

YORKSHIRE LAND

Limited

CONSULTEE ID: 23082

BARNSELY LOCAL PLAN EXAMINATION 2018

STATEMENT REGARDING 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.”

A BRIEF INTRODUCTION

Yorkshire Land Limited has been successfully developing in and around Penistone and the Western Villages for over 30 years, during which time it has brought tens of millions of pounds of investment and betterment into the local economy.

The Directors, Mr & Mrs Green, were born, bred and educated in Barnsley in the early 1960’s and have gained a vast and valuable experience of the Borough’s strengths and weaknesses and are highly knowledgeable of the area’s capacity to accommodate housing and employment allocations.

Whilst Yorkshire Land Limited is represented by Peter Brett Associates & PB Planning at Stage 4 of the Barnsley Local Plan Examination in Public and comprehensive Hearing Statements responding to the Main Issues and Questions for Stage 4 have been submitted by these representatives, we provide our own focussed response herein to Main Matter 18 of the Inspector’s MIQ’s, which serves to substantiate our professional opinion that the Local Plan cannot be found sound unless Main Modifications are made by the appointed Inspector, Mrs Sarah Housden BA (Hons) MRTPI.

18.1 WILL POLICY H7 PROVIDE AN APPROPRIATE MIX AND CHOICE OF HOUSING OVER THE PLAN PERIOD TO MEET THE NEEDS OF DIFFERENT GROUPS IN THE COMMUNITY IDENTIFIED IN THE STRATEGIC HOUSING MARKET ASSESSMENT (EB45)?

The Economic and Housing Strategies adopted by the Council identify a requirement for between 1,200 large, low density executive homes and 2,500 large family homes respectively.

The Strategic Housing Market Assessment identifies that the best locations for this type of property are in the West of the Borough.

Attached at Appendix A is an article published in the Barnsley Chronicle dated 24 June 2016 entitled 'More quality homes needed for town's growing population'. Mr Phillip Spurr, Service Director Culture, Housing and Regeneration at Barnsley Council is quoted extensively in the article. We particularly wish to highlight the following:

"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."

In addition, the Report of the Executive Director, Development, Environment and Culture (reference CAB.4.7.2012/8) dated July 2012 sets out "the need for low density dwellings in the top bracket of the housing market" The report, which is attached at Appendix B, confirms that the Council wants to ensure that the Borough is a place where high and middle income people choose to live and can afford. In particular, Paragraph 3.7 states:

*"therefore the importance of facilitating the provision of sites to ensure we achieve a mix of types and sizes is recognised, particularly **at the top end of the market** to ensure the Borough can accommodate requirements across the full spectrum of workers in a business or employment, including professional, senior managerial and executive officers. **Provision of dwellings to attract such workers to live in the Borough will support and implement the economic strategy and will help to diversify the make-up of Barnsley.**" (**Our emphasis**)*

In Appendix C we attach a letter dated 18 August 2015 from Mr Richard Crossfield, a highly qualified and experienced Director of the local estate agency Fine and Country, regarding the lack of new high-value housing within the Borough of Barnsley. Mr Crossfield's letter sets out that:

- No new-build residential properties with an asking price of £500,000 and above were marketed within a five-mile radius of postcode district S70 in Barnsley between 01 January 2012 and 17 August 2015;
- The corresponding number of properties in the same price bracket (£500,000 plus) marketed in the neighbouring areas of Huddersfield, Wakefield, Sheffield and Leeds over the same period were 65, 18, 80 and 86, respectively;
- Barnsley (particularly the western part of the Borough) therefore has a serious lack of new-build property within the £500,000 plus price bracket and the most prestigious

housing scheme currently under construction in Barnsley Borough will not cater for those seeking homes above £530,000;

- Mr Crossfield confirmed that there is a definite demand for new-build properties at the higher end of the market; and
- Mr Crossfield stated that he finds the aforementioned lack of supply particularly concerning and that, in his professional opinion, it is detrimental to the achievement of the Council's economic objectives.

This clearly corroborates the evidence published by the council in respect of the need for properties at the top end of the housing market.

As part of the Local Plan Examination Consultation 2018 the council has identified a small number of housing land proposals in the western villages of Oxspring, Thurgoland, Silkstone Common and Cawthorne. As we and our consultants identify within our further Hearing Statements to the Stage 4 Main Matters and Questions, we do not consider that the majority of the sites proposed by the council in these locations are deliverable development sites. Notwithstanding this, the Council has continued to ignore its own compelling evidence which clearly identifies the need to allocate land which is suitable to accommodate properties at top end of the housing market. There are currently no sites identified in the Local Plan which would cater for these needs.

An example site which would be suitable to accommodate homes at the top end of the housing market is our 0.4 hectare land interest located at Millstones, Oxspring. A planning application for the construction of four large detached properties was submitted to the Council during 2014 (Planning Application Reference 2014/0482). Whilst this scheme was refused on grounds that the site was in the Green Belt, it was deemed satisfactory by Planning Officers in all other respects. The site, which is in our ownership, is both available and deliverable and represents a prime housing site opportunity for allocation in the Barnsley Local Plan.

The Council's current approach does not align to the Government's objective to ensure that a sufficient number of sites under 0.5ha in size are identified/allocated in order to enable the delivery of bespoke, unique, housing developments to support small and medium sized developers and their ability to deliver thriving rural communities. This was originally an objective of the White Paper but has now been included within Paragraph 69 of the Draft NPPF which is currently out for consultation and which identifies the need for Local Planning Authorities to ensure that at least 20% of the sites identified for housing in their plans are of half a hectare or less.

Following the Stage 3 Local Plan Examination Hearings in October 2017, we were invited to a meeting by the Councils Head of Planning, Mr Joe Jenkinson at the Council offices in Barnsley. This meeting, held on 09 November 2017, was attended by Steven and Samuel Green from Yorkshire Land and Paul Butler of PB Planning, representing Yorkshire Land. The Council was represented by the Head of Planning and Director of Development and Regeneration Service, Mr David Shepherd.

During the meeting it was identified by the Head of Planning that the council was willing to allocate the Millstones site in Oxspring. Please see the letter attached at Appendix D, which was sent to Mr Jenkinson on 16 November 2017 summarising the proceedings at the Meeting. We have highlighted the relevant sections for your ease of reference. No response to this letter has been received from the Council.

As matters currently stand, Policy H7 will only provide an appropriate housing mix in the Borough if the Council allocate an appropriate mix of sites, including site suitable to meet the identified needs for executive and larger family homes in the better market areas in the Western part of the Barnsley Borough, as identified in the Strategic Housing Market Assessment Update 2014.

Paragraph 6.33 of the Councils Sustainability Assessment, identifies that there is demand within the Borough for Affordable housing “...particularly in high demand areas, such as Barnsley Town Centre and Rural Settlements in the West.”

If suitable and deliverable sites are identified by the Council, the Local Plan will enable the delivery of great benefits for the Borough, catering for homes at the top end of the housing market across the better market areas in the Western Villages, whilst also ensuring the delivery of affordable homes in these high demand settlements in accordance with Local Plan Policy H8, which requires 30% of developments in excess of 15 homes to be provided as affordable housing in Penistone and the Rural West.

Despite the multitude of evidence, the Council has not currently allocated a sufficient quantum of sites in the better locations of the Borough to meet these identified needs and we also believe that the majority of those sites which are currently proposed by the Council in the Western Villages are not deliverable.

