

Yorkshire Land Limited

Barnsley Local Plan Examination

Hearing Statement – Stage 4, Main Matters 18 to 21

Peter Brett Associates – Representor No. 899018

March 2018

Project Ref: 40893

	Name	Position	Signature	Date
Prepared by	Bernard Greep	Partner	BG	March 2018
Reviewed by	Bernard Greep	Partner	BG	March 2018
Approved by	Bernard Greep	Partner	BG	March 2018
For and on behalf of Peter Brett Associates LLP				

Peter Brett Associates LLP disclaims any responsibility to the client and others in respect of any matters outside the scope of this report. This report has been prepared with reasonable skill, care and diligence within the terms of the contract with the client and taking account of the manpower, resources, investigations and testing devoted to it by agreement with the client. This report has been prepared for the client and Peter Brett Associates LLP accepts no responsibility of whatsoever nature to third parties to whom this report or any part thereof is made known. Any such party relies upon the report at their own risk.

© Peter Brett Associates LLP 2018

THIS REPORT IS FORMATTED FOR DOUBLE-SIDED PRINTING.

CONTENTS

1	INTRODUCTION.....	1
2	RESPONSE TO THE INSPECTOR’S QUESTIONS – MAIN MATTER 18	2
3	RESPONSE TO THE INSPECTOR’S QUESTIONS – MAIN MATTER 19	4
4	RESPONSE TO THE INSPECTOR’S QUESTIONS – MAIN MATTER 20	6
5	RESPONSE TO THE INSPECTOR’S QUESTIONS – MAIN MATTER 21	8

APPENDICES

APPENDIX A	PBA CORRESPONDENCE TO BARNSLEY COUNCIL’S HEAD OF PLANNING AND BUILDING CONTROL – DATED 13 NOVEMBER 2017
APPENDIX B	PBA CORRESPONDENCE TO INSPECTOR HOUSDEN – DATED 23 JANUARY 2018
APPENDIX C	EXTRACT FROM THE PENISTONE EDITION OF THE BARNSLEY CHRONICLE – DATED 24 JUNE 2016

1 INTRODUCTION

- 1.1 Section 1 of our Stage 1: Main Matter 1 hearing statement sets the context for PBA's involvement in the Barnsley Local Plan preparation process. For brevity, we do not repeat that text in our Stage 4 hearing statement, albeit we confirm that it remains relevant to the Main Matters covered by Stage 4.
- 1.2 At the outset, we wish to record that we and our client are aghast at the approach the Council is seeking to take in relation to the Borough's employment and housing targets. The starting position is that the Council submitted a plan which it considered to be sound and ready for Examination. Furthermore, the Council's stance at the 'OAN for employment' hearing session was that delivering 33,000 new jobs is robust and sound, and in her Interim Findings (15 August 2017) the Inspector provided her view that the OAN figure is a minimum of 1,389 dwellings per annum.
- 1.3 It is wholly unacceptable in our view that the Council should depart from the position outlined above deep into the Examination by seeking to slash its employment and housing targets, after those topics have already been debated extensively in public. The Council is now proposing to reduce the employment target by more than 4,000 jobs and the currently proposed annual housing target of 1,134 dwellings is some 255 dwellings fewer than the figure of 1,389 dwellings per annum specified in the Inspector's Interim Views, which we reiterate was a minimum figure and therefore the annual dwelling target could and, for a variety of strong arguments that have already been strongly advanced by ourselves and other representors, perhaps should be higher.
- 1.4 Within this hearing statement, we address matters relating to strategy, covering Main Matters 18 to 21. The hearing statement should be read in conjunction with our hearing statement relating to Main Matter 16 (employment) and Main Matter 17 (housing).
- 1.5 Our Stage 4 hearing statements should also be read in conjunction with our previous submissions to earlier stages of the Examination.

2 RESPONSE TO THE INSPECTOR'S QUESTIONS – MAIN MATTER 18

Whether or not the plan's housing requirement will be met, including the need for different types of housing and whether sufficient land has been identified to provide a 5-year supply of housing on adoption and throughout the plan period

