguarded land on the proposals map existing uses will normally remain during the plan period and development will be restricted to that necessary for the operation of the existing uses. Otherwise planning permission for the permanent development of such land will only be granted following a review of the UDP which proposes that development on the land in question.”

And in specific relation to Safeguarded Land sites located within the Western Rural area

“Policy WR11 – In accordance with Policy GS10, in those areas shown on the proposals map as Safeguarded Land existing uses will normally remain during the plan period and development will be restricted to that necessary for the operation of the existing uses.”

- 1.7 It is therefore pertinent to point out that in respect of planning policies associated with Safeguarded Land the UDP plan period has time expired, that a review of the UDP/Local Plan is currently taking place and accordingly should housing needs determine that the release of such sites are required, such as in circumstances where a Council cannot demonstrate a 5 year supply of deliverable housing land, then such sites have the potential to be released for development now.
- 1.8 Barnsley Metropolitan Borough Council (BMBC) cannot currently demonstrate a 5 year supply of housing land (we are advised that the Housing supply is currently less than 3 years) and accordingly a number of existing Safeguarded Land sites across the Borough have recently been granted planning permission for housing development. This includes sites located in Hoylandswaine, Penistone and Tankersley. For this reason alone the potential development of the Safeguarded Land site at Roughbirchworth Lane (Barnsley Local Development Framework Draft 2012 Ref. LD10 now emerging Draft Barnsley Local Plan Ref. SAF18) is required to be assessed as a potential housing site within this study.
- 1.9 Of further importance, paragraph 4.12 of the adopted UDP (Volume 13 – Western Rural Community Area) confirms:-

“Oxspring is one of the locations in the Western Community Area for additional development because of its physical relationship to the Penistone urban area and because it has the infrastructure capacity to accommodate some further development without serious detriment to the quality and character of the Green Belt..... If in the long term there is a need to release further land for housing, then there is the scope to accommodate additional development (see Policy WR11 above), provided it is consistent with Green Belt objectives and landscape protection policies”
- 1.10 As identified above UDP Policy ‘WR11’ relates to Safeguarded Land within the Western Rural area and therefore the existing Safeguarded Land site in Oxspring. This element of the UDP also confirms that Oxspring is a suitable location to accommodate additional housing growth and accordingly this point is required to be taken into account in the conclusion of this assessment.
- 1.11 Furthermore, BMBC have identified in the Draft Barnsley Local Plan (November 2014) that the housing and employment needs and aspirations of the Borough cannot be accommodated without the need to release land from the Green Belt. Consequently the document identifies

that BMBC have undertaken a Green Belt review as part of the evidence base for the Local Plan which has resulted in the proposal to take out of the Green Belt around 190 hectares of land for housing and around 70 hectares of land to be safeguarded in order to meet longer-term development needs stretching beyond the plan period.

- 1.12 With regards to relevant documentation at the Oxspring Village level, this report has been produced in consideration of the Consultation Draft Oxspring Neighbourhood Plan (draft ONP); the published summary of the Oxspring Housing Needs & Capacity Assessment (OHNA); and the Oxspring Parish Council Summer 2015 Newsletter. These documents are enclosed in appendices A, B & C of this report respectively.
- 1.13 The draft ONP (published January 2015) states that the Village's current and future housing needs will be met through the delivery of "*windfall sites within the Village centre and Parish*" and identifies only one potential housing site, which would result in the demolition and redevelopment of the existing primary school for circa 17 'intermediate eco homes'. There are however a number of identified concerns associated with the proposal to redevelop the existing primary school which are discussed further in this report.
- 1.14 The OHNA was prepared by URS (the summary document was published in October 2014) on behalf of the Neighbourhood Plan Group in order to inform the policies and proposals of the Oxspring Neighbourhood Plan. The document identifies the need to deliver between 53 and 68 new homes in the Village in the period 2008 to 2026 (which is based on the current Barnsley Core Strategy timescale), circa 4 homes per annum. The document identifies a need for a range of house types, including affordable housing.
- 1.15 The figures presented in the document were generated using an assessment of the population projections at that time, alongside other available evidence. It is important to state here that updated projections were published earlier this year and that an assessment of the impact of these projections on the housing figures for Barnsley are currently being undertaken, which may result in an increase in household growth in the Barnsley Borough area above the previously published projections. In addition, the Draft Barnsley Local Plan, with which the Oxspring Neighbourhood Plan is required to comply, now seeks to identify local planning policies for the Borough up to 2033, 7 additional years of housing need unaccounted for in the OHNA. There is therefore reasonable justification for the figures identified in the OHNA to be increased accordingly to a level closer to 96 homes.
- 1.16 The OHNA also identified a number of potential housing sites (many of which are currently allocated as Green Belt land) located within the Village and these sites are used as the baseline position for this assessment. However, in order to ensure that a detailed and robust assessment of potential non Green Belt windfall housing sites has been undertaken, we

undertook a detailed walkover of the village on the 9th July 2015 in an attempt to identify any further potential non Green Belt windfall housing sites.

- 1.17 The specific reference to “*non Green Belt Windfall housing sites*” in the above paragraph is taken from Oxspring Parish Council's 2015 summer newsletter. Reference to this document within this assessment is required in response to the following statement incorporated within it:-

“Development

The major concern of residents is the number, style and type of any future development in the village, particularly housing. In BMBC's emerging Local Plan (which will remain in force until 2033) there are no sites allocated in Oxspring (or the immediate surrounding area) for housing development, but small scale development may take place on appropriate sites (i.e not Green Belt) that may become available. These are known as “Windfall Sites”. It is, therefore, necessary that the NP has policies to cover future development on such sites, including appropriate design, housing mix and numbers of new dwellings.”

- 1.18 As identified in Paragraph 1.16 above, along with those sites identified within the OHNA, we have also sought to identify any small scale non Green Belt windfall sites which may have the potential to deliver new homes to meet the Village's identified current and future housing needs.
- 1.19 As explained above, the objective of the assessment is to identify whether windfall sites and the existing Safeguarded Land site have the potential to deliver the identified housing needs of Oxspring up to 2033. As identified in paragraph 1.14, above, the OHNA document identifies a need for a range of house types, including **affordable** housing.