The Council has proposed allocations in the Western Villages for just 295 homes (excluding safeguarded land proposals) and we therefore consider that further housing allocations need to be identified in the high demand areas, including the Western Villages to meet the evidenced need for both executive/larger family homes and affordable housing.

Even if the all of sites proposed by Council in the Western Villages of Oxspring, Thurgoland, Silkstone Common and Cawthorne were deliverable, which for the reasons identified in our Main Matter 4 statements we do not believe is the case, then these sites would deliver (when considered on a proportionate basis between the four villages) only one affordable home per village per annum over the Plan period.

This is clearly not satisfactory when considering that these villages have been identified as ‘high demand’ areas for affordable housing by the Council.

18.2 IS THE PROPORTION OF AFFORDABLE HOUSING SOUGHT IN DIFFERENT SETTLEMENTS IN POLICY H8 JUSTIFIED BY THE EVIDENCE? ARE THE THRESHOLDS AND TARGETS JUSTIFIED AND BASED ON A ROBUST ASSESSMENT OF ECONOMIC VIABILITY?

We believe a proportionate approach to affordable housing in the different settlements is justified. Areas in the west of the Borough are identified as high demand areas for affordable housing and a higher proportion in these settlements, compared to areas to the east of the Borough where there is a significant proportion of affordable and low cost housing existing, therefore appears justified.

Whilst we have never had sight of the assessments undertaken by the Council to ascertain the proportion of affordable housing sought in the differing areas of the Borough, we do not consider that the identified figures will render development sites unviable. Notwithstanding this, the proportion of affordable housing sought in Penistone and the Western Rural Area has risen from 25% in the adopted Core Strategy to 30% in the Publication Draft Local Plan. However, as identified above, the rural settlements in the west of the Borough are identified as high demand areas for affordable housing. This increase in the proportion of affordable housing to be delivered from development over 15 dwellings in size therefore appears reasonable.

The only realistic method to ensure delivery of affordable homes is to allocate larger deliverable sites over 15 homes in size.

Overall we consider the proportion of affordable housing sought in the differing market areas in the Local Plan is reasonable and justified by the evidence. Notwithstanding this, as set out in Appendix 5 of this letter, based upon 295 homes which are currently proposed by the Council in the Western Villages (excluding safeguarded land proposals) only one affordable home per village per annum will be delivered in each of the four villages identified for development by the Council on a proportionate basis over the Local Plan Period. This is wholly inadequate.

We identify in further detail within our Main Matter 19 Statement why we believe the proportion of homes allocated to the villages should be increased to 7% of the overall housing supply in the Borough. This higher figure will help to both satisfy the need for homes at the top end of the housing market in Barnsley whilst also ensuring the delivery of a sufficient quantum of affordable homes in the west of the Borough.

18.3 APART FROM DELIVERING AFFORDABLE HOUSING AS A CONTRIBUTION FROM MARKET HOUSING SCHEMES UNDER POLICY H8, WHAT OTHER MEASURES WILL BE AVAILABLE TO DELIVER AFFORDABLE HOUSING?

The Publication Draft Local Plan does include Policy H8 Affordable Housing which sets out that limited affordable housing will be allowed in the Green Belt.

Supporting Paragraph 9.30 sets out that the Council recognise the importance providing affordable homes in rural settlements that are constrained or washed over by Green Belt and that Policy H8 makes provision for rural exception sites to be considered specifically for affordable housing where market value homes would not be allowed. It is specifically stated that these may in some instances be on the edge of the settlement and that the Council will require a planning obligation to make sure the homes remain affordable.

A Green Belt exceptions policy for affordable housing was first incorporated upon the adoption of the Barnsley Unitary Development Plan in December 2000 and we are aware that it has not resulted (nor does it ensure) the delivery of any affordable housing to meet needs during the plan period.

New affordable housing can only realistically be ensured through the delivery of market housing.

We believe that the Council should permit a greater flexibility on larger developments in respect of the siting of affordable housing. For example, sites reference H81 and H82 in Penistone will provide a large amount of affordable housing to meet the needs in the Principal Town. Yorkshire Land Limited own a previously developed site between the Penistone Railway Station and a recently completed development off of Laird's Way in Penistone, which would be suitable for 1 and 2 bedroom apartments in close proximity to public transport. It would be highly beneficial to allow a percentage of the affordable homes produced through the development of sites H81 and H82 to be delivered off site within the Penistone Community Area. In summary, whilst 30% affordable housing would still be delivered by the development, a proportion of the affordable homes would be located elsewhere in Penistone, providing a better distribution of affordable homes around the Penistone Community Area.

As an additional example, if the Oxspring Fields scheme for circa 150 new homes is brought forward in Oxspring the affordable housing requirement would amount to 45 affordable homes. In this instance, it may be beneficial that this affordable housing is distributed on a wider basis. For example, with 30 affordable homes delivered on site and offsite contribution payable to the Council enable the delivery of the remaining 15 affordable homes in the smaller western villages, such as Greenmoor. This method would allow the Council to purchase Green Belt land to construct affordable homes in accordance with the rural exceptions policy, enabling the provision of affordable housing where it is needed but is otherwise unlikely to occur.

We consider that this flexibility should be built into the Local Plan.

18.4 HAS THERE BEEN ANY SHORTFALL IN SUPPLY AGAINST THE ANNUAL REQUIREMENT SINCE THE START OF THE PLAN PERIOD (BETWEEN 2014 -2018) AND WHAT IS THE RESIDUAL AMOUNT OF HOUSING THAT NEEDS TO BE DELIVERED?

As the Council has not been able to demonstrate a five year deliverable supply of housing land for several years we consider that there will have been a shortfall in supply against the annual requirement since the start of the plan period.

Until the Local Plan is adopted, there is not sufficient housing land in Barnsley to meet the annual requirement.

The Penistone Principal Town and Western Villages currently have less than one year's supply of deliverable housing sites.

18.6 SHOULD AN ADDITIONAL BUFFER OF 5% OR 20% BE ADDED TO FIVE-YEAR HOUSING LAND SUPPLY AS REQUIRED BY THE NATIONAL PLANNING POLICY FRAMEWORK TO SIGNIFICANTLY BOOST HOUSING SUPPLY? HAS THERE BEEN A RECORD OF PERSISTENT UNDER DELIVERY OF HOUSING AND WHAT TIME PERIOD/REQUIREMENT FIGURE SHOULD THIS BE ASSESSED AGAINST?

There has been a persistent under delivery of housing in Barnsley, due to a lack of suitable sites and sites with developer interest.

The Unitary Development Plan was time expired at the point of its adoption in December 2000 and the Inspector's report makes reference to the Councils firm assurances for an early review upon adoption of the Unitary Development Plan. See Appendix E. Some 18 years on since the adoption of the Unitary Development Plan, the first plan review is still underway, with no new housing allocations available until the adoption of the Local Plan.

In consideration of this and the fact that the Council has not been able to demonstrate a five year supply of deliverable housing sites for several years, we consider that an additional buffer of 20% is justified and should be added to the five year housing supply.

18.7 DOES THE HOUSING REQUIREMENT FIGURE INCORPORATE A SUFFICIENT 'BUFFER' TO ALLOW FOR NON-DELIVERY AS WELL AS PROVIDING SUFFICIENT CHOICE AND FLEXIBILITY IN THE SUPPLY OF HOUSING LAND?