Question 18.1

- 2.1 As we explained in earlier submissions (for instance, our Stage 3, Main Matter 12 hearing statement), PBA was commissioned by Barnsley Council in April 2013 to undertake the Barnsley Housing Study ('BHS'). One of the key purposes of the BHS – as specified in the Council's brief – was the identification of sites to be prioritised through the Local Plan to support the Borough's economic development objective of bringing about a 'step change' in the quality of housing provision and, in particular, low-density, high-value homes. We advised that the Council should provide for a mix of sites suitable for both 'executive housing' and 'mainstream' housing.
- 2.2 The western half of the Borough contains very few draft housing allocations, despite the Council having identified that part of the Borough as an area suitable for the delivery of larger high-quality, lower-density homes to attract business owners and senior managerial personnel to help meet the overarching economic objectives and deliver the required 'step change' in housing.
- 2.3 Barnsley is lagging behind the Y&H and national averages in relation to many key economic indicators. The economy is undersized and is too reliant on the public sector and there is a significant deficit in business stock and local jobs. Educational outcomes, while improving, are still behind the national average. The availability of appropriate development sites, executive housing and available business premises is inadequate. We endorse the overwhelming evidence within the Council's published evidence base and other corporate documents that releasing sufficient housing land for development in the more desirable areas – and in particular the western part of the Borough, where achievable values are higher – is essential if Barnsley truly aspires to close the performance gaps with the Y&H and nationally.
- 2.4 The need for high-value executive properties within the Borough has previously been recognised by Mr Phillip Spurr, the Service Director of Culture, Housing and Regeneration at Barnsley Council. As we noted in our Stage 1, Main Matter 12 hearing statement, Mr Spurr made the following statement during a presentation to the Council's Health and Wellbeing Committee on 7 June 2016, which was subsequently reported in an article published in the Penistone edition of the Barnsley Chronicle dated 24 June 2016 entitled 'More quality homes needed for town's growing population':

'The right homes are needed in the right location, as there is a demand for large family homes and high-value executive properties. There is also

evidence that up to 30 per cent of residents are looking outside the borough to meet their housing needs, a leak that must be stopped.'

- 2.5 Mr Spurr's comment that the '*right homes are needed in the right location*' was echoed in the Government's Housing White Paper (February 2017), Chapter 1 of which bore an almost identical title ('Planning for the right homes in the right places'). For the Inspector's ease of reference, we include an extract of the June 2016 article at Appendix C. There is a need to boost housing delivery in the Borough by releasing sites in locations which are attractive to the market and which would therefore lead to a notable increase in delivery. Against that background, we are bemused as to why the Council is striving to avoid properly meeting identified needs in full by seeking to reduce the housing target to an unreasonably low level and by continually failing to direct development to the most deliverable parts of the Borough.

Questions 18.4 to 18.12

- 2.6 For brevity, we do not address specific matters surrounding five-year land supply in our hearing statement – that topic being complex and requiring detailed discussion – but we reserve the right to discuss matters surrounding land supply during the hearing sessions.
- 2.7 Nevertheless, we do note our serious concern here regarding the language adopted by the Council on pages 10 (fourth Roman bullet) and 27 (paragraph 5.35) of Background Paper 8, namely the reference to '*a maximum of 1,134 dwellings per year*'. Notwithstanding our professional judgement that the annual dwelling target needs to be significantly higher than 1,134 dwellings – for the reasons detailed in PBA's other Stage 4 hearing statement – the Council should not be treating that target as a 'maximum', and that comment applies irrespective of the specific dwelling target. Such a negative approach runs contrary to the spirit of the NPPF, which seeks to '*boost significantly the supply of housing*' and '*ensure choice and competition*'.
- 2.8 It is clear from the Council's use of the word 'maximum' that, at best, the Council hopes to only just achieve the five-year (and 15-year) targets. We do not regard that as positive planning.
- 2.9 The Background Paper uses similarly negative language in relation to the employment target, again treating the annual jobs target as a maximum (for instance, at paragraph 5.9 on page 20).

3 RESPONSE TO THE INSPECTOR'S QUESTIONS – MAIN MATTER 19

Whether or not the proposed approach to the settlement hierarchy and villages would be soundly based and justified by the evidence