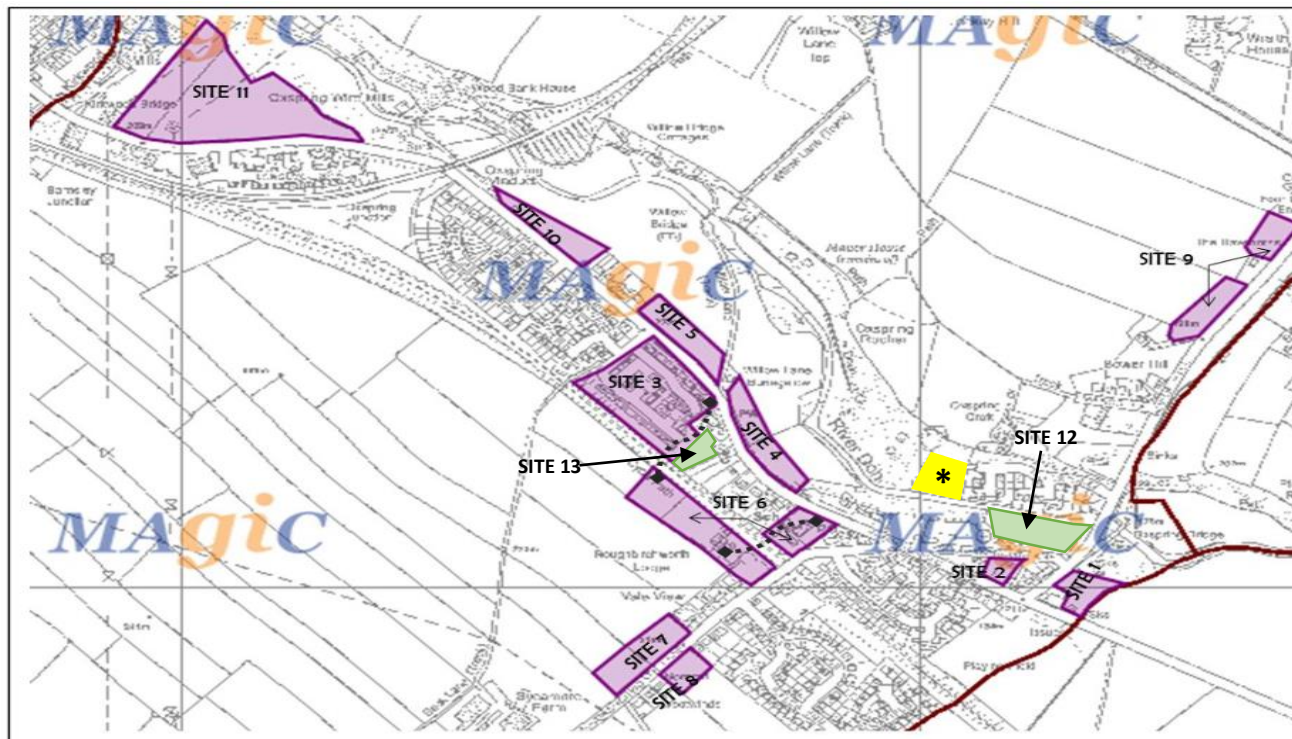
Deliverability Assessment Methodology

- 1.20 Paragraphs 47 and 159 of the National Planning Policy Framework (NPPF) provide clear guidance that in order to boost significantly the supply of housing land local planning authorities should in their Local Plans identify specific *deliverable* sites that can provide 5 years' worth of housing land and *developable* housing sites for the period beyond this. A local planning authority's housing land allocations should therefore be capable of delivering sufficient housing over 5 and at least 15 year periods, unless they believe this period should be extended. One such reason for extension to this period is to ensure long term permanence to the Green Belt.
- 1.21 Footnotes 11 and 12 of paragraph 47 of the NPPF provide the definition of “*deliverable*” and “*developable*” residential development sites.

- 1.22 Footnote 11 identifies that “*to be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a real prospect that housing will be delivered on the site within five years, and in particular that development of the site is viable.*” Footnote 12 states that “*to be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.*”
- 1.23 The NPPF is clear that sites considered to be *deliverable* are considered to represent better planning prospects than those identified as *developable*, and consequently they should take preference in the identification/allocation of housing land.
- 1.24 The proceeding sections of the report consider the deliverability of the identified Windfall sites and the existing Safeguarded Land site located within Oxspring in accordance with the guidance presented in the NPPF as identified above.
- 1.25 The results of this assessment will be compared with the identified housing needs of the Village, as set out in the OHNA, in order to judge whether additional sites are required to be released in order to meet the identified housing needs of Village up to 2033.

2.0 DELIVERABILITY ASSESSMENT OF THE IDENTIFIED WINDFALL SITES

- 2.1 This section of the report provides a deliverability assessment of the potential “windfall” housing sites located within the Village. As identified above this assessment has included each of those sites identified within the OHNA, along with other potential non Green Belt windfall housing sites which have been identified through our walkover of the Village which was undertaken on the 9th July 2015.
- 2.2 The figure below illustrates the location of those sites identified through the OHNA (purple) and those identified through our site visit (green). The annotated diagram has been taken from Figure B presented on Page 10 of the OHNA.