We do not believe that the housing requirement figure incorporates a sufficient buffer or provides sufficient choice and flexibility in the supply of housing land.

The Council has identified a significant proportion of housing allocations in the east of the Borough in and around areas such as Goldthorpe, Bolton on Dearne, Thurnscoe, Royston, Shafton, Brierley and Grimethorpe.

Policy H9 (Housing Regeneration Areas) of the Local Plan identifies that each of these areas are recognised to have low housing demand. In addition, the supporting paragraph 9.32 sets out that these parts of the Borough exhibit weak and at times failing housing markets.

Whilst we acknowledge the councils intention to help regenerate the weak and failing housing markets in the east of the Borough, sufficient housing land also needs to be allocated in the stronger housing markets of the Borough, which are generally acknowledged to be located west of the M1 motorway, including the Penistone Principal Town and the Western villages. This will also build in sufficient choice and flexibility to the Local Plan such that housing needs and targets can be met over the Local Plan period.

Failure to identify a sufficient and more balanced mix of housing allocations will lead to a failure to meet identified housing needs and improvement in the economic targets contained within the Councils Economic and Housing strategies.

At the outset of the Local Plan preparation the Council recognised in the Economic Strategy (Paragraph 3.3) a *need to work with Private Sector partners to grow Barnsley's economy so that by 2033 it is at least as comparable to the Yorkshire and Humber regional average.* However, despite a number of developers having promoted development sites which are suitable, available and achievable and into which they are confident to invest millions of pounds, the Council continue to reject these options and instead promote a number of other options which have limited developer interest and deliverability issues; primarily these are in the east of the Borough.

One example of a deliverable housing site option promoted by a developer but which has been rejected by the council is the Hunningley Lane Site in Urban Barnsley. The site has been promoted by Yorkshire Land and Persimmon Homes and is available and deliverable in the first five years of the Local Plan's adoption. However, the Council has ignored the multitude of sound representations submitted throughout the Plan Preparation process which evidence the suitability of the site for development to help meet the Council to meet its housing and economic targets.

The Councils failure to allocate the Hunningley Lane site in the Local Plan is particularly disappointing because at the meeting we attended with the Council on 07 November 2017 (which is summarised within the letter attached at Appendix D) the Councils Head of Planning recognised the suitability of the Hunningley Lane site to meet housing needs in Urban Barnsley. The Councils approach is therefore perplexing.

18.8 BASED ON A PLAN REQUIREMENT OF 1134 DWELLINGS PER YEAR, WOULD THE PLAN HELP TO ENSURE THE DELIVERY OF A 5 YEAR SUPPLY OF DELIVERABLE HOUSING SITES IN THE PLAN AREA?

We do not consider that the plan requirement of 1,134 will ensure a five year supply of deliverable sites because we do believe that the plan requirement is sufficient to meet housing needs in Barnsley, given that there has been a significant undersupply of housing sites in Barnsley for several years and therefore there is a pent up demand for new housing in the strongest market areas of the Borough.

Within the Article attached at Appendix A, the Councils Service Director Culture, Housing and Regeneration Mr Philip Spurr Identifies:

“Between now and 2033 we need somewhere in the order of 20,000 to 25000 homes and we need to improve the quality of the stock we have got... The population will grow and it is expected there will be 17,000 new jobs in the Borough. This is in 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... 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.”

We believe that a higher housing requirement is required in Barnsley to ensure a five year supply of deliverable sites and allied to this, a need to deliver the right mix and quantum of sites across the Borough which will satisfy identified housing needs in full. Identification of a higher housing requirement will also help the Council to maintain a five year supply of sites moving into the latter years of the Local Plan.

18.9 DO THE FOLLOWING SOURCES REPRESENT A ‘DELIVERABLE’ SUPPLY OF SITES TO PROVIDE A 5 YEAR SUPPLY OF HOUSING LAND:

- SITES WITH PLANNING PERMISSION FOR 10 OR MORE DWELLINGS – 3203
- REMAINING UNITARY DEVELOPMENT PLAN PROPOSALS – 668
- REDUNDANT SCHOOL SITES – 313
- SITES WITH PLANNING PERMISSION FOR LESS THAN 10 DWELLINGS – 427
- CAPACITY ON SITES ALLOCATED IN THE PLAN – 3964
- WINDFALL – 566

TOTAL 9141 MINUS PREDICTED LOSSES OF 125 DWELLINGS = 9016

In principal we consider that these sources represent a deliverable source of supply, albeit we consider that the Council has over assumed the supply from the remaining Unitary Development Plan (UDP) proposals.

If the remaining UDP proposals were truly deliverable then it is likely that they would have been delivered in the past 18 years post the adoption of the UDP, considering that the Council has been unable to demonstrate a five year supply of deliverable housing sites for several years.

18.10 DO ASSUMPTIONS ABOUT PREVIOUS WINDFALL RATES PROVIDE A ROBUST BASIS FOR PREDICTING FUTURE RATES? COMPARED WITH THE CORE STRATEGY POLICIES (EB11), ARE THERE ANY POLICY APPROACHES IN THE PLAN WHICH COULD CHANGE THE RATE OF DELIVERY ON WINDFALL SITES IN THE FUTURE?

We do not follow that the Council can make assumptions about the previous windfall rates to provide a robust basis for future rates.

Many of the sites which have been delivered as windfall sites in the years since the adoption of the UDP were brownfield sites where businesses have either closed or relocated.

Since the adoption of the UDP, Penistone in particular has lost as considerable amount of employment land which has been attributable to the introduction of Planning Policy Guidance (PPG) 3 which encouraged new housing development on previously developed sites and the Councils adoption of Planning Advice Note (PAN) 30, which similarly encouraged housing development on previously developed sites.

There is now considerably less previously developed land remaining in the Borough than at the time the Unitary Development Plan was adopted and sites which were suitable and available for development have already been delivered in the last several years whilst the Council has been unable to demonstrate a five year supply of deliverable housing sites.

Clearly this reduced quantum of remaining previously developed sites in the Borough will have a negative effect on the future supply of windfall sites which may be brought forward. Therefore the Council's decision to rely on past rates of supply to inform its assumptions on future windfall rates appears ill conceived.

We believe the Council should focus on identifying a sufficient quantum of appropriate site allocations to satisfy the requirement to demonstrate a five year supply of deliverable sites. Any windfall sites which are then delivered represent a bonus to the Council in helping to meet the housing and employment targets and would help to make up any undersupply of housing in the event that any of the allocated sites (particularly those proposed in weak and failing housing markets in the east of the Borough) prove undeliverable in the Local Plan period.

In light of the evidence, it is unrealistic to rely on windfall sites being brought forward on the scale experienced during the Unitary Development Plan Period.

18.12 DOES POLICY H2 PROVIDE SUFFICIENT FLEXIBILITY AND SHOULD IT REFER TO THE PROVISION FIGURES IN THE TABLE AS A MINIMUM FOR CONSISTENCY WITH POLICY H1?

Flexibility will only be provided if the council allocate a sufficient quantum and choice of housing sites across the Borough. As identified in our response to question 18.7 we do not consider that the current quantum and choice of sites in the Borough is anywhere near sufficient.

YORKSHIRE LAND Limited

APPENDIX A

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.