Questions 19.1 to 19.4

- 3.1 The Inspector's Interim Findings raised concerns that the Council's approach to the villages lacks clarity, is not sufficiently justified by the evidence and contributes to an approach to safeguarded land which is inconsistent with the NPPF. The plan does not identify sufficient sites for new housing within/around the villages in the western part of the Borough and directs the majority of new development to Urban Barnsley and the Principal Towns.
- 3.2 We note that the Council has now assessed the sustainability of villages in the western part of the Borough, albeit for the reasons that we set out in our letter dated 23 January 2018 (reproduced within Appendix B to this statement) we do not fully agree with the Council's findings. It is abundantly clear that the Council's 'Sustainability Appraisal – Addendum' was prepared retrospectively following the Cabinet decision in respect of the Council's preferred jobs/economic growth options, and in our assessment many of the comments in the report regarding the alleged unsustainability of the villages cannot be substantiated.
- 3.3 As we repeatedly sought to explain at the earlier hearing sessions, it is imperative that achievability and deliverability is properly taken into account when assessing where to meet identified needs. In essence, that means directing sufficient growth to those settlements where there is a market for the delivery of new homes. If inadequate land is released in those areas of the borough (including villages) which are attractive to the market then the identified needs will not be catered for and the serious economic performance gap between Barnsley and elsewhere will not be reduced.
- 3.4 We are particularly alarmed by the comments in paragraph 5.12 of Background Paper 8. We do not agree that higher housing targets will necessarily require a higher average density. We are also concerned about the alarmist language in that paragraph, namely the comment that releasing land in the higher-value areas within the western part of the Borough would result in '*significantly more harm to the Green Belt as a result of the unrestricted sprawl and encroachment into the countryside*'. The release of carefully selected sites which do not fulfil the Green Belt purposes would clearly not represent '*unrestricted sprawl and encroachment*'.
- 3.5 We are also concerned that the Council continues to suggest that the distribution of housing to 'other settlements' should be capped at 5 per cent of the overall housing requirement. In accordance with the thrust of NPPF paragraph 55, we believe that in order to enhance and maintain the vitality of rural communities, the quantum of housing distributed to should be increased to 10 per cent.

- 3.6 We are pleased with the Council's acknowledgement contained at paragraph 7.3 of the Background Paper that a number of villages in the western part of the Borough are '*not considered to be remote and in need of development to sustain local services*'. Nevertheless, whilst we agree that settlements such as Oxspring are sustainable and we therefore endorse the Council's recognition that they are sustainable and suitable locations for accommodating housing needs, it does not follow that other villages are necessarily 'remote' or 'unsustainable'.
- 3.7 Paragraph 7.5 of the Background Paper states that the Council has assessed whether there are any parcels of land around the most sustainable villages that perform a weaker Green Belt function and could therefore be released. The same paragraph then states that, 'for the most part', the Council has been able to identify sites within the larger, more sustainable villages without the need to amend Green Belt Boundaries. Whilst the Background Paper specifically notes that Oxspring is a sustainable settlement – as confirmed by the table on page 32 – we are dismayed to find that the Council has again failed to make the necessary small-scale adjustment to the settlement boundary of Oxspring, which we discussed in our Stage 2, Main Matter 6 hearing statement, to enable the release of our client's site at Millstones for just four or five dwellings. We are perplexed as to why the Council steadfastly refuses to release that 0.4-hectare site despite it clearly not serving any Green Belt purpose.

4 RESPONSE TO THE INSPECTOR'S QUESTIONS – MAIN MATTER 20

Whether or not the proposed housing site allocations in Urban Barnsley, Principal Towns and the larger villages would be soundly based and whether or not the exceptional circumstances exist to justify the release of land from the Green Belt

Question 20.1

- 4.1 Firstly, we wish to highlight that in her Stage 1 and Stage 2 Interim Findings (August 2017), the Inspector expressed her view that if the Local Plan is to be found sound, it should take a more positive approach to the future of the Borough's villages. Indeed, the plan is required to be 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.
- 4.2 On 23 January 2018, we wrote to the Inspector to provide our initial, headline observations regarding the draft document entitled 'Sustainability Appraisal – Addendum Post Examination Hearings'. For the Inspector's ease of reference, a copy of the correspondence is reproduced as Appendix B.
- 4.3 In our letter, we commended the Council for assessing the various alternative Housing Growth Options within the draft version of the Sustainability Appraisal ('SA'). We expressed our concern, however, that the draft SA Addendum failed to adequately reflect the strong steer provided by the Council's Economic Strategy regarding the urgent need to address the significant economic challenges facing the Borough, including an undersized economy which is too reliant on the public sector; a significant deficit in business stock and local jobs relative to the Y&H and national averages; below-average educational outcomes; high levels of worklessness and a low skills base; and an inadequate supply of appropriate development sites, executive housing and available business premises.
- 4.4 On 29 January 2018, an 'issue' version of the document, entitled 'Sustainability Appraisal – Site Assessment Addendum' and dated 19 January 2018, was added to the Examination Library. The factors referred to above are also not considered within the issue version of the SA document, however. We consider that the aforementioned factors should be considered as part of the SA to ensure that the assessment is based on relevant and robust evidence.
- 4.5 Instead, the SA document appears to take an unduly negative approach to those Housing Growth Options which are underpinned by higher targets, without adequate reference to the serious challenges that the Borough needs to address head-on. That reflects the fact that the report was prepared retrospectively following the Cabinet decision in respect of the Council's preferred jobs/economic growth options,

whereby the Council has sought to base the Local Plan on the absolute minimum (or below-minimum) levels of growth possible.

- 4.6 Furthermore, the issue version of the SA document relates only to the proposed housing target of 1,134 dpa and the provision of 28,840 jobs during the plan period. We seriously question why only these two options have been assessed in the 'issue' version of the SA document, given that neither of these options has been tested through the examination process to date.