2.3 The table below provides a summary of our assessment of the deliverability of each of the sites identified in the diagram above. Where sites are located within the Green Belt we have assessed the housing capacity of these sites to be zero on account of the Parish Council's approach as identified in the draft ONP and the Parish Council's 2015 summer newsletter (unless material considerations dictate otherwise):-

Site Ref	Suitability	Availability	Achievability	OHNCA Yield	PBP Yield	PBP Deliverability Conclusion
1	The site is located in the Green Belt as identified within the UDP. The site is due to be retained within the Green Belt as identified in the Draft Barnsley Local Plan. The site is presently occupied by changing facilities associated with the playing fields located on the other side of Sheffield Road. The site is largely overgrown.	Availability of the site is unknown	Site is achievable	8	0	Windfall (Green Belt) site Developable 6+ Years
2	The site represents a windfall site located within the existing settlement limits of the Village. The site has planning permission for 3 dwellings. Therefore, there are no issues in respect of the suitability of the site for residential development.	Site is Available	Site is achievable	3	3	Windfall Site Deliverable 0-5 Years
3	The site is located within the defined settlement limits of the Village. The site is not proposed as a housing allocation in the Draft Barnsley Local Plan due to the fact that the site is currently in continuing use for residential purposes. The existing homes are well kept and we anticipate that re-development of this site would not in any event generate any net-additional properties to the Village.	Availability of the site is unknown	Net additional dwellings are not achievable at the site	47	0	Windfall Site Developable 6+ Years
4	The site is located in the Green Belt as identified within the UDP. The site is due to be retained within the Green Belt as identified in the Draft Barnsley Local Plan. There would also be potential access issues associated with the steep drop to the site from Sheffield Road.	Availability of the site is unknown	Site is achievable subject to overcoming identified access constraints	10	0	Windfall (Green Belt) site Developable 6+ Years

Site Ref	Suitability	Availability	Achievability	OHNCA Yield	PBP Yield	PBP Deliverability Conclusion
5	The site is located in the Green Belt as identified within the UDP. The site is due to be retained within the Green Belt as identified in the Draft Barnsley Local Plan.	Availability of the site is unknown	Site is achievable	13	0	Windfall (Green Belt) site Developable 6+ Years
6a	<p>This site has been split into two separate parcels on account of the site having two distinct land parcels. This parcel of Site Ref.6 relates to the existing primary school site. The site is located within the defined settlement limits of the Village. It is also identified as a potential housing site for '17 intermediate homes' within the Consultation Draft Oxspring Neighbourhood Plan. There are however a number of identified concerns associated with the proposal to redevelop the existing primary school which are summarised as follows:-</p> <ul style="list-style-type: none"> • There is no identified need for the relocation/expansion of the school on the basis of the School's anticipated admissions and capacity figures; • The redevelopment of the site would involve the demolition of one of the Village's remaining buildings of character; • The development of a new school will cost over £2m pounds in addition to the cost of purchasing suitable land, and no funding is available for such a facility without private investment which is highly unlikely to be forthcoming; • The development of a suitable number of new homes in the Village can deliver sufficient pupils to sustain the school's capacity from pupils living in the Parish which is a more sustainable option; and • The development of a suitable number of new homes in the Village will deliver funding that can be used to enhance the existing on-site and off-site facilities for the school. 	Site is not currently available	Site is not achievable	39 (with site Ref. 6b)	0	Windfall Site Currently Not Developable
6b	As identified above this site has been split into two separate parcels on account of the site having two distinct land parcels. This parcel of Site Ref.6 relates to the frontage of the site	Availability of the site is unknown	Site is achievable subject to overcoming identified access and tree constraints	39 (with site Ref. 6a)	6	Windfall Site Developable 6+ Years

Site Ref	Suitability	Availability	Achievability	OHNCA Yield	PBP Yield	PBP Deliverability Conclusion
	which is not located within the existing Safeguarded Land designation. The Safeguarded Land designation is considered separately and holistically in the next section of this report. The site is located within the defined settlement limits of the Village. There are a number of mature trees located within the site, which may have an impact on the site's developable area. There may also be potential access issues associated with the proximity of the Trans Pennine Trail bridge crossing.					
7	The north eastern section of the site is located within the Safeguarded Land designation which, as identified above, is considered separately and holistically in the next section of this report. The parcel assessed here relates to the south western section of the site that is not located within the Safeguarded Land designation. The site is located in the Green Belt as identified within the UDP. The site is due to be retained within the Green Belt as identified in the Draft Barnsley Local Plan.	Availability of the site is unknown	Site is achievable	17	0	Windfall (Green Belt) site Developable 6+ Years
8	The whole of the site is located within the Safeguarded Land designation which, as identified above, is considered separately and holistically in the next section of this report. No assessment is therefore provided here.	N/A	N/A	7	N/A	N/A
9	The site is located in the Green Belt as identified within the UDP. The site is due to be retained within the Green Belt as identified in the Draft Barnsley Local Plan. The site is not well related to the Village and also has issues in respect of topography.	Availability of the site is unknown	Site is achievable subject to overcoming identified topographical constraints	52	0	Windfall (Green Belt) site Developable 11+ Years
10	The site is located in the Green Belt as identified within the UDP. The site is due to be retained within the Green Belt as identified in the Draft Barnsley Local Plan.	Availability of the site is unknown	Site is achievable	13	0	Windfall (Green Belt) site