APPENDIX B

BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan

**Report of Executive Director,
Development, Environment
and Culture**

LOCAL DEVELOPMENT FRAMEWORK - DEVELOPMENT SITES AND

PLACES DPD, CONSULTATION DRAFT

1. Purpose of Report

- 1.1 Members will recall a cabinet report on the Development Sites and Places Development Plan Document (DPD) in October last year, that set out the process and proposed timetable for the DPD, together with the points from the Local Development Framework (LDF) Core Strategy that it will cover (Cab 12.10.2011/8.2).
- 1.2 This report seeks authority to undertake public consultation on the consultation draft of the Development Sites and Places DPD, including Proposals Maps.

2. Recommendation

It is recommended:

- 2.1 **That the consultation draft DPD, including Proposals Maps be approved for public consultation;**
- 2.2 **That the Assistant Director Strategy, Growth and Regeneration be authorised to make final editorial amendments to the DPD and Proposals Maps and make all necessary preparations for public consultation in accordance with the relevant local plans regulations, including preparation of an accompanying Sustainability Appraisal and Habitat Regulations Assessment.**

3. Introduction

- 3.1 The Development Sites and Places Development Plan Document (DPD) is the next key LDF document which follows on from the Core Strategy. It will have proposals maps with it that show site allocations. The document will also contain some criteria based policies related to site allocations. Members should note that this plan will consider the future use / designation of every single piece of land within the borough and it will underpin the development of the borough for the next 15-20 years.
- 3.2 Since the adoption of the LDF Core Strategy, a member led Economy Working Group supported by senior officers has been discussing the key priorities for the borough and these priorities have now been agreed by Cabinet within the Economic Strategy (2012 – 2033).
- 3.3 The Core Strategy was developed between 2008 and 2010 in a very different economic climate to now. In terms of land use framework, the Development Sites and Places DPD will play a major role in creating the conditions for economic growth

within the Borough and will underpin delivery of the Council's Economic Strategy. It is wholly appropriate for the DPD to recognise and seek to deliver the new priorities set out in the Economic Strategy. There are tensions between the DPD advancing our Economic Strategy needs and some elements of the Core Strategy that need to be addressed in respect of employment land and low density housing which are dealt with below. This consultation draft presents an open and transparent engagement to reconcile the borough's new economic strategy and site allocations. We have to take a different approach to housing and employment land; this consultation draft DPD introduces frameworks for managing that policy shift in a robust manner to provide the right land allocations that support the priority to grow the economy. Whilst it is the publication version of the DPD that the Council should consider to be sound, there are risks in putting forward a position in the current draft that cannot then be reconciled with evidence at the next stage and cognisance should be had of the plan preparation process. This risk has to be balanced against the risk of not allocating the right sites to deliver the Economic Strategy.

3.4 Housing

The Core Strategy sets out that 21,500 houses are to be delivered between 2008 and 2026. Policy CSP10 sets out the proposed distribution of those homes between Urban Barnsley and the Principal Towns. CSP10 provides for a 1000 homes in villages outside Urban Barnsley and the Principal Towns, half of which are accounted for through existing commitments. The 21,500 figure will be achieved through the housing completions that have taken place since 2008, together with current commitments in the 5 year land supply made up of full and outline planning permissions and dwellings under construction, the capacity of proposed site allocations and a 'windfall allowance'. Under the National Planning Policy Framework a windfall allowance can now be included as part of the housing land supply. We are currently working on what level this allowance needs to be and what can be substantiated through evidence based on windfall development in previous years.

- 3.5 The density of proposed housing allocations has been assumed at 40 dwellings per hectare in accordance with core strategy policy CSP14 'Housing Mix and Efficient Use of Land". This policy can support lower densities where they are necessary for local need, or where there are viability or sustainable design reasons for them. Therefore this policy has the flexibility to allow low density, executive housing where needed, which is discussed further below.

3.6 Low Density, High Value housing

The Core Strategy sets out that Green Belt land is not needed to accommodate new dwellings in order to meet the housing requirement and policy CSP14 expects proposals to include a broad mix of house size, type and tenure in order to create mixed and balanced communities. The need for low density dwellings in the top bracket of the housing market is recognised as part of this mix, however the adoption of the Economic Strategy brings an aspiration to deliver 1200 low density, high value dwellings and a policy shift towards considering Green Belt for some low density housing.

- 3.7 We want to encourage a more economically balanced community and will therefore seek a greater social mix in the borough. Barnsley has experienced the trend of more people on higher and medium incomes moving out of the borough than are moving in. This is largely due to the fact that they are unable to find suitable housing options to meet their needs. We want to make the borough a place where high and middle income people choose to live and can afford, and aim to secure housing suitable for

households across a wide range of incomes to provide local residents with the opportunity to settle and progress up the home ownership ladder. Therefore the importance of facilitating the provision of sites to ensure we achieve a mix of types and sizes is recognised, particularly at the top end of the market to ensure the borough can accommodate requirements across the full spectrum of workers in a business or employment, including professional, senior managerial and executive officers. Provision of dwellings to attract such workers to live in the borough, will support and implement the economic strategy and will help to diversify the demographic make-up of Barnsley.

3.8 In order to facilitate 1200 low density dwellings across the borough, a number of the proposed allocations indicate a mix of densities, and we would expect a proportion of these sites to deliver large, low density dwellings. Some sites are shown as being suitable for wholly low density development, and they demonstrate green and countryside characteristics. The consultation draft document also sets out that we will consider Green Belt for low density housing and asks people to put Green Belt sites forward for consideration and potential inclusion as allocations in the next draft of the DPD. Criteria need to be established on how these sites will be considered, and further work is required to establish and agree an appropriate density or densities. These allocations are shown on the Proposals Maps as a different notation. The working density for the lower density housing that has been used is 20 dwellings per hectare, if a lower density is agreed, the proposals would show a shortfall in the housing land supply overall. The inclusion of provision of 1200 low density dwellings means that the proposed distribution of housing set out in Core Strategy Policy CSP10 is unlikely to be achieved.

3.9 The suggested definition of low density, high value housing or 'executive housing' for Barnsley is *that within the highest price brackets of dwellings in the housing market as whole (£250k + price brackets), large (perhaps with 5 bedrooms or more, for larger single storey accommodation and larger family housing), of a lower density, and of high quality design.* Should the values of houses in the top rateable value bands increase during the plan period, the 250k+ figure would be increased accordingly. Aiming to provide a mix of executive housing in the differing price brackets will take account of the need for a range of executive housing to cater for those in managerial positions of differing levels.

3.10 **Employment Land**

The Core Strategy sets out that 350 ha of new employment land is to be allocated to go some way towards meeting the identified needs of businesses and industry to 2026. The Economic Strategy has been agreed at Cabinet and sets out the key economic challenges facing the borough:-

- Need for 25,000 more jobs to reach Yorkshire and Humber (Y&H) and 32,000 to reach Great Britain (GB) jobs density averages;
- Business Stock (VAT Registered) need to increase by 1,500 (Y&H) and 2,600 (GB) to reach comparable average;
- Barnsley's 5 (A-C) performance needs to improve by 13 percentage points to reach the national average;
- An additional 8,900 and 17,400 people need to have National Vocational Qualification (NVQ) 2+ and NVQ 4+ respectively to reach national average;
- Average weekly earnings need to increase by £19.30 (Y&H) and £59.50 (GB) to reach comparable averages;

- Careful selection and appropriate supply of serviced employment land and housing sites to ensure our economic ambitions can be fulfilled;
- Supply of lower density housing needs to be increased within the Borough to both support and facilitate economic growth.

