

YORKSHIRE LAND

Limited

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Our Ref YLL/OR/2018-02.01

28 February 2018

Dear Resident,

HOUSING DEVELOPMENT FOR OXSPRING

You may be aware that **Oxspring Parish Council (OPC)** are holding a **Public Meeting at St Aidans Church Hall, Oxspring between 14:30 and 16:30 hrs on Saturday, 03 March 2018** to discuss matters surrounding the proposals by Barnsley Metropolitan Borough Council (BMBC) to remove land north of Sheffield Road, Oxspring from the Green Belt.

This land is identified by BMBC with references EC6 and EC7. Site EC6 is identified for Housing development whilst site EC7 is proposed as Safeguarded land to meet future housing needs. Both sites are shown on the plan enclosed.

It is confirmed in a statement on the Oxspring Neighbourhood Plan Facebook Page that OPC will be submitting objections to BMBC's proposals for sites EC6 and EC7 and that OPC will hopefully be providing valid planning reasons at the public meeting for residents to submit their own objections to these sites.

At the Meeting of OPC on Monday, 05 February 2018 those present were informed by the Chairman of OPC that the reason BMBC is now proposing housing development in Oxspring is because the Planning Inspector appointed to examine the Barnsley Local Development Plan has told BMBC to do so. In fact, the Local Plan Inspector informed BMBC in a Interim Findings Report dated 15 August 2017 that **if the Local Plan is to be found sound** BMBC must take a more positive approach to the future of the Borough's villages, which has now led to BMBC identifying housing allocations in and around the larger villages, including Oxspring.

Following the publication of the Local Plan Inspectors Interim Findings, BMBC prepared Sustainability Assessments for each of the villages in the Borough. Oxspring has been identified as one of the most sustainable western villages through this Sustainability Assessment process, achieving the joint highest score for any of the western villages, which indicates that the village is suitable to accommodate new housing development.

As part of the Barnsley Local Plan Examination process, we believe the Inspector will also be

compelled to give consideration to the findings of an **Independent Housing Needs Assessment** undertaken on behalf of Oxspring Parish Council as part of the Oxspring Neighbourhood Plan process, which identifies that Oxspring has a need for new housing, including affordable homes.

We understand that OPC is presently the only Parish Council in the Barnsley Borough which possesses a Housing Needs Assessment, identifying a need for new housing to meet the needs of its Parish.

Taking into consideration the Barnsley Local Plan Inspector's Interim Findings in respect of the villages coupled with the findings of the Oxspring Housing Needs Assessment, it is in our considered opinion inevitable that in order for the Barnsley Local Plan to be found Sound, a housing site will have to be allocated to meet the identified housing needs of Oxspring.

For this reason, we consider that simply objecting to the development of sites EC6 & EC7 without identifying and supporting an alternative site **will not change BMBC's decision** to identify sites EC6 & EC7 for housing development in the Local Plan. In any event, as OPC are in the process of preparing the Oxspring Neighbourhood Plan and as the Parish Councillors are elected to represent parishioners, we believe Oxspring residents are entitled to provide their own opinions to OPC in respect of a preferred housing site for the village.

We believe that our Oxspring Fields site represents a superior and most suitable alternative development site compared to sites EC6 & EC7 put forward by BMBC to meet the housing needs of Oxspring. Furthermore, the Oxspring Fields scheme will also deliver a range of community benefits alongside new housing, including a new Sports and Community Building and a Tourism Hub and Country Park.

In order to secure the allocation of the Oxspring Fields site, as an alternative to sites EC6 & EC7, you will need to **make your views known to your Parish Councillors**, who are elected to represent you **and also to BMBC in your objections to Sites EC6 and EC7** as part of the Local Plan Examination Consultation 2018, which closes at 10am on Monday, 12 March 2018.

Your consultation responses to the Barnsley Local Plan Examination Consultation 2018 can be submitted to the Local Plan Inspector by the following means:

Online: <http://consult.barnsley.gov.uk/portal/development/planning/lpec/lpec2018>

Email: po@barnsley.gov.uk

Post: The Programme Officer,
C/o Barnsley Metropolitan Borough Council
PO Box 634
BARNSELEY
S70 9GG

At the Meeting of OPC on Monday, 05 February 2018 the Vice-Chair of OPC, informed those present that the OPC cannot support our proposed Oxspring Fields development because **the site is not located within the Parish of Oxspring**. However, It was most disappointing that the Vice-Chair failed to inform those present at the Meeting that **3.17 Hectares (approximately 8 acres) which constitutes almost half of the proposed Oxspring Fields housing site is already included within the adopted Oxspring Neighbourhood Plan boundary**.