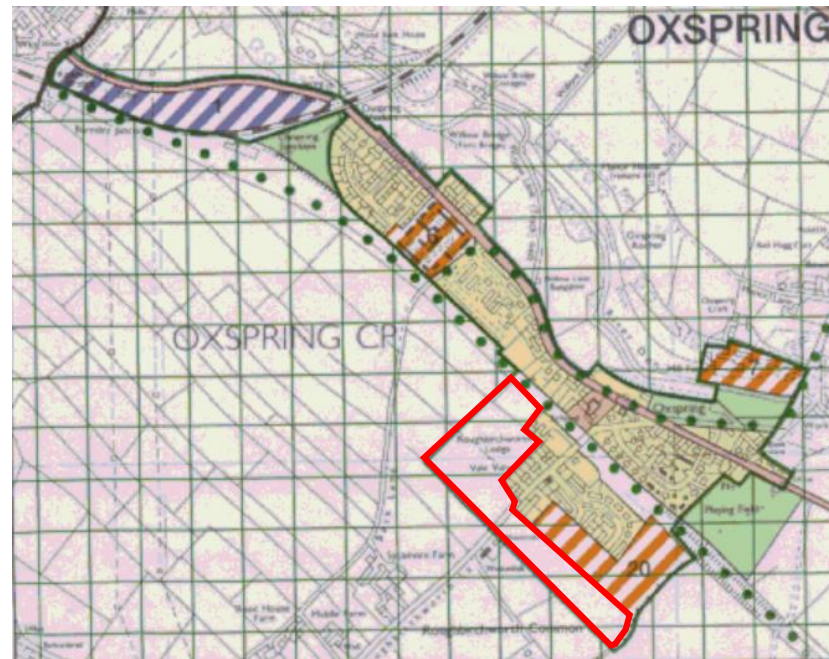
Site Ref	Suitability	Availability	Achievability	OHNCA Yield	PBP Yield	PBP Deliverability Conclusion
						Developable 6+ Years
11	The site is located in the Green Belt as identified within the UDP. The site is proposed for employment use within the Draft Barnsley Local Plan (Ref. P2). As the allocation will be Penistone's only new employment allocation there is a strong likelihood that the proposed allocation will be retained within the future versions of the emerging Barnsley Local Plan.	Availability of the site is unknown	Site is achievable	62	0	Windfall (Green Belt) site Currently Not Developable
12	The site represents a windfall site located within the existing settlement limits of the Village. The site has planning permission for 3 dwellings. Therefore, there are no issues in respect of the suitability of the site for residential development.	Site is available	Site is achievable	N/A	3	Windfall Site Deliverable 0-5 Years
14	The site is located to the east of site Ref. 3, adjacent to the existing garages. The site looks to be the curtilage to the rear of the property located on Sheffield Road. Existing Access could be utilised through Site Ref. 3. The site could have some potential to come forward as a windfall site subject to it being made available by the land owner.	Availability of the site is unknown	Site is achievable	N/A	6	Windfall Site Developable 6+ Years
*	Whilst the site is located in the Green Belt and not specifically identified in our site walkover, it has come to our attention an application for 4 homes was recently refused by Barnsley Council on grounds of the site being located within the Green Belt. We have therefore sought to include this site in our assessment for completeness. The applicant has submitted an appeal to contest this decision and a decision is pending. If the appeal is allowed then the site can be considered suitable for residential development, until then, it cannot be.	Site is available	Site is achievable	N/A	0	Potential Windfall Site subject to approval of pending appeal decision.
			Total	271	18	

2.4 Our deliverability assessment of the potential windfall sites in Oxspring, provided above, has identified that there is only the potential for **18** new homes from sites not located within the Green Belt. Of those 18 homes, we consider only **6** homes to be deliverable when assessed against the planning policy requirements of the National Planning Policy Framework.

- 2.5 When considered against the identified housing needs of Oxspring, this would represent a **shortfall of 62 homes** up to 2026 (against the identified OHNA requirement of 68 homes) or a **shortfall of 90 homes** up to the end of the Local Plan period in 2033 (against our identified requirement of 96 homes).
- 2.6 On this basis it is clear that further sites to those assessed within the above table need to be identified in order to meet the current and future housing needs of the Village. Therefore, as stated in Section 1 of this report above, currently, the most likely site to be released from a planning policy point of view is the Safeguarded Land designation 'SAF 18' (5.10 Hectares - North West and South East of Roughbitchworth Lane). This site is discussed in further detail in the next section of the report, however, as the site has the potential to deliver up to 150 homes it can be considered on face value that the site can cater for the shortfall identified above.
- 2.7 We consider it important to point out that existing and emerging local planning policy dictates that sites which will deliver less than 15 dwellings are not required to provide affordable housing. We note that both of the identified deliverable windfall sites (reference 2 and 12 in the table above) will each deliver 3 detached properties, Consequently, the current foreseen approach to delivering new homes within the Village via the development of small scale non Green Belt windfall sites will not deliver any new affordable homes to cater for the identified needs of the Village up to 2033. In order to deliver the Village's affordable housing needs over this period, sites for 15 dwellings or more need to be identified.
- 2.8 Finally, and in reference to the draft ONP, due to their size the development of the two deliverable small scale non Green Belt windfall sites identified in the table above (reference 2 and 12) will not generate sufficient funding to enable the delivery of the Village's many identified needs and aspirations which are presented within the document. The only way in which the identified needs and aspirations of the Village will be met is through the release of sites over approximately. 100 homes in size. In addition, the land required for such a development would need to be made available by private landowners.

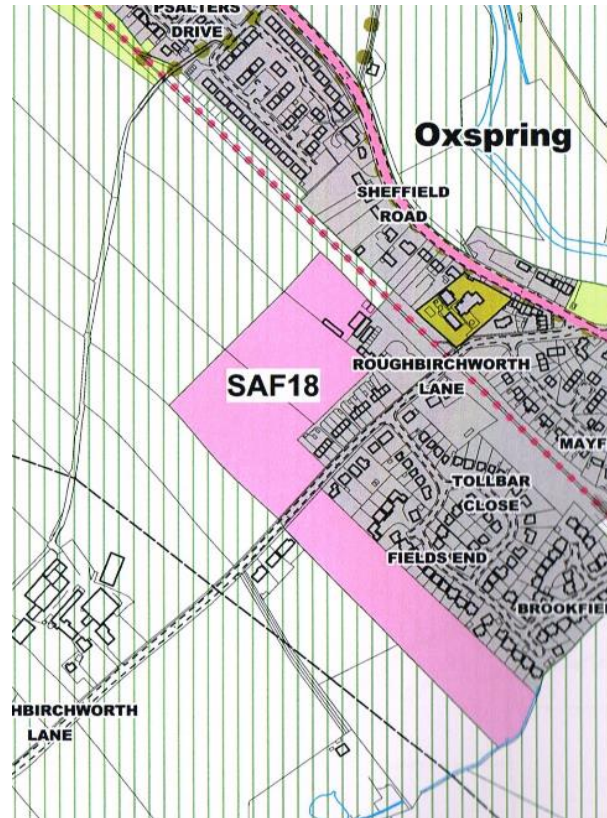
3.0 DELIVERABILITY ASSESSMENT OF EXISTING SAFEGUARDED LAND DESIGNATION

- 3.1 As identified above, there is one existing Safeguarded Land designation in Oxspring, Draft Local Plan Reference 'SAF 18' located to the North West and South East of Roughbitchworth Lane. The site is 5.10 hectares in size and is identified as Safeguarded Land within the Barnsley UDP, as illustrated by the red line boundary on the figure below. The site is not located within the Green Belt.