5 RESPONSE TO THE INSPECTOR'S QUESTIONS – MAIN MATTER 21

Whether or not the exceptional circumstances exist to release land from the Green Belt for additional safeguarded land

Question 21.1

- 5.1 We have made detailed submissions during earlier stages of the examination regarding the acknowledged need ('exceptional circumstances') to release land from the Green Belt, as well as the Council's assessment and the merits of individual sites. For brevity, we do not repeat those submissions here, although we may cross-refer to them at the Stage 4 hearing sessions.
- 5.2 We may also comment on specific parcels of land at the appropriate time during the hearing sessions, suffice to say here that it is essential that any sites released from the Green Belt must be genuinely deliverable and in the most sustainable locations. Our client controls several such sites which we firmly believe satisfy those criteria, for the reasons advanced in our earlier submissions.
- 5.3 Furthermore, we reiterate that in order to meet identified housing needs in full, it is necessary to release sufficient land from the currently designated Green Belt now. The best candidates for such release are those sites which do not fulfil the intended purposes of the Green Belt.

APPENDIX A PBA CORRESPONDENCE TO BARNSELY COUNCIL'S HEAD OF PLANNING AND BUILDING CONTROL – DATED 13 NOVEMBER 2017

Your ref:

Our ref: 40893 / Person ID: 899018

13 November 2017

Mr Joe Jenkinson
Head of Planning and Building Control
Economic Regeneration Service
Barnsley Metropolitan Borough Council
PO Box 604
Barnsley
S70 9FE

Peter Brett Associates LLP
61 Oxford Street
Manchester
M1 6EQ
T: +44 (0)161 245 8900
F: +44 (0)161 245 8901
E: manchester@peterbrett.com

Dear Mr Jenkinson,

Barnsley Cabinet Report ref. Cab.15.11.2017/6: Local Plan Examination – Modifications and Additional Sites Consultation (Report of the Place Executive Director)

We write to provide our initial comments regarding Cabinet Report ref. Cab.15.11.2017/6 – published last week in advance of the meeting of Barnsley Council's Cabinet on 15 November 2017 – as well as the related Appendices.

At the outset we wish to record that we and our client are aghast at the approach the Council is seeking to take in relation to the Borough's employment and housing targets. The starting position is that the Council submitted a plan which it considered to be sound and ready for Examination. Furthermore, the Council's stance at the 'OAN for employment' hearing session was that delivering 33,000 new jobs is robust and sound. It is wholly unacceptable in our view that the Council should depart from that position six months into the Examination by seeking to slash its employment and housing targets, after those topics have been debated in public.

Inspector Housden commented in paragraph 19 of her Interim Findings (15 August 2017) that '*it may be necessary to review the Council's economic strategy to ensure alignment with the plan's strategy for housing.*' In the second bullet under paragraph 40 of her Interim Findings, the Inspector suggested that it might be prudent for the Council to carry out '*...the necessary work to align the strategies for employment and housing...*'. In the same paragraph, the Inspector also noted that: '*Depending on the outcome of this work, it may be necessary to identify additional housing sites.*'

The Council has taken the Inspector's comments as an invitation to reduce the employment and housing targets. That was clearly not what the Inspector had in mind, otherwise she would have expressed her view that the targets were too high. The Inspector did not do that. Instead, she recommended 1,389 dwellings per annum ('dpa') as a minimum figure in her Interim Findings.

We have copied this letter to Inspector Housden as it will be for her to decide whether it is reasonable for the Council to significantly reduce the employment and housing targets at this advanced stage. If the Inspector decides that the reduced targets can be considered, we firmly believe that, in the interests of fairness to all parties who have been involved in the Examination to date, the Council's revised position would have to be subjected to further detailed scrutiny through re-opened hearing sessions on those topics. That would of course involve significant additional cost for all parties involved – as well as further delays – but we believe that to proceed on the basis of lower targets that have not been examined would be wholly unreasonable and unfair, and would place the Local Plan at serious risk of challenge.



Allied to the above, we are alarmed by the suggestion in the Cabinet Report that the Council will commence consultation in January 2018 on additional site allocations that are based on reduced targets that have not been examined. If the Council was to proceed on that basis it would make a mockery of the entire Examination process.

Furthermore, as you are aware, the CLG released a bundle of new consultation documents on 14 September 2017 under the umbrella of the Housing White Paper. The document entitled 'Planning for the Right Homes in the Right Places' sets out the Government's proposed standard methodology for assessing housing needs. Table 1 of that document advises that where the Local Plan is at examination stage, local authorities should: '*Progress with the examination using the current approach.*' The Inspector referred to the Government's direction in her letter to the Council dated 2 October 2017.