- 3.11 Given the increased jobs deficit there is an urgent need to refocus Barnsley's economic offer. This coupled with the recession, and Barnsley's inability to respond to a number of recent inward investment opportunities from major business interests wanting large scale sites, has led to the decision that Barnsley requires a range of attractive sites of all types and sizes, including large scale employment sites. This updated information and shift in the Council's position means that we are allocating in the draft a higher figure than 350ha in order to provide a range of sites at differing scales and to give flexibility to ensure that at least 350 ha of employment land is capable of being delivered within the plan period. This approach will be helpful given the long lead in times required for delivery of some employment sites.
- 3.12 The proposed approach in the Development Sites and Places DPD consultation draft is to show more employment land than will eventually be allocated, and express the sites shown as options. It is proposed that 681ha be shown as potential employment sites. Of this 681ha, 544ha is currently in Green Belt, and includes options for large scale sites and large clusters of sites. This approach will give us a wider pool of sites to choose from once further evidence has been gathered on which sites are likely to be attractive to the market, and therefore more deliverable than others.
- 3.13 The spatial strategy set out in the Core Strategy is to focus development in Urban Barnsley and the Principal Towns which are Cudworth, Hoyland, Wombwell, Goldthorpe (all Dearne Towns), Penistone and Royston. Urban Barnsley will be expected to accommodate significantly more growth than any individual Principal Town to accord with its place in the settlement hierarchy. Core Strategy policy CSP12 sets out an indicative distribution of employment land allocations across the borough. In the consultation draft proposed allocations largely adhere to the spatial strategy and distribution, other than where there is justification not to (for example the need for large scale sites). The eventual allocation of large scale sites as a departure from the Core Strategy figures and distribution is a potential risk for further stages of the plan's preparation, therefore strong supporting evidence is required to justify the Council's change in approach. Work is ongoing on which employment sites are best placed to deliver our employment requirements.

3.14 Green Belt

77% of the borough is designated as Green Belt. Of the sites shown as options for employment land, 544ha is currently Green Belt. In next draft of the DPD we will set out what we think the exceptional circumstances may be to justify all, or part of these sites that we wish to take forwards as allocations coming out of the Green Belt.

- 3.15 As detailed above the Economic Strategy requires a policy shift in respect of low density housing in Green Belt and the document sets out that we will consider Green Belt for low density housing and asks people to put Green Belt sites forward for consideration and potential inclusion as allocations in the next draft of the DPD. This policy shift is contrary both to the Core Strategy and national planning policy, and therefore the risk to moving forward with the plan preparation process needs to be recognised, mitigation is detailed in the risk section of this report to Cabinet. This has to be balanced against the risk of not allocating sites that deliver the ambitions of the Economic Strategy.

3.16 The Core Strategy does include a rural exception policy which can help to bring forward affordable housing development in Green Belt, where it is necessary in some rural villages. There are no current housing allocations identified in Green Belt in the consultation draft DPD or shown on the proposals map. However there is an Economic Strategy aspiration to deliver low density housing in Green Belt therefore further work will be undertaken on need, appropriate density and site assessment.

3.17 **Sites for Gypsies and Travellers and Travelling Showpeople**

The needs accommodation assessment says 28 pitches are needed now, which equates to around 3 sites. Over the plan period a minimum of 4 sites are likely to be required. The Gypsy and Traveller Policy Statement released by the Government now requires local authorities to demonstrate they have a 5 yr supply of sites which for Barnsley has recently been assessed at a need for 39 pitches.

3.18 The consultation draft shows two proposed new sites at Shaw Lane, Carlton and Doncaster Road, Darfield. The Proposals maps also indicate the location of existing permanent sites with planning permission at Smithies, Ings Road Wombwell and Burntwood Cottages, Great Houghton.

3.19 **Northern Economic Corridor**

The proposals maps include an indicative area illustrating the potential location of the Northern Economic Corridor. The text in the DPD refers to considering safeguarding the corridor for its potential to meet long term needs in the next plan period post 2026. The corridor maybe required to be brought forward sooner to fulfil economic strategy ambitions. Evidence will be required to support this position. Illustrating the potential corridor on the proposals map may lead to issues of planning blight.

3.20 **Transport Network/Infrastructure**

The Economic Strategy agreed by Cabinet will require us to make the most of our transport network, maintaining a sustainable approach to maximising the infrastructure we have and the opportunity it presents. There are significant employment land options that will do this, the corridor of employment land in the area of J36 of M1 and along the Dearne Towns Link Road, including the Sheffield City Region Enterprise Zone.

3.21 **What the document covers**

The Development Sites and Places DPD contains further detailed planning policies on various issues that, together with policies in the Core Strategy, will be used to make decisions on planning applications. In addition to proposed housing and employment allocations the Proposals Maps also show: the extent of Green Belt; Settlement boundaries; Functional floodplain; Existing sites and proposed sites for Gypsies and Travellers; Local strategic highway network; Existing railway lines and stations; Safeguarded former railway lines; District and local town centres; Primary shopping areas; Primary shopping frontages; Secondary shopping frontages; Retail parks; Historic route of the canal; Safeguarded route of the canal; Safeguarded land; Green Space; Sites with planning permission for mineral extraction; Areas of search for new minerals; Northern Economic Corridor; Area covered by the Barnsley Town Centre Area Action Plan; Advanced Learning Centres; Scheduled Ancient Monuments; Conservation Areas; Archaeological sites and finds; Historic Parks and Gardens; European Special Protection Area; Sites of Special Scientific Interest;

Special Areas of Conservation; Local Nature Reserves; Regionally Important Geological and Geomorphological Sites and Urban Fabric.

3.22 National Planning Policy Framework (NPPF)

The NPPF was released, and came into immediate effect, on 27th March, 2012. Initial views are that the adopted Core Strategy is largely in conformity with the NPPF. There are a few areas where policies in the Development Sites and Places DPD need to be added or tweaked to fully reflect the content of NPPF. A separate report will be submitted to Cabinet to give detail on the content of the NPPF and its implications for Barnsley. The NPPF does not change the statutory status of the development plan as the starting point for decision making and therefore the plan led system remains. It is therefore important that we make progress with the Development Sites and Places DPD.