PLAN EXTRACT FROM THE ADOPTED UDP WITH THE SAFEGUARDED LAND (UDP POLICY WR11) EDGED RED

- 3.2 This safeguarded land was previously proposed as a draft 'Low Density' Housing Site (reference LD10) within the Council's Development Sites and Places DPD of 2012; however, the land has remained permanently outside of Green Belt designation since the 1960's. On the basis of the site's historical planning context it can be considered that it is safeguarded for the delivery of up to 150 new homes.
- 3.3 BMBC has retained the Safeguarded Land (Site Ref. SAF18) designation within the emerging Barnsley Local Plan. The site comprises of two Green Fields to the south of Oxspring which are bisected from North East to South West by Roughbourn Lane as is shown on the figure in pink below.



3.4 The table below provides a summary of our assessment of the deliverability of the existing Safeguard Land designation in the same format as that undertaken for the windfall sites assessed in the previous section of this report. Again the assessment methodology relates to the deliverability assessment criteria as set out within the National Planning Policy Framework.

Site Ref	Suitability	Availability	Achievability	OHNCA Yield	PBP Yield	PBP Deliverability Conclusion
LD10	We do not consider the site to be suitable due to:- <ul style="list-style-type: none"> The delivery of this site will have an adverse impact on the 	PBP understand	Site is achievable subject to	N/A	up to 150	Windfall Site

Site Ref	Suitability	Availability	Achievability	OHNCA Yield	PBP Yield	PBP Deliverability Conclusion
SAF18	<p>area's landscape character;</p> <ul style="list-style-type: none"> There are presently no defensible boundaries on the western and southern boundaries of the site; The proposed designation boundary does not follow existing field patterns and consequently it's development would have a negative landscape impact; Further development to the south west of Oxspring would both ignore and conflict with the historic linear pattern of development of Oxspring and the Don valley area; Development in this location is already beginning to encroach upon the rural nature of the settlement of Roughbitchworth. Further development would have a profound impact and increase coalescence with Oxspring; The site is capable of supporting Green Belt purposes. Especially in respect of coalescence and also as the site's draft designation boundary ignores the principle of defining enduring physical boundaries given the artificial boundaries that have been proposed; Barnsley Council's Green Belt assessment (prepared by ARUP) identifies that the development of the site would weaken the integrity of the Green Belt; YLL understand that there are drainage issues associated with this area of Oxspring. Evidence of this can be taken from the Parish Council's Formal objection to the Local Development Framework 2012; The vast majority of vehicular traffic from the two combined sites including construction traffic will access the wider highway network by travelling north across the bridge over the Trans Pennine Trail, which due to width restrictions already has traffic management measures in place; Directly adjacent to the north of the bridge is Oxspring Primary School, where on street parking at school drop off and pick up times restricts the available width for passing traffic which would include the majority of traffic from this site. 	<p>the site is not available.</p> <p>The landowner has informed the Parish Council that they are unwilling to sell the land.</p>	overcoming the identified concerns			Not Currently Developable
			Total	N/A	Up to 150	

- 3.5 Our deliverability assessment of the existing Safeguarded Land designation in Oxspring has identified that the site can be classed as a non Green Belt windfall site, on the grounds that it is not located within the Green Belt. The site also has the capacity to deliver up to 150 homes, which would meet the identified short fall against the Village's housing requirements as set out in Section 2 of this report above.
- 3.6 However, our assessment has also identified a significant number of concerns associated with the deliverability of this site which would need to be overcome before the site could be delivered for residential development. This conclusion is shared by Barnsley Council's own evidence base presented in their 2012 Strategic Housing Land Availability Assessment (SHLAA) which identifies the site (Ref.341) as a Category 2 "Developable" residential development site. The highest deliverability scoring identified within the SHLAA is Category 1 "Deliverable".
- 3.7 A number of the deliverability concerns identified through this assessment have been raised before. Any proposed development of the safeguarded site (SAF 18) has attracted opposition from Oxspring Parish Council and local residents, whom have submitted formal letters of objection to BMBC citing a number of concerns including an increase in traffic using narrow country lanes and also surface water drainage/flooding issues. More recently, it was confirmed by Oxspring Parish Council (in their November 2014 meeting minutes at section 5A) that the landowner of the site has stated he is not willing to make the land available for development.
- 3.8 For clarity, Oxspring Parish Council submitted written objections to BMBC during the consultation process on the Local Development Framework Draft DPD 2012, in which the land was identified for Low Density housing development (Site Reference LD10) and more recently have also submitted written objections to BMBC regarding the safeguarded status of the land within the Draft Local Plan (Site Reference SAF 18) requesting that the Council reallocate the land as Green Belt.
- 3.9 Evidence of the strong objections of Oxspring Parish Council to the development of the existing Safeguarded Land site can be extracted as follows from their responses to the Barnsley Draft Sites & Places Draft DPD 2012 (enclosed in Appendix D) and to the Draft Barnsley Local Plan (enclosed in Appendix E):-

Response to Draft Sites & Places Plan (Letter dated 14th October 2012)

“Local roads such as Roughbitchworth Lane, Back Lane, Park Lane and Long Lane are narrow country lanes or single track roads which are wide enough for only one vehicle at a time and already running to capacity with local and commuter car journeys, large volume transit trucks and agricultural transport, including the movement of cattle/livestock and farming. Serious congestion is experienced on a daily basis to access the local school entrance, which is particularly difficult for infants at the junctions with Roughbitchworth Lane and Mayfield, the bridge over the Trans Pennine Trail and the busy Penistone Road.

The land surrounding the existing Fields End and Brookfield site and the proposed new sites off Roughbitchworth Lane is sloping farm land. Rainwater runs off these fields and down towards the Trans-Pennine Trail, the village's playing fields and Sheffield Road. Any heavy rain fall causes major problems with flooding on the Fields End development and water gushes through the walls at the back of Fields End into the gardens. It then runs down the drives to the main Fields End Road and eventually down towards Brookfield.