Below, we provide our initial observations on the Cabinet Report and the related Appendices.

Initial Observations on the Council's Amended Position

The Cabinet Report recommends that the objectively assessed housing need figure for Barnsley should be 1,134 dwellings per annum ('dpa'). That figure is some 255 dpa below the 1,389 dpa which the Inspector advocated as a minimum figure in her Interim Findings (15 August 2017), or some 4,845 dwellings over the 19-year Local Plan period.

The Council attempts to justify the proposed reduction on the basis that the jobs target for the Borough should be reduced, from 33,000 additional jobs over the plan period, to 28,840. The Council asserts that the reduction in the jobs number is justified on the basis of new evidence it has commissioned from consultants, namely the Edge Analytics report which forms Appendix 4 to the Cabinet Report. It is extremely disappointing that the Council decided to update its evidence base in relation to employment forecasts following the completion of the hearing sessions on that topic, having confirmed to the hearing sessions that the 33,000 jobs figure is robust. We reiterate that the starting position is that the Council submitted a plan which it considered to be sound and ready for Examination, and the hearing sessions on objectively assessed need for employment and housing have already been completed.

It is apparent that the Council has decided to update the Jobs & Business Plan and the Housing Strategy now – midway through the Local Plan examination, rather than at a more appropriate juncture some time ago – because it has realised that the Local Plan as currently drafted does not reflect the evidence in those corporate publications.

The statement in paragraph 5.8 of the Cabinet Report that '*the jobs figure is certain to come down from 33,000 jobs*' is extremely presumptuous. For the reasons outlined above, we consider it wholly unreasonable to introduce a new jobs target following the completion of the examination of that topic. Nevertheless, in the event that the Inspector is minded to re-open the hearing session on that topic, then we will provide evidence – in writing and in person (Richard Pestell) – which will robustly demonstrate that substantially reducing the jobs target to somewhere between 26,700 and 28,840 jobs is unjustified (or to a maximum of 27,000 jobs, as implied by paragraph 27 of Appendix 3 to the Cabinet Report).

Looking in detail at the Council's new jobs alignment, the Appendix 3 document goes dangerously close to mixing OAN and the housing target. Paragraphs 10-16 are all about policy-on factors (including delivery rates). As has been well-publicised, OAN must never be constrained by delivery factors, as confirmed, for example, in the high-profile Solihull Judgement¹.

Paragraph 3 of the Appendix 3 document indicates that the Regional Economic Model has been relied upon to reduce the jobs number for Barnsley, but the document is very vague on specifically what has been done, and where. Appendix 3 provides very little detail on the new economic model, albeit it does confirm the data that have been used. Paragraph 23 says '*based on the inputs we*

¹ Neutral Citation Number: [2014] EWCA Civ 1610 (Admin): Solihull Metropolitan Borough Council v Gallagher Estates Limited and Lioncourt Homes.



provided’ but does not go into detail on those inputs. Furthermore, the latest Edge Analytics work still suggests that the housing OAN ought to be higher (using their assumptions).

In short, it is not sufficient for the high-level Appendix 3 document to be relied upon to reduce the employment number. The latest work commissioned by the Council – including the methodology/approach, assumptions, inputs and so on – needs to be properly scrutinised (notwithstanding with our frustration at the Council having submitted a Plan that it considered to be sound and then deciding to update its evidence and the targets in the middle of the examination).

Paragraph 6.2 of the Cabinet Report only refers to the 1,389 dpa minimum figure advocated by the Inspector in her Interim Findings. There is no reference to the 1,632 dpa needed to meet the Council's economic targets, or the mid-point between the Council's housing OAN range of 1,080 dpa to 1,632 dpa, which is 1,452 dpa. We therefore consider the report to be partial.

Allied to the above, we take issue with the statement in paragraph 10 of Appendix 3 to the Cabinet Report that 1,389 dpa is *‘at the top end of the objectively assessed housing need [range]’*. As we explained in our Stage 1, Matter 4 hearing statement, the range of housing OAN appears to be 1,080 dpa to 1,632 dpa.

Furthermore, we note that the Edge Analytics report (which forms Appendix 4 to the Cabinet Report) contains alternative housing OAN figures of 1,383 dpa and 1,459 dpa, neither of which are referred to in the Cabinet Report.

Paragraph 7.2 of the Cabinet Report states: *‘...throughout the plan preparation process no Parish Council or agency representing the villages expressed any fears that their communities required specific housing sites in order to counter decline.’* There is, however, no reference to the Housing Needs and Capacity Assessment conducted by URS on behalf of Oxspring Parish Council (dated October 2014), which identified a need for 53-68 dwellings in Oxspring over the period to 2026, or 96 new homes when extrapolated to cover the period to 2033.