This land relates most closely to Oxspring both adjoining the Parish Sports Fields and within close walking distance (150 metres) of the Waggon and Horses Public House.

You may recall that during the first draft version of the Oxspring Neighbourhood Plan, it was proposed by the Oxspring Neighbourhood Plan Steering Group, of which the Vice-Chair of OPC is the Joint-Chairwoman, to build a new school and sports infrastructure **on this land** to serve Oxspring. Therefore, for OPC to state that this land cannot be used to meet the needs of Oxspring is clearly incorrect and totally misleading to Oxspring residents.

The Vice-Chair of OPC did confirm at the Meeting on Monday, 05 February 2018 that none of the OPC members are planning experts, or hold any planning qualifications. We therefore question why OPC have sought to ignore the sound advice of our qualified planning consultants, who are some of the leading experts in this field.

We enclose a letter from PB Planning to OPC dated 19 February 2018 together with a letter addressed to ourselves from Walton & Co (Planning Lawyers) dated 20 February 2018, endorsing the approach set out in the letter from PB Planning to OPC.

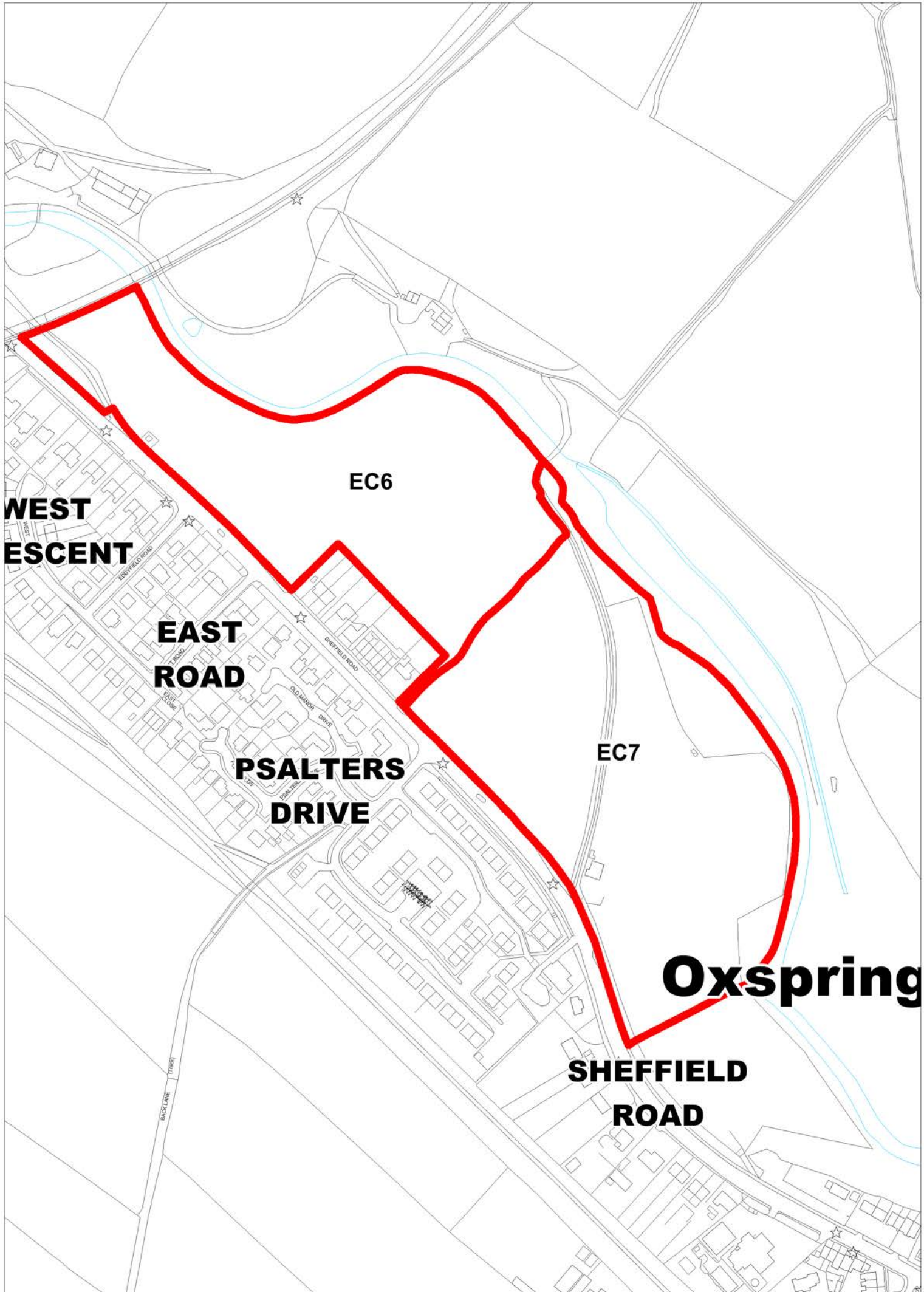
Walton and Co are **Specialist Planning and Local Government Lawyers** ranked both as a Leading Firm and in the Top 25 of planning firms in the United Kingdom by Planning Magazine and Chambers UK in 2018. The Principal of the Firm, Mr David Walton, was personally ranked 8th in the country in the Planning Magazine Legal Survey 2017.