The parish Council therefore opposes any such proposals and changes in land use allocation including the proposed significant development of 111 homes to the land North and South of Roughbitchworth Lane.”

Response to Draft Barnsley Local Plan (Letter dated 10th January 2015)

“We note from your Consultation Document that you have earmarked land to the North and South of Roughbitchworth Lane as safeguarded land. We have also noted that this land could be considered for development after 2033 when the Local Plan expires or earlier if the borough wide housing needs requirements justify such development.

We strongly object to a change in the draft UDP of this site from farmland/Green Belt to the proposed allocation as Safeguarded Land on the basis that such allocation fails to meet the principles for sustainable development set out in the NPPF and the borough's Core Strategy.

We are aware that a requirement of the NPPF and other relevant Government guidance is that land considered for development in the Local Plan should be viable. A viability analysis should consider the likely availability of the site. However, we understand that the current landowner for the proposed Safeguarded site at Oxspring (site reference SAF18) is not likely to make these sites available for development within the borough's Local Plan period or beyond.

As part of our preparations for producing a Neighbourhood Plan, we have spoken to land owners in the village, including the owner of the land to the North and South of Roughbitchworth Lane. The owners have made it patently clear that they have no intention of selling the land earmarked in the Local Plan Consultation Draft as 'safeguarded' during the foreseeable future. The land is part of a viable family business and the owners do not see farming as compatible with extensive housing developments in the village. It would therefore be conceivable very difficult to consider these two pieces of land for future development purposes.

With the above in mind, we would like to request that you consider taking the two pieces of land to the North and South of Roughbitchworth Lane off the Safeguarded Land list (Policy GB6 - SAF18) and that you re-allocate this farmland back into the Green Belt.”

- 3.10 In respect of the potential to re-allocate the site back into the Green Belt, BMBC have the ability to do this. This was a method previously utilised by BMBC in the preparation of its UDP during the 1990's (identified in UDP Volume 13 at Page 21, Paragraph 4.10). However, it is our view that in order to robustly meet the identified housing needs of the Village up to 2033 and taking into consideration paragraph 4.12 of the adopted UDP (referred to in Paragraph 1.9 above), a suitable site of a similar size to the existing Safeguarded Land site will need to be released from the Green Belt in exchange. Especially in consideration of the conclusions of Section 2 of this report which identify that there are insufficient deliverable smaller scale sites located within Oxspring to meet the Village's identified housing needs.
- 3.11 Finally, in respect of paragraph 4.12 of the adopted UDP, we feel it imperative to clarify that a senior government appointed Inspector has confirmed that *"Oxpring is one of the locations in the Western Community Area for additional development because of its physical relationship to the Penistone Urban Area and that there is land available in Oxspring to meet the future housing needs of the area"* it is therefore our view that a replacement site for the existing Safeguarded Land site must be identified should the site be (correctly in our view) re-designated as Green Belt land.

4.0 DELIVERABILITY OF THE OXSPRING FIELDS DEVELOPMENT PROPOSALS

- 4.1 The evidence presented in the preceding sections of this report has identified that there are insufficient deliverable small scale windfall sites to meet Oxspring's identified housing needs, that the existing Safeguarded Land designation 'SAF 18' at Roughbitchworth Lane has been assessed to be "Not Currently Developable" and that any proposal to develop the safeguarded site would be strongly objected to by Oxspring Parish Council.
- 4.2 However, as this existing Safeguarded Land site is not located within the Green Belt, current planning policy guidance identifies that the site can be delivered for housing (subject to overcoming the identified development constraints) to meet the identified housing needs of Oxspring and/or the wider Barnsley Borough.
- 4.3 This report has concluded that there is a need to release the existing Safeguarded Land site prior to the end of the Local Plan Period in 2033, in order to meet Oxspring's identified current and future housing requirements. Unless, of course, another more preferable site capable of meeting the Village's identified housing needs can be identified and allocated in its place.
- 4.4 It is our view that the Oxspring Fields proposals which are being promoted by Yorkshire Land Limited (YLL) provide a suitable and superior alternative site to meet the identified housing needs of Oxspring (including affordable housing), whilst also being able to deliver a wide range of benefits which mirror the aspirations of the Village as identified within the draft ONP.
- 4.5 YLL has submitted a number of representations to the Parish Council in respect of the development of the Oxspring Fields site and we request that the comments provided in this report are considered alongside them.
- 4.6 The substantial benefits of the Oxspring Fields development proposals are summarised as follows:-
- **Construction of 150 new homes of which 25% affordable** which will provide a major contribution to delivering the housing needs of the area for first time buyers through to families. 25% of the 150 proposed new homes will be made available as affordable homes at no cost to the public purse, with the provision of first choice to residents of the Parish.
 - **Funding of £500,000.00 (Five Hundred Thousand Pounds)** towards a Community Centre/Sports Pavilion, providing such facilities as a sports/events hall, changing rooms, toilets, meeting and function rooms; in addition, YLL also propose an adjoining facility capable of housing a doctors' surgery to serve the needs of the village.
 - **Delivery of a new Country Park** to the East of the proposed housing development, which will provide footpaths, trim trails, picnic areas, general kick about areas and play spaces, alongside enhancements to the area's tourism offer of the TPT.

- **Delivery of a Visitor Centre/ Tourism Hub**, to be situated alongside the TPT in the South East corner of the Country Park. This facility will be designed to emulate a traditional Pennine Farmstead and constructed to an exacting standard to incorporate strong eco-credentials. This facility will vastly enhance the Tourism offer for Oxspring and the wider Western Rural Area and also provide jobs for the local community.
- **Provision of three new access points onto the Trans Pennine Trail** - One point of access being from the Sports Ground, as suggested in the draft Neighbourhood Plan, and the two further proposed access points being from the Primary School, ensuring safe and secure access along the TPT to the sports field where the proposed sports pavilion/community building will be located; and to the proposed Tourism Hub, which will incorporate a safe access to the TPT for all, including the disabled and those on horseback.
- **Access to private land** alongside the River Don stretching from Willow Bridge to Bower Hill Road known as the 'Oxspring Rocher Valley' enabling riverside walks and the creation of a local parish fishing club, footpaths and picnic areas.
- **New Strategic Public Transport** – The Oxspring Fields Development (together with a draft housing site proposal south of Halifax Road, Penistone) will facilitate £500,000.00 (Five Hundred Thousand Pounds) funding together with the land required to construct a new strategic public transport facility to the east of Penistone Railway Station, to include a much needed Waiting Area/Tearoom with toilets, a Tourist Information Centre, pedestrian bridge crossing and a 100 space car park.