In response to the comments in paragraph 7.5 of the Cabinet Report, we note that at the hearing session on 11 October 2017 you stated that: *‘We never said we would rule out smaller parts of larger Green Belt sites, if we need more sites.’* That confirmation needs to be spelt out to Members much more clearly than the approach outlined in the Cabinet Report.

Paragraph 9.1 of the Cabinet Report attempts to justify a lower annual dwelling target (than the 1,389 dpa minimum figure advocated by the Inspector) on the basis that *‘This will require much more land being released from the Green Belt...’*. As we and others explained at the examination hearings, however, the amount of Green Belt release needed to meet the objectively assessed requirement would represent a very small reduction in percentage terms (circa 2 per cent), and some three-quarters of the Borough would still remain within the Green Belt. It has been abundantly clear throughout the Examination process that the Council is trying to use Green Belt as a basis for constraining the growth targets, rather than applying the correct approach of objectively assessing needs and then planning to meet those needs through the Local Plan.

Paragraph 14 of Appendix 3 to the Cabinet Report similarly claims that releasing land in the higher value parts of the Borough to the west of the M1, and adopting lower densities, would firstly not yield a consistently higher rate of delivery, and secondly would significantly harm the Green Belt. Regarding the first point, achievable values are much higher in the western part of the Borough and so it is abundantly clear that releasing land there would notably increase delivery. As for the second point, the reality is that the amount of land that needs to be released is relatively modest when considered in the context of some 77 per cent of the Borough being within the presently defined Green Belt.

We also take issue with the comment at paragraph 14 of Appendix 3 to the Cabinet Report that *‘the most likely way of increasing delivery is to build at higher densities’*, for numerous reasons including those that we have made in our earlier submissions. The fundamental point is that the best way of boosting housing delivery is by releasing sites in locations that are attractive to the market.



Paragraph 9.1 of the Cabinet Report also asserts that meeting the identified needs could result in changes *'considered so significant or extensive that they would amount to a complete re-writing of the plan, this would be particularly so if the overall spatial strategy were to change to focus the additional development in the higher value areas in order to try and deliver a figure of 1,389 homes a year.'* In response, we would refer again to the Cheshire East Local Plan example which we highlighted at the hearing sessions. In that case, the overall housing target rose from 27,000 dwellings to 36,000 dwellings (via main modifications) but that was not deemed to have fundamentally changed the strategy, and in our view the same conclusion should be reached in Barnsley. The majority of development will still be directed to the urban part of the Borough even if the absolute amount of land released to meet the objectively assessed need increases.

Another recent example of a Local Plan housing target being increased significantly to meet the full OAN is Swale. In that well-publicised case, the submitted Plan proposed a target of 10,800 dwellings. The Council claimed that it could not achieve the OAN of 14,800 dwellings (subsequently updated to 13,192 dwellings for the re-based Plan period), citing reasons including viability and deliverability, and environmental concerns. However, the Inspector concluded in her report following the examination of the Local Plan (dated 20 June 2017) that the Council should increase the target in order to meet in full the OAN of 13,192 dwellings, which was dealt with through a main modification.

We completely disagree with the assertion in the first bullet of paragraph 9.1. As we explained at the most recent housing hearing sessions, the housing target could be achieved if sufficient land is released in locations that are attractive to the market (and therefore deliverable).

Section 9 of the report also appears to suggest that safeguarded land should automatically be used in preference to other candidate sites. For the reasons detailed in our hearing statements, and in Sasha White QC's written legal Opinion dated April 2016, we consider that to be an unsafe and flawed approach.

We trust that you will find our comments helpful. In the interests of completeness, we would be grateful if you would make this letter available to attendees of the Cabinet meeting on 15 November 2017.

Yours sincerely

Bernard Greep
Partner

For and on behalf of
PETER BRETT ASSOCIATES LLP

cc: Inspector Sarah Housden BA (Hons) MRTPI
Mr Richard Gilbert, Local Plan Examination Programme Officer

APPENDIX B PBA CORRESPONDENCE TO INSPECTOR HOUSDEN – DATED 23 JANUARY 2018

Your ref: SD4
Our ref: 40893 / Person ID: 899018

23 January 2018

Inspector Sarah Housden BA(Hons) MRTPI
C/O The Local Plan Programme Officer
Forwarded via Planning Policy Team
Economic Regeneration
Barnsley Metropolitan Borough Council
PO Box 634
Barnsley
S70 9GG

Peter Brett Associates LLP
61 Oxford Street
Manchester
M1 6EQ
T: +44 (0)161 245 8900
F: +44 (0)161 245 8901
E: manchester@peterbrett.com

Dear Inspector Housden,

Barnsley Local Plan Examination – Draft Sustainability Appraisal Addendum

We write to provide our initial, headline observations regarding the document entitled ‘Sustainability Appraisal – Addendum Post Examination Hearings’¹. The document, which is labelled ‘Draft 2’ and is dated 8 December 2017, was added to the Examination Library in December under the reference SD4, which also covers several other documents.