Further recent correspondence between ourselves and OPC is available to view on the 'Documentation' page of our Oxspring Fields website: www.Oxspring-Fields.co.uk

Should you require any further information, please don't hesitate to contact us either by email or telephone using the details provided in the header of this letter.

Yours sincerely

YORKSHIRE LAND Limited



Our ref: DRW.ET

Your ref:

Date: 20 February 2018

Mr Steven Green
Yorkshire Land Limited
PO BOX 785
HARROGATE
HG1 9RT

Dear Steven,

Proposed Oxspring Fields Development

I refer to the letter dated 19 February 2018 which PB Planning have written on your behalf to Mrs Tolson who is the Clerk to Oxspring Parish Council.

The letter from Paul Butler very correctly sets out the legal position in relation to the options available to Oxspring Parish Council.

It not only sets out the correct legal position but also (so far as I understand it) offers a practical solution to the Parish Council dilemma. The proposed extension of the Oxspring Neighbourhood Plan Area is entirely appropriate and could legitimate the Parish Council's support for the Oxspring site. In doing so, it will create a wholly sensible alternative to the site being proposed by Barnsley Council which I understand is opposed by a significant number of the residents in the Oxspring Parish Council area. I therefore completely agree that the approach is both lawful and sound in Development Plan context.

Kind regards

Yours sincerely

PP. E. Thompson

David R Walton



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

19th February 2018

Dear Mrs Tolson,

I write on behalf of Yorkshire Land Limited and further to my letter to the Parish Council dated 30th January 2018.

I understand that the Parish Council are due to hold a public exhibition in the coming weeks to inform local residents of their intention to object to Barnsley Metropolitan Borough Council's (BMBC) proposed allocation of up to 298 homes in the Village as part of the emerging Barnsley Local Plan (which includes existing Safeguarded Land Allocation SAF18 located at Roughbirchworth Lane). Importantly, 146 homes of the potential 298 homes are proposed to be allocated on land that is currently located in the Green Belt.

In my letter dated 30th January 2018, I identified that there are two immediate avenues of work available to the Parish Council should they see fit. The first being to write to BMBC to object to the newly proposed allocations in the Village. The second being the progression of a Neighbourhood Plan that identifies clear alternatives to the Council's current approach.

I also stressed in my letter that, it is our view that the time for objecting to any development in the Village has passed and thus the focus should now be on what is the right development option for the Village. In any response to BMBC, the Parish Council needs to identify an alternative preferred development option in order to respond constructively to the Draft Local Plan process. If they do not, then it is highly likely that the current proposed allocations will remain.

Furthermore, Oxspring has recently been identified by BMBC as the most sustainable Village in the Western part of the Borough in their village sustainability assessment work undertaken following the request of the Inspector to find additional housing sites in the Villages. Linked to this is also the evidence presented in the independent URS Housing Report for Oxspring, prepared on behalf of the Parish Council, which confirms the needs for new homes in the Village. Consequently, evidence is available to justify that should BMBC's current proposed allocations not be supported, or prove undeliverable, then an alternative suitable site should be identified.