4.7 With regards to deliverability of the site for residential development and in accordance with the guidance presented in the NPPF, the Oxspring Fields proposals represent a deliverable residential development site as:-

- There are no technical issues that would preclude its development;
- An Accessibility and Sustainability Assessment has been undertaken and submitted to BMBC which concludes that the site is located in a highly sustainable location (a point also acknowledged by South Yorkshire Passenger Transport Executive);
- It would deliver a truly sustainable development and significantly enhance the public transport facilities of Oxspring and the adjoining Principal town of Penistone;
- The site is under the control of YLL, a company with a strong and sound history of delivery in the area, and it's allocation is supported by David Wilson Homes; and
- The site can deliver the type of new homes required in the Borough, including some early delivery within the next 5 years.

4.8 Importantly, BMBC's own assessment of the Oxspring Fields site (Ref 681) within the 2012 SHLAA identified that the site represents a Category 1 "deliverable" residential development site. It also specifically identified that the site performed well against suitability, availability and achievability criteria. The SHLAA also assessed the potential impact of the site on the character of the landscape and concluded that the site could accommodate high quality, low-density housing in a location likely to be highly attractive to the market.

4.9 As identified in paragraph 3.10 above, BMBC has the ability to return land back into the Green Belt as well as remove it and we believe that this is a wholly appropriate process to be undertaken within the preparation of the Barnsley Local Plan.

- 4.10 We agree with Oxspring Parish Council's recommendation that the existing Safeguarded Land designation 'SAF 18' at Roughbitchworth Lane should be re-designated as Green Belt. In turn, we believe that there is now a robust evidence base to justify the release of the proposed Oxspring Fields site from the Green Belt within the Barnsley Local Plan to replace the existing Safeguarded Land designation in order to meet the identified housing needs of the Village.
- 4.11 With regard to the role of the existing Safeguarded Land within the Green Belt and wider landscape of the area, the annotated Aerial Photographs attached to this report in Appendix F clearly identify that the North Western boundary of the site is wholly arbitrary and does not follow any physical feature or logical field pattern and is therefore not defensible. The remaining site boundaries are formed by dry stone walls, a feature abundantly present throughout the wider area and cannot be considered a credible feature from which to provide a long term, permanent, Green Belt boundary.
- 4.12 In contrast, the proposed Oxspring Fields site benefits from strong, logical and defensible boundaries on all sides. These boundaries are formed to the North by the B6462/Sheffield Road; to the South by the Trans Pennine Trail; to the East by the existing Works site; and to the West by the village sports field and the existing settlement area of Oxspring.
- 4.13 Furthermore, enclosed with this report in Appendix G is Barnsley Council's Draft Local Plan Proposals Map 51 with the proposed Oxspring Fields development super-imposed. This map provides further visible evidence that the development of the Oxspring Fields site would provide a natural extension to the historic settlement pattern of Oxspring, as the site is situated adjacent to the Parish Sports Field in very close proximity to the Waggon and Horses Public House, which forms the Historical centre and Heart of the village.
- 4.14 Importantly, in respect of size, the existing Safeguarded Land site measures 5.10 ha whereas the area of land included within the Oxspring Fields development and proposed for new housing measures 7ha. The proposed country park element of the scheme can remain within the Green Belt due to its open nature. As a result there would be a minimal impact in respect of a quantifiable reduction of Green Belt land located around the settlement of Oxspring. This minimal impact should be considered in the wider context of the number of benefits that the site can provide.
- 4.15 As identified in paragraph 1.11 above, BMBC have identified in the Draft Barnsley Local Plan (November 2014) that the housing and employment needs and aspirations of the Borough cannot be accommodated without the need to release land from the Green Belt. Consequently, the document identifies that BMBC have undertaken a Green Belt review as part of the evidence base for the Local Plan which has resulted in the proposal to take out of the Green

Belt around 190 hectares of land for housing and around 70 hectares of land to be safeguarded in order to meet longer-term development needs stretching beyond the plan period.

- 4.16 BMBC's Green Belt Review Approach and Method Report (prepared by independent consultants 'Arup' in 2014) identifies in Paragraph 2.1 that 77% of Barnsley's total land area is designated as Green Belt. Paragraph 3.5 of the Draft Barnsley Local Plan states that the Barnsley local authority area covers 329 square kilometres. Accordingly the Barnsley Green Belt equates to a total of 25,333 hectares. In light of this, the release of an additional 1.9ha of land from the Green Belt to deliver the benefits of the Oxspring Fields development proposals would only equate to a loss of an extra **0.0075%** of Barnsley's current total Green Belt area or **0.0076%** if both the land required for the proposed allocations and the currently safeguarded land identified within the Draft Barnsley Local Plan is removed from the Green Belt.
- 4.17 Therefore the release of a further 1.9ha of land from the Green Belt in order to deliver the benefits associated with the Oxspring Fields site can be considered minimal in the wider scope of the Green Belt release proposed within the Draft Barnsley Local Plan.
- 4.18 Finally, the significant role which the existing Safeguarded Land plays in the landscape certifies that it meets a number of the five Green Belt purposes as prescribed by the National Planning Policy Framework. Whereas the Oxspring Fields site does not meet any of the five Green Belt purposes. In view of this, we believe that BMBC is in a defensible position to re-designate the existing Safeguarded Land site as Green Belt and in turn remove the Oxspring Fields site from the Green Belt. This important matter has been set out in a letter dated 5th June to BMBC's Executive Director of Place Directorate, which is enclosed at Appendix H.
- 4.19 Such an approach would accord with Paragraph 4.12 of the adopted UDP which identifies that Oxspring is a suitable location which has the infrastructure capacity to accommodate additional housing growth.
- 4.20 In view of the evidence provided within this report and other recent assessment work we have undertaken, we believe that BMBC are in a defensible position to re-designate the existing Safeguarded Land site as Green Belt and in turn remove the Oxspring Fields site from the Green Belt and allocate it for housing development. The key reasons being as follows:-
- Local residents and Oxspring Parish Council have objected to the development of the Safeguarded Land site for housing citing highways, drainage and availability issues.
 - The UDP identifies that BMBC have the ability to remove as well as re-designate land within the Green Belt.
 - The UDP identifies the physical relationship between Penistone and Oxspring, and Oxspring's capacity to accommodate further growth.