We expressed concern in our Stage 2, MM5 Hearing Statement that the Council has not assessed a target of c.25,000 dwellings, the need for which is identified in the Council's Housing Strategy and other published evidence. We expressed the same concern in person at the hearing sessions relating to Stages 1 and 2 of the examination. When the Council was asked at the hearings why higher housing targets have not been assessed, the answer provided by officers was ‘*Because we are a Green Belt authority.*’ We expressed our dissatisfaction with the Council's response both in person at the hearing sessions and in our Stage 2 Hearing Statement, and you expressed similar concerns in paragraphs 18-20 of your Interim Findings letter dated 15 August 2017.

Against the background outlined above, we commend the Council for assessing the various alternative Housing Growth Options it has identified recently, as documented in the draft SA Addendum. That said, we question why the employment growth options previously proposed by the Council have not been considered in the appraisal given that the two latest options have not been tested through the examination process at this point.

Our Headline Observations Regarding the Draft SA Addendum

We endorse the recognition in the draft SA Addendum that the levels of growth under Housing Growth Options 2 to 4 would result in long-term significant positive effects in relation to (*inter alia*) increasing housing delivery and tackling local housing affordability pressures.

Page 15 suggests that Housing Growth Option 4 would ‘*change the dynamics of the Housing Market Area (HMA) and the FEMA, and generate some negative effects.*’ The reasoning behind that comment is not clear and so it is difficult to comment in detail here but, in our view, providing

¹ Hereafter referred to as ‘the draft SA Addendum’.



for higher levels of housing (and employment) growth locally in Barnsley should generally be viewed in more positive than negative terms.

Whilst the comments highlighted above are focused on Housing Growth Option 4, page 16 suggests that both Housing Growth Options 3 and 4 could 'distort' the HMA. Whilst we do not agree with those comments, we note that the next version of the document should clarify whether the Council's concerns regarding effects on the HMA relate to Option 4 only, or to Options 3 and 4.

Page 16 states that the levels of growth under Housing Options 3 and 4 *'will result in a more dispersed pattern of development, which will mean traffic volumes on certain roads will increase due to more travel and more frequent journeys.'* However, whilst the absolute amount of development under those options would be higher than under Options 1 and 2, the pattern of development would be broadly (if not exactly) the same, unless it was decided to direct a greater percentage of the additional growth to particular settlements.

The same page also states that Options 3 and 4 would *'result in developments being delivered in more inaccessible locations, which may in turn counter-act the positives.'* We question why Options 3 and 4 would require some development in inaccessible locations.

Page 17 asserts that *'the scale of growth set out in Option 2, Option 3, and Option 4 would result in significant land take across the borough, that would mean negative impacts on best and most versatile agriculture, and given the scale of growth envisaged would increase the likelihood of a larger amount of Green Belt land being required to accommodate development.'* Our first observation is that it is axiomatic to state that meeting higher growth targets will require more land. Furthermore, whilst more BMV agricultural land and Green Belt may be required under the higher Growth Options, the land take is not specified, either in absolute or percentage terms. In the absence of such details it is difficult to draw conclusions regarding net overall effects.

Similarly, the second paragraph of page 17 suggests that meeting the growth targets under Housing Options 2-4 will automatically result in negative effects in terms of drainage and water management. We do not agree.

The final paragraph of Section 4.2.3, which asserts that the increased land take requirement under the higher Growth Options automatically equates to a negative effect. In response, we note that in order to meet objectively assessed needs in full (as required by the NPPF), the appropriate amount of land will need to be released. That is the correct approach, as opposed to artificially constraining development targets in order to reduce land take.

Section 4.2.4 similarly assumes that Housing Growth Options 2-4 will necessarily result in adverse impacts on biodiversity, landscape and so on. In our view it is over-simplistic to readily reach that conclusion.

We do not agree that higher housing targets will necessarily require a higher average density – as suggested on page 19 – and we also do not agree with the final paragraph of Section 4.2.4.

In general, the draft SA Addendum appears to take an unduly negative approach to Housing Growth Options 3 and 4. That reflects the fact that the draft report was prepared retrospectively following the Cabinet decision in respect of the Council's preferred jobs/economic growth options.