3.23 Next Steps

Public consultation on the Development Sites and Places DPD will take place between July and the end of September 2012. Consultation will be in accordance with the Statement of Community Involvement and the local plans regulations. We will also be working with colleagues in Corporate Communications to devise a comprehensive communication plan to enable us to reach and engage with as many stakeholders as possible. The consultation process should consist of the following:-

- letters and emails as required by the Regulations as well as a press advert, press release, and use of website
- Use high profile events to distribute flyers and raise public awareness (in conjunction with Area Partnership Officers)
- Undertake targeted stakeholder events for specific consultees and other interested parties including One Barnsley relating to such things as Infrastructure, Housing, Employment, GAT sites, Employment, Town Centre and adjoining local authorities
- Go to all the Parish Councils. We intend to meet with Parish Councils and to also talk to them about Neighbourhood Plans. We would like to establish whether there are any developments communities wish to see happen that we could incorporate into the Development Sites and Places DPD rather than individual Neighbourhood Plans being produced to facilitate them. This will be more effective use of resources for the Council and local communities.
- Hold well advertised Surgeries to act as drop ins, to cover all the Principal Towns and Urban Barnsley where people have the opportunity to talk to a planner and see how to use Objective, our online consultation system.
- Use existing community events such as the Area Partnerships 'think local' summer events and other organised community group meetings to reach the local community if possible.
- Use an existing town centre unit for a permanent display relating to the TCAAP and DSAP through the period
- Work with Corporate Communications on a Communications Strategy to include elements of the above and also promotional measures such as the best use of Facebook, Twitter and Open Door

- Organise an Objective (the software that can be used to make representations and Planning Policy use to create the documents) Training Event for agents and consultants known to make LDF representations to ensure they make best use of Objective.
- Use Planning Aid to engage with our hard to reach groups such as disabled people, young people and the elderly (if funding remains available for this type of work)

- 3.24 Some additional work is required to identify the full suite of commercially deliverable residential sites capable of delivering the proposed housing numbers and the desired housing mix to feed into preparation of the next draft of the document. Risks will be assessed post consultation when all information is available as a key part of the considerations period from October 2012. Following consultation an assessment will be made on whether further focussed consultation is required either on our approach to employment land (if sites we want to allocate do not conform closely enough to Core Strategy), and/ or if there are any new housing or employment sites raised through consultation that we want to allocate, that are needed to advance the Economic Strategy. Any Green Belt sites that have been suggested will also need to be assessed and consulted on if we decide to take any forward.
- 3.25 The plan making system includes arrangements for monitoring and review and a 'plan, monitor, manage' approach is encouraged. Whilst no programme has been set for a full review of the Core Strategy it is envisaged that this would be done well in advance of the end of the plan period, therefore whilst the plan period runs until 2026 a full review would be expected to have taken place much sooner than this. The need and timing for full review will be considered further following adoption of the Development Sites and Places DPD.
- 3.26 It is important for the Council to make progress with its planning documents in order to reduce the risk of approving planning applications for development in inappropriate locations or losing appeals. To go forward urgently with delivering the economic strategy one option is for the Council as Local Planning Authority to be comfortable to give weight to the consultation draft DPD as a consideration in determining planning applications where appropriate.

Key milestones after consultation draft

- October – March consultation considerations / policy considerations and further consultation if required
- Publication version cabinet and full Council approval April 2013
- Publication May/ June 2013
- Submission January/ February 2014
- Examination in Public May 2014
- Inspector's Report September 2014
- Adoption November 2014

4. Consideration of Alternative Approaches

- 4.1 An alternative approach is to not progress the DPD. This is not recommended as the National Planning Policy Framework is clear that it is still a plan led system, and making progress with the DPD will support Development Management and give more certainty to developers, landowners and investors.

4.2 In order to minimise the risks to the overall 'soundness' of the DPD we could remove references to a call for Green Belt sites for low density housing and deal with this issue in a further focussed stage of consultation when we have gathered more information on an appropriate density and some evidence or assumptions to further support the number of low density homes sought. This will also give further opportunity to establish a methodology by which to choose Green Belt sites. Ideally where Green Belt land is needed for identified development needs this would be allocated following a comprehensive Green Belt review. This could introduce a delay to the consultation and ultimately publication version, delaying the ability to manage development effectively and reducing certainty to developers, landowners and investors for a much greater period of time. With a greater risk to not delivering the economic growth ambitions quickly enough.

4.3 Another alternative approach would be to split the elements of the DPD into different consultation documents, for example we could consult on employment land options and other policies now and deal with all housing issues in a separate consultation document. As above this would introduce a significant delay to the plan preparation process with knock-on impact to delivery of the economic growth priority and ambitions.

5. Proposal and Justification

5.1 This report seeks authority to undertake public consultation on a consultation draft of the Development Sites and Places DPD including proposals maps. It is also recommended that that Assistant Director, Strategy, Growth and Regeneration is authorised to carry out all necessary preparations for consultation to meet the local planning regulations, including carrying out a Sustainability Appraisal and scoping report for a Habitat Regulations Assessment.

5.2 The justification is that it is important for local authorities to progress towards an up to date development plan in order to support decisions on planning applications and give more certainty to developers, landowners and stakeholders.

6. Delivering Community Strategy Ambitions

6.1 The DPD is consistent with the ambitions set out in the Community Strategy and will underpin deliver of the Economic Strategy, which is one of the key elements of the Community Strategy.

7. Long Term Sustainability of the Proposal

7.1 At each stage of preparation a sustainability appraisal has to be produced.

8. Impact on Local People

8.1 The proposals in the document will affect all who live, work and invest in the borough. Comprehensive public and stakeholder consultation will be carried out in accordance with the adopted Statement of Community Involvement to ensure we get as much engagement in the process as possible. This is detailed in paragraph 3.22

9. Compatibility with European Convention on Human Rights

9.1 In considering the European Convention of Human Rights, particularly article 8, no incompatibility was found with the options set out in this report.

10. Promoting Equality and Diversity and Social Inclusion

10.1 In terms of consultation we will aim to ensure all sectors of the community and all stakeholders have the opportunity to input into the process. We have previously worked with Planning Aid to get assistance in engaging with harder to reach groups.

11. Reduction of Crime and Disorder

11.1 In investigating the options set out in this report, the Council's duties under Section 17 of the Crime and Disorder Act 1998 have been considered.

12. Conservation of Biodiversity

12.1 The proposals maps show areas of biodiversity interest that are to be protected. As part of the process of preparing the Development Sites and Places DPD the sites will have an ecological assessment produced.

13. Risk Management Issues, including Health and Safety

13.1 There are no health and safety risks arising from this report.

13.2 The key risks are set out below.

Risk Description	Solution/ Mitigation	Risk Level
A. There is a risk in not allocating appropriate sites that will deliver the Economic Strategy	To ensure the DPD allocates sites and contains policies that are capable of delivering the economic aspirations within its sphere of influence the Council needs to allocate deliverable sites for both employment land and residential. Robust evidence is required to support the DPD and justify the areas that are a departure from the Core Strategy, but assist in the delivery of our economic ambitions.	High
B. Consideration of allocating Green Belt and a call for Green Belt sites for low density housing brings with it the following risks:- 1. Contrary to national planning policy 2. Contrary to Core Strategy 3. No criteria currently established to select and allocate sites and no agreed density assumptions 4. Weakening of spatial strategy and potential to encourage less sustainable	1 & 2 Robust evidence is required to support the Economic Strategy aspiration of number of low density dwellings to be provided, in order to justify departure from national planning policy. Potential redraft required of discrete elements of Core Strategy or acknowledgement in DSAP DPD text that certain elements supersede part of the Core Strategy. 3 & 4 Need for robust and agreed criteria / methodology to choose any Green Belt sites as potential allocations, together	High High High

