

Stephanie Tolson
Clerk to Oxspring Parish Council
43 Nether Royd View,
Silkstone Common,
Barnsley,
S75 4QQ

18th November 2015

Dear Ms Tolson,

Our Client has passed on your letter of November 10th 2015 which was sent in reply to our client's letters of 23 October 2015 to Mrs Ann Walker/Mrs Cheryl Kelleher (Joint Chairs of Oxspring Neighbourhood Plan Steering Committee) and 26 October 2015 to Mr Ian Goldthorpe (Chairman of Oxspring Parish Council) which raised a number of important matters and culminated in a request to meet with both the Parish Council and Neighbourhood Plan Group members. We would like to take this opportunity to respond by providing some further clarity on our position.

We wish to make it clear that **we are not stating** that the Oxspring Neighbourhood Plan has the statutory authority to allocate land within the Green Belt. This is something that can only be implemented by Barnsley Metropolitan Borough Council (BMBC) via the ongoing Local Plan process.

As set out in our client's letter of 23 October 2015 to the joint chairs of Oxspring Neighbourhood Plan, 3.17 ha of the Oxspring Fields site is already included within the adopted Oxspring Neighbourhood Plan Boundary, and this area of land can go some way to delivering the identified housing needs of Oxspring, including affordable. Should the Parish Council approach BMBC to request that this land is allocated on the basis that it is the only viable route to deliver long desired community infrastructure and identified housing needs (circa 96 homes), then it is likely that BMBC would support the Parish Council's request. This would then allow for appropriate amendments to be made to both the emerging Barnsley Local Plan and subsequently, the Oxspring Neighbourhood Plan.

However, we consider that the full extent of our client's Oxspring Fields site should be allocated for development, on account that it can deliver an unprecedented level of community infrastructure, in addition to the identified housing needs of the Village. In turn we believe that the Safeguarded Land Site "SAF18" (Land North and South of Roughbirchworth Lane, Oxspring – Site area 5.10 ha) should be re-designated as Green Belt, resulting in no net loss of Green Belt land within the Parish.

Oxspring Parish Council have written on two separate occasions to BMBC in response to both the Draft Development Sites and Places DPD of 2012 and more recently the Draft Local Plan of November 2014, citing a number of concerns with the Safeguarded Land Site "SAF18" (including highways, flooding, land ownership and sustainability) and requesting that it be re-designated as Green Belt

Notwithstanding the above, independent consultants (engaged by Planning Aid England on behalf of Oxspring Parish Council) have published a professional 'Housing Needs and Capacity Assessment' which confirms that housing is required for Oxspring to meet the needs of the village. This is an important matter which cannot be ignored and should be dealt with via the emerging Barnsley Local Plan process.

In consideration of the above, we wish to make it quite clear that:

1. BMBC does not have a 5 year land supply and we are advised that the land supply currently stands at less than 3 years.
2. Numerous planning permissions have been granted within the last 12 months on Safeguarded land across the Borough (see enclosed document), this includes 139 dwellings in Penistone (Land off Hartcliff Road) and 67 dwellings in Hoylandswaine (land at Church Lane). Both of these applications were overwhelmingly opposed by Local residents, Borough, Town and

Parish Councillors, however, as the land was not Green Belt (as is the case in Oxspring with Safeguarded land site "SAF18") and BMBC does not have a five year land supply; permission was ultimately granted.

3. It has now been established that Oxspring has an identified housing requirement for up to 68 homes to 2026 and potentially circa 96 new homes to 2033, and the village is undoubtedly located in a far more sustainable location than other villages, including Hoylandswaine.
4. BMBC's adopted Core Strategy Policy CSP 8 confirms that development will be allowed in the villages if it is consistent with Green Belt policy, is necessary for the viability of the settlement and to meet local needs. In addition, Policy CSP 10 provides for 1000 homes to be constructed in the villages over the plan period.
5. BMBC's proposed Local Plan Policy confirms at Section 5 'Spatial Strategy and the Location of Growth' that Development in villages will be encouraged where it meets local needs and supports vitality, the local village economy and viability of the local community.

Consequently, if a planning application is submitted for the development of the Safeguarded land site "SAF18", either prior to the adoption of the Barnsley Local Plan or at an appropriate point in the future post the adoption of the Local Plan (including when a 5 year supply of housing land could not be demonstrated), then BMBC and Oxspring Parish Council would in all likelihood struggle to resist the site's development.

The only way we foresee that BMBC can refuse planning permission on the "SAF 18" site is if any technical issues render it undevelopable or it is returned to the Green Belt prior to the submission of any planning application for development upon it. In either case, it is our view that an alternative development site of a size capable of meeting the recognised housing requirements of Oxspring would need to be identified in its place.

The Parish Council should not ignore the important matters addressed in this letter and furthermore, we believe that Oxspring residents should be informed of this information and provided with an opportunity as part of the Neighbourhood Plan Process to decide **which site they would prefer** to see developed to meet the current and future housing needs of the village; this being either the Safeguarded land site "SAF18" or the 'Oxpring Fields' site which will, additionally, deliver the myriad of long desired Community Benefits detailed online at www.oxspring-fields.co.uk.

Please do not hesitate to contact me should you wish to discuss the content of this letter further.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'P. Butler'.

PAUL BUTLER
Director

Details of Planning Applications approved on Safeguarded Land in the West of the Barnsley Borough

- Land off Hartcliff Road, Penistone - Application Reference: 2013/0785

139 Number dwellings with associated access, car parking and landscaping

Application Registered - 18/07/2013
Application Approved - 05/09/2014

- Land at Church Lane, Hoylandswaine - Application Reference: 2014/0754

67 Number dwellings and associated infrastructure.

Application Registered - 16/07/2014
Application Approved - 21/04/2015

- Land at Wellthorne Lane, Ingbirchworth - Application Reference: 2014/0198

Erection of 13 detached dwellinghouses with associated access, car parking and landscaping

Application Registered - 26/02/2014
Application Approved - 25/06/2014