Turning to the Jobs Growth Options, page 22 states that Growth Option 2 *'would likely perpetuate and amplify levels of commuting across Barnsley's HMA and FEMA.'* However, meeting identified employment needs locally in Barnsley will actually reduce out-commuting from the Borough.

The remainder of Section 4.4 contains similar commentary regarding Jobs Growth Option 2 in relation to land take and impacts on biodiversity, landscape and so on as those highlighted above in respect of Housing Growth Options 2-4. We therefore have similar concerns to those outlined above.

The draft SA Addendum also fails to adequately reflect the strong steer provided by the Council's Economic Strategy regarding the urgent need to address the significant economic challenges facing the Borough, including an undersized economy which is too reliant on the public sector; a



significant deficit in business stock and local jobs relative to the Y&H and GB averages; below-average educational outcomes; high levels of worklessness and a low skills base; and an inadequate supply of appropriate development sites, executive housing and available business premises.

Summary

We consider the commentary regarding Housing Growth Options 2-4 to be unduly negative. The report was prepared retrospectively following the Cabinet decision in respect of the Council's preferred jobs/economic growth options, and in our assessment there is insufficient evidence to justify the conclusion that Housing Growth Option 1 is 'clearly' the best, as started in Section 5.2.

We also consider the approach to scoring the various Growth Options to be too simplistic.

The first two sentences of the final paragraph of Section 4.2.2 corroborate everything we have said in the past in respect of the need to deliver new homes in the Villages. The report, however, also states that the more ambitious Growth Options would result in development in '*more inaccessible locations*' and '*a more dispersed pattern of development*'. We disagree with both assertions.

We may supplement our initial observations at the appropriate stage of the examination process, but we trust you will find our initial observations regarding the draft SA Addendum helpful. We have copied our letter to Mr Jenkinson and look forward to seeing the next version of the document.

Yours sincerely

Bernard Greep
Partner

For and on behalf of
PETER BRETT ASSOCIATES LLP

cc: Mr Joe Jenkinson, Head of Planning and Building Control, Barnsley Council

APPENDIX C EXTRACT FROM THE PENISTONE EDITION OF THE BARNSLEY CHRONICLE – DATED 24 JUNE 2016

More quality homes needed for town's growing population

By Lynsey Bradford

UP to 25,000 new, better quality homes need to be built in Barnsley to cope with an increase in population across the borough over the next 17 years.

The figures were revealed at a council meeting in which a presentation was given on the Barnsley Housing Strategy and Delivery Plan.

It contains five key objectives to help the council deliver the strategy, which covers the period 2014 to 2033.

Council boss for housing Phillip Spurr said there were clear links between good housing and good health.

He added: "Frankly, there are pockets of poor quality housing in Barnsley and we have some very good quality houses within the borough. We need to tackle the areas of poor quality.

"Quite simply what we need in Barnsley is more houses and we need better quality houses. At this moment in time we have somewhere in the order of 108,000 to 110,000 properties in the borough.

"Between now and 2033 we need somewhere in the order of 20,000 to 25,000 homes and we need to improve the quality of the stock we have got."

He said of the 110,000 homes in Barnsley, roughly two thirds of those were owner-occupied, one fifth are in the social rented sector and about 15 per cent are private-rented homes.

He said one challenge was to maintain and improve the quality of the private sector properties.

He added: "We do face an increasing population and it is estimated it will grow by seven per cent by 2021 and there is a demographic shift in and increasing ageing population, so they are additional challenges we have to face.

"The population will grow and it is expected there will be 17,000 new jobs in the borough.

"This is within the context of a current undersupply of housing so there's a growing indigenous demand but we also want and need and must have people coming into the borough as well.

"These two factors are driving the need for additional housing.

"As an authority we can't do this by ourselves and have to work in partnership.

"We need to make sure every penny we spend is spent wisely and that we get maximum value."

The objectives are: to support new

housing development which creates a thriving and vibrant economy, to ensure the design and delivery of new, high quality, desirable and sustainable homes, to make the best use of/improve existing housing stock in Barnsley, to develop strong resilient communities and to support younger, older and vulnerable people to live independently.

Mr Spurr said the right homes were needed in the right location, as there was a demand for large family homes and high-value executive properties. He said there was also evidence up to 30 per cent of residents were looking outside the borough to meet their housing needs, a 'leak' that must be stopped.

He added: "We've got quite an unbalanced housing stock at the moment 30 percent of properties in the borough are pre 1990 terraced houses often poor quality and we need to rebalance that.

"The vast majority of housing in Barnsley in 2050 is the housing we have now so we need to make sure it is fit for purpose."

Of the 1,800 empty homes across the borough, he estimated between 25 and 30 would be brought back into use every year.