<p>development. It will be difficult to resist ordinary market housing on Green Belt once the principle of housing allocations in Green Belt has been established.</p> <p>5. Overall housing land supply issues that will be in public domain as part of change in approach may lead to housing land supply being challenged by inappropriate planning applications.</p>	<p>with further work on appropriate density. Sustainability considerations will need to be part of this methodology.</p> <p>5. Further work required on housing land supply to ensure it is as robust as possible, supplemented by work on what the windfall allowance should be and evidence for that assumption.</p>	<p>High</p> <p>Medium</p>
<p>C. Employment Land Options –the eventual amount, distribution and scale of proposed employment land may not accord with the Core Strategy</p>	<p>Evidence to support the aspirations set out in the Economic Strategy will be required in order to justify the shift in planning approach from time of Core Strategy EIP.</p>	<p>Medium</p>
<p>D. Northern Economic Corridor. Safeguarding an indicative route may lead to issues of planning blight.</p>	<p>Evidence will be required to demonstrate need to safeguard to meet future economic requirements of the borough together with some estimate of likelihood of future deliverability</p>	<p>Medium</p>

14. **Financial Implications**

- 14.1 Consultations on the financial implications have taken place with representatives of the Executive Director of Finance.
- 14.2 The costs associated with the printing and distribution of the consultation draft documents along with the running of the consultation events will be approximately £7,290.
- 14.3 It is envisaged that these costs will be contained within the Local Development Framework budget of £393K which has “earmarked” to be carried forward in to 2012/13 via the 2011/12 Final Accounts Report, which will be considered by Cabinet in July. Further spend against the earmarked Local Development Framework budget will be the subject of further reports.
- 14.4 The financial implications proposed in this report are detailed at Appendix A.

15. Employee Implications

15.1 There are no employee implications arising from this report.

16. Glossary

LDF	Local Development Framework
DPD	Development Plan Document
NPPF	National Planning Policy Framework

17. List of Appendices

Appendix 'A' Financial Implications

18. Background Papers

Core Strategy Adopted September 2011

Economic Strategy 2012-2033 Cab 6.6.2012 7

**Office Contact: Alice Hetherington Telephone No: 01226 772566
Date:12.06.2012**

CONSULTATIONS ANNEX

LOCAL DEVELOPMENT FRAMEWORK - DEVELOPMENT SITES AND

PLACES DPD, CONSULTATION DRAFT

(a) **Financial Implications**

Consultations on the financial implications have taken place with representatives of the Executive Director of Finance.

The costs associated with the printing and distribution of the consultation draft documents along with the running of the consultation events will be approximately £7,290.

It is envisaged that these costs will be contained within the Local Development Framework budget of £393K which has "earmarked" to be carried forward in to 2012/13 via the 2011/12 Final Accounts Report, which will be considered by Cabinet in July. Further spend against the earmarked Local Development Framework budget will be the subject of further reports.

The financial implications proposed in this report are detailed at Appendix A.

(b) **Employee Implications**

There are no employee implications arising from this report.

(c) **Legal Implications**

The Borough Secretary has been consulted who emphasises that a change in the consultation draft DPD to anticipate a requirement to allocate sites in the green belt in order to meet an increased need for low density housing emerging through the Economic Strategy does present risks in terms of the way in which the soundness of the Council's plan making approach may be viewed. The alternative and more sequential approach identified in paragraph 4.2 would minimise this risk by allowing for more analysis and focussed consultation before reaching any firm conclusion as to the a requirement for the allocation of Green Belt land for low density housing. However no specific green belt allocations are to be shown on the Proposals Maps at present. So the Council is essentially keeping its options open whilst asking people to put forward green belt sites for consideration and in parallel undertaking further analysis to help inform what would be the appropriate densities and the basis for any site allocation within the green belt. Provided the mitigating work identified in the risks section of the report can be undertaken in time for the Spring of 2013 when the next draft of the DPD is published then the Council will have addressed the risk of any challenge to its plan making approach by producing evidence to support any firm decision for the need to allocate sites within the green belt for low density housing.

(d) Policy Implications

Are the proposals contained in the report fully compliant with the policies and priorities contained within the Corporate Plan?

(e) ICT Implications

There are ICT implications connected with the online mapping of the Proposals Maps. A work request has been agreed with ICT Senior Management Team to provide the online mapping for the Local Development Framework of which the Development Sites and Places DPD is a part. This request also covers the online mapping of the. The online maps are a critical part of the consultation process on both these documents to be used in conjunction with the corporate online consultation system, UEngage.

(f) Local Members

There has been consultation with Members on the process and the issues and on some sites shown on the Proposals Maps. Further consultation will take place with Members.

(g) Health and Safety Considerations

There is no impact on Council Health & Safety Policies arising from this report.

(h) Property Implications

Some of the sites proposed as allocations are in Council ownership.

(i) Implications for Other Services

There could be implications for other services with regard future service requirements when sites are developed.

FINANCIAL IMPLICATIONS

**Local Development Framework - Development Sites & Places DPD,
Consultation Draft**

i) <u>Capital Expenditure</u>	<u>2012/13</u> £	<u>2013/14</u> £	<u>2014/15</u> £	<u>2015/16</u> £
	0	0	0	0

To be financed from:

0	0	0	0
---	---	---	---

ii) <u>Revenue Effects</u>	<u>2012/13</u> (£)	<u>2013/14</u> (£)	<u>2014/15</u> (£)	<u>2015/16</u> £
Printing & Distribution of the Consultation Draft Document	5,570			
Consultation Events	1,720			
	7,290	0	0	0

To be financed from:

"Earmarked" LDF Budget identified via the 2011/12 Final Accounts Report, currently under consideration.

7,290	0	0	0
7,290	0	0	0

Impact on Medium Term Financial Strategy

This report has no impact on the Authority's Medium Term Financial Strategy.

Agreed L, 22/6/12 On behalf of the Executive Director, Finance

APPENDIX C

Our Ref: RC

18th August 2015

FAO Mr S Green

Dear Mr Green

Re: Barnsley Housing Analysis

Further to your recent instruction to provide a written report specifically relating to new build property within the borough of Barnsley since 2012, I can confirm that I have now carried out the necessary research and that I am in an educated position to present my findings and answer the presented questions accurately. Please find hereunder my brief report for your attention.

I have carried out my research using the following criteria:-

New build property only

Offered to the market at £500,000 (Five Hundred Thousand Pounds) and above

Property marketed from 1 January 2012) to 17 August 2015

For clarification I have carried out my search criteria using the postcode S70 with both a 3 mile and a 5 mile radius. In short Barnsley town centre outwards.

As a measure I have also carried out the same exercise for Sheffield, Kirklees, Leeds and Wakefield.

To ensure my findings for Barnsley are accurate I have also carried out an individual or itemised post code search for the borough including the post codes S70 – S75, S35 and S36.

My findings are as follows.

Post Code		3mile radius / number of units	5 mile radius / number of units
S70	(BARNSELEY)	0	0
HD1	(HUDDERSFIELD)	37	65
WF1	(WAKEFIELD)	14	18
S1	(SHEFFIELD)	65	80
LS1	(LEEDS)	41	86

To ensure my findings for the borough of Barnsley are accurate the individual post code results are as follows:-

Post Code		5 mile radius / Number of units
S70	-	0 ZERO
S71	-	0 ZERO
S72	-	0 ZERO
S73	-	0 ZERO
S74	-	0 ZERO
S75	-	0 ZERO
S35	-	0 ZERO
S36	-	0 ZERO

I can also confirm that in the last year alone, within the borough of Barnsley, that over 17 sales have been agreed on previously occupied properties above £500,000 indicating that there is a real and current demand for property at this value. I can inform you that we (Fine and Country) have a good record of current sales at the £500,000 level with 4 very recent sales, just below that figure, at £495,000; all being new build.