With regards to the progression of the Neighbourhood Plan, as you are aware it must be in general conformity with the Borough Local Plan. However, as we have identified on numerous occasions, given the Borough's Local Plan is still in the process of being examined, there is an opportunity for the Parish Council and the local community to proactively influence the housing and safeguarded land allocations to ensure that the Village's own identified needs and aspirations will be delivered in the Plan Period to 2033.

Time is however running out and as a result it is imperative that the Parish Council take the opportunity available to them to influence the Local Plan now.

I have been informed that the Parish Council have publicly announced that they are unable to support the Oxspring Fields site as an alternative to BMBC's current proposed allocations on account of the site not being located in the Oxspring Parish.

Fortunately, this is simply not the case.

First of all, we believe it is pertinent to again point out that 3.17 hectares (7.83 acres) of the Oxspring Fields site is currently included within the adopted Oxspring Neighbourhood Plan boundary.

Secondly, as the Parish Council are aware, the proposed Oxspring Neighbourhood Plan boundary can be amended. Indeed, the Parish Council previously successfully amended the boundary back in February 2015 to include land located within Hunshelf Parish. The Parish Council therefore has the power to write to BMBC to request a further amendment to the boundary to include the whole of the Oxspring Fields site.

National planning policy guidance states (in Paragraph: 027 Reference ID: 41-027-20140306 of the National Planning Practice Guidance) that a single parish or town council (as a relevant body) can apply for a multi-parished neighbourhood area to be designated as long as that multi-parished area includes all or part of that parish or town council's administrative area. But when the parish or town council begins to develop a neighbourhood plan or Order (as a qualifying body) it needs to secure the consents of the other parish councils to undertake neighbourhood planning activities. Hunshelf Parish were previously amenable to the extension of the boundary and there is no reason they wouldn't be again given they would stand to benefit from such an amendment.

Finally, settlement boundaries and land allocations within Local Plans are not governed by Parish boundaries. A clear example of this is BMBC's proposed allocation of land to meet Penistone's employment needs within the Oxspring Parish boundary, at Site Ref. P2, Sheffield Road, Oxspring.

Put simply, there is nothing stopping the Parish Council from informing BMBC of their support for the development of Oxspring Fields as an alternative to BMBC's current proposed allocations in the Village. Once they have done so they can then apply to BMBC to extend the current Neighbourhood Plan boundary using the same process as they previously have.

The Parish Council are therefore faced with a choice. Object to BMBC's current proposed allocations without proposing a deliverable/suitable alternative and take their chances as part of the examination process. A process that has already identified the need to deliver new homes in the Village. Or object to BMBC's proposed allocations and identify deliverable/suitable alternative which can also deliver significant social and community benefits to the Village.

The Parish Council are due to enter into a period of consultation on the new Local Plan which focuses on matters that local residents have not had to consider up until this point. Where is the most appropriate location for new homes in the Village. Not should there be new homes in the Village. We therefore trust that the Parish Council will do all they can to inform local residents of the options that are available to them. Which of course includes the proposed Oxspring Fields development proposals.

It is our clear and valid view that without the delivery of new homes as part of the Oxspring Fields development, the majority of the ambitions and aspirations of the Parish Council identified in the Draft Neighbourhood Plan will be undeliverable. As we have previously stated, such ambition will remain as words on a page rather than tangible facilities that the local community can use and enjoy unless significant changes are made to BMBC's current approach to development in the Village.

Our client's Oxspring Fields development proposals present a rare, unprecedented and unrivalled opportunity for Oxspring. Land owned privately by YLL is being offered to provide community benefits that will facilitate the sustainable development of Oxspring, in accordance with the spirit of the National Planning Policy Framework, they will also enable the delivery of the desires and recognised needs of Oxspring.

The Oxspring Fields development proposals will facilitate the provision of new and enhanced Village, Parish and Borough-wide assets. BMBC's proposed site allocations in the Village will simply not do this.

The Parish Council now only have one final opportunity to seek to make amendments to the emerging Local Plan in order to ensure that the objectives and visions of the Village and its residents can be delivered.

In order to ensure that transparent consultation is undertaken with local residents, we believe it is essential that the Parish Council inform local residents of the ability to support the Oxspring Fields development proposals as an alternative to BMBC's current proposed allocations in the Village. Should it be the consensus of local residents to do so.

The Parish Council have the tools to do so, it is now up to you whether you choose to use them or not.

Kind regards,

A handwritten signature in blue ink, appearing to read 'P. Butler', written in a cursive style.

PAUL BUTLER
Director