- The Draft Barnsley Local Plan identifies the need to release land from the Green Belt to meet the Borough's housing needs and proposes both safeguarded land designations and employment land allocations in the Parish of Oxspring, BMBC therefore recognise the settlement's ability to accommodate future development.
- The Green Belt Review, identifies that the retention of the Safeguarded Land would weaken the integrity of the Green Belt on account of a lack of defensible boundaries and openness of the area immediately surrounding the site. A position that is entirely the opposite to that of the Oxspring Fields proposals.
- The SHLAA identifies the Safeguarded Land site as a Category 2 housing site on account of identified deliverability issues, including impact on landscape character. The Oxspring Fields site is identified as a Category 1 'deliverable' housing site due to there being no suitability, availability and achievability constraints.
- Further assessment work undertaken by YLL's Landscape Consultants have identified that the Oxspring Fields development proposals perform better than the Safeguarded Land site against a number of environmental concerns including the historic settlement pattern, landscape character and ecology.
- Further assessment work undertaken by YLL's Landscape Consultants have identified that that the Safeguarded Land site fulfils identified purposes of Green Belt. Whereas the Oxspring Fields site does not and its development could strengthen the Green Belt in the surrounding area of the site and settlement.
- This report has concluded that there are insufficient deliverable residential development sites in Oxspring **that are not located within the Green Belt** to meet the Village's identified housing needs up to 2033. A deliverable site such as the proposed Oxspring Fields site therefore needs to be released in order to meet these needs, whilst also being able to deliver a substantial level of benefits to the area to satisfy aspirations of the Oxspring Neighbourhood Plan.

5.0 SUMMARY

- 5.1 We believe that BMBC should allocate the Oxspring Fields site in order to ensure that the identified housing needs of Oxspring up to 2033 are delivered.
- 5.2 Our deliverability assessment of the potential windfall sites in Oxspring has identified that there is only potential for **18** new homes from sites not located within the Green Belt. Of those 18 homes, we consider only **6** homes to be deliverable when assessed against the planning policy requirements of the National Planning Policy Framework. In addition, as set out in paragraph

2.7 it is highly unlikely that affordable housing will arise from windfall sites. As identified above, the two deliverable windfall sites (references 2 and 12) already have planning permission and are to be developed with detached properties.

- 5.3 When considered against the identified housing needs of Oxspring, this represents a **shortfall of 62 homes** up to 2026 (against the identified requirement of 68 homes) or a **shortfall of 90 homes** up to the end of the Local Plan period in 2033 (against our identified requirement of 96 homes).
- 5.4 In addition, our assessment of the existing Safeguarded Land designation 'SAF 18' at Roughbircworth Lane has identified serious deliverability constraints which render it "Currently Not Developable" when assessed against the planning policy requirements of the National Planning Policy Framework.
- 5.5 Our concerns over the deliverability of the existing Safeguarded Land site are shared by Oxspring Parish Council who have submitted written objections to BMBC requesting that the site be re-designated as Green Belt. A request which BMBC has the ability to fulfil.
- 5.6 Oxspring Parish Council's request that the safeguarded Land be re-designated as Green Belt land is one which we entirely agree with and is a position that we believe requires the release of the Oxspring Fields site in order to meet the Village's identified housing needs up to 2033 and not conflict with paragraph 4.12 (Volume 13) of the adopted UDP.
- 5.7 As identified in Section 4 of this report, BMBC have identified that the housing and employment needs and aspirations of the Borough cannot be accommodated without the need to release land from the Green Belt. The release of a further 1.9Ha of land from the Green Belt in order to deliver the benefits of the Oxspring Fields development proposals equates to 0.0076% of the Boroughs overall Green Belt following the release of the other proposed allocations and safeguarded land designations identified within the Draft Barnsley Local Plan. Accordingly, the release of a further 1.9ha of land from the Green Belt in order to deliver the benefits associated with the Oxspring Fields site can be considered minimal in the wider scope of the Green Belt release proposed within the Draft Barnsley Local Plan.
- 5.8 If BMBC do not release the Oxspring Fields site from the Green Belt, Oxspring, Penistone and the Western part of the Borough will miss out on the number of substantial benefits that the site can deliver as identified within Section 4 of this report.
- 5.9 We believe that the Oxspring Fields proposals provide an unprecedented and once in a lifetime opportunity for residents of both Oxspring and Penistone. Land, owned privately by Yorkshire Land Limited is being offered to provide substantial community benefits that will greatly enhance the sustainable development of Oxspring and the wider Western part of the Borough.

- 5.10 Yorkshire Land Limited are committed to the delivery of the Oxspring Fields development which will meet the Village's identified housing needs, in addition to both funding and facilitating the majority of the identified needs and aspirations of the Village as set out within the draft ONP.
- 5.11 The re-designation of the existing Safeguarded Land as Green Belt in exchange for the removal of the Oxspring Fields site from the Green Belt will enable the delivery of the Village's entire identified housing needs and in addition, provide substantial funding to ensure that the majority of the village's needs and aspirations, as identified in the draft ONP, are delivered. The Oxspring Fields Development Proposals must therefore be considered a sensible and robust proposition.