From personal experience, the borough of Barnsley (especially to the west of the town) has a serious lack of property at this level to cater for current demand. A potential purchaser looking to purchase a new build property in the region of £500,000 - £700,000 has no alternative but to look into neighbouring authority areas. That is of course unless they are prepared to compromise on their requirements, and look at older or period style homes.

I have also looked at our current stock of marketed property in-order to appreciate geographically where buyers are coming from. What I do find interesting is that previously occupied property on the market at circa £800,000 - £1,000,000 is attracting buyers from both neighbouring authority areas and further afield as well as a local audience. I believe the reason for this is that there are some very attractive and sought after settlements located in the more attractive Western parts of the Borough, which are situated within the catchment areas of good schools. In addition, the selling price of property per square ft in the Borough is generally less in value than that in other neighbouring authority areas, which enables buyers to achieve much more value for their money

An example of a previously occupied high end property to the west of Barnsley currently on the market at an asking price of £ 1,000,000 has achieved 18 viewings, with over 50% of these viewings coming from adjoining authority areas.

I have noticed that in your letter of instruction you have quoted the Councils own definition of an 'Executive' house and I was particularly pleased to note that the Council recognise the need for a mix of Executive housing in differing price brackets to cater for those persons in managerial positions of differing levels, including executive officers. This is an important point, and one which I agree with, particularly when considering the Councils concerted efforts to attract new and existing businesses to re-locate into the Borough.

My professional role as an Estate Agent is in upper quartile of the property market. I am BSc qualified with Honours in Estate Surveying and have over 17 years' experience in my general field of work, this being primarily residential sales in the borough of Barnsley and more recently, expanding my territory into Kirklees and Sheffield.

From my years of experience, I can confirm that there are a number of differing property market bands above £249,999, these are generally:

1. £250,000 - £ 349,999
2. £350,000 - £ 499,999
3. £500,000 - £ 799,999
4. £800,000 - £1,199,999
5. £1,200,000 Plus

The most prestigious housing scheme currently under construction in the Barnsley Borough, was granted planning permission by the Council on 21 April 2015 and is located in Hoylandswaine, where David Wilson Homes have commenced the development of 66 homes. The development will consist of 2 two bed, 4 three bed, 29 four bed and 31 five bed properties, the majority of which will be detached, and will range in price from £390,000 to £530,000. It is my opinion that there is also strong demand within the Borough for this development and that it is likely to sell out quickly, however, the development will not cater for those seeking homes above £530,000.

It is often the case that those persons looking to purchase new build homes over £500,000 in value prefer smaller bespoke developments which are usually more individually designed, as opposed to the larger housing estates constructed by National house builders, such as David Wilson Homes, who tend to use set house types which are then repeated.

New build homes offer purchasers the most advanced and up to date technology (i.e. insulation and build technique e.t.c) which can result in reduced annual running costs. Purchasers of high value new build homes are often given the opportunity to specify their choice and style of kitchens and bathrooms, and I am also aware of an increase in demand from customers requiring a home cinema room or gymnasium e.t.c. In addition, new homeowners have the security of a 5 year new home warranty. Obviously these benefits are not always available to customers purchasing previously occupied homes, which have often been constructed many years before insulation and eco technology was introduced.

I note the Councils own report (Reference: CAB4.7.2012/8) which you have drawn to my attention, was published over three years ago and confirms that Barnsley has experienced the trend of more people on higher and medium incomes moving out of the Borough than are moving in and that this is largely due to the fact that they are unable to find suitable housing options to meet their needs.

This report identifies that there have been no new build properties offered for sale in the Borough of Barnsley in excess of £500,000 during the last three and a half years.

As a Director of a local company which is reliant on selling high value properties, I find this particularly concerning. This is a serious matter which is detrimental to the Councils ability to attract businesses and their senior management to relocate into the Borough of Barnsley to assist the Council in achieving its Economic objectives.

In summary and in stark comparison to neighbouring authorities; Barnsley has zero New build property to offer an audience looking to purchase in the price band of £500,000 plus. What I find unacceptable as a local estate agent dealing with property at the higher end of the market is that I most definitely have the customers seeking to purchase such properties. I don't however have the product to offer.

Clearly, these are alarming statistics!

Yours sincerely

R Crossfield BSc (Hons)

Director

Fine and Country

Enc.

APPENDIX D

YORKSHIRE LAND

Limited

Our Ref YLL/JJ/2017-11.01

16 November 2017

Sent by email to

Mr J Jenkinson
Head of Planning & Building Control

Dear Mr Jenkinson,

MEETING - THURSDAY 09 NOVEMBER 2017

We write following our meeting with yourself and David Shepherd (Place Service Director) last Thursday, 09 November 2017 at Westgate Plaza. This meeting was attended by myself, Samuel Green and Mr Paul Butler of PB Planning, at your request, to discuss the Barnsley Local Plan.

We are advised that PB Planning will be writing to you under separate cover. However, considering Mr Butler is currently on vacation, we felt it prudent to provide our own correspondence following the meeting.

You explained to us at this meeting that it had become apparent to the Council during the Local Plan Examination process, that unlike during the previous Unitary Development Plan (UDP) process, the Local Plan Inspector cannot instruct the Council to allocate specific housing or employment sites within the Local Plan. You did confirm that the Inspector can identify a requirement for further allocations and indicate the locations in which these allocations should be identified (i.e. the villages) but cautioned that it was at the Council's sole discretion which sites were ultimately included in the Development Plan.

You then informed us that the Council would be willing to consider allocating the Millstones site in Oxspring and the northern part of our Hunningley Lane site in Urban Barnsley, for housing development.

With regard to the Millstones site in Oxspring, we reminded you at the meeting that the Local Plan Inspector had undertaken a visit to the site on Friday, 29 September 2017

following the unresolved issue in respect of Minor Changes to the Green Belt Boundary arising at the Stage 2 Hearing Sessions, and that Inspector Housden subsequently confirmed at the commencement of the Stage 3 Hearing Sessions that she has reached a decision in respect of this matter, which will be included in her report to be published in due course. Notwithstanding this, it is pleasing to note that the Council now accept that the Millstones site is suitable for housing.

With regard to the Hunningley Lane site, whilst again it is pleasing to note that the Council recognise the site's suitability to meet housing needs in Urban Barnsley, we are baffled as to why the Council believe that only the northern part of the site can accommodate housing. As you are aware, Arup identify in the Green Belt Review (General Area UB12) that:

- To the west, the Green Belt boundary is weakly defined by built form around White Cross Lane which has sprawled beyond the B6100 Ardsley Road (Hunningley Lane);
- On the whole, the existing Green Belt boundary is considered to be relatively weak;
- **An operational railway line which traverses the General Area from north to south could constitute a strongly durable boundary should the area be considered for sub-division;**
- A small-scale area of natural consolidation exists to the south of the Lockeflash Cemetery, on the land bounded by the operational railway line and to the south by Dob Sike.

Each of Arup's comments relates directly to the Hunningley Lane site, which is bounded by the Railway Line on its Eastern Boundary and the B6100 Ardsley Road (Hunningley Lane) on its Western Boundary. The built form which Arup deem to have sprawled beyond the B6100 is located on the southern half the site, whilst the small scale area of natural consolidation which Arup identify between the Lockeflash Cemetery and by Dob Sike, forms the northern half of the site.

We refer you to Paragraph 28 of the Opinion by Leading Counsel, Sasha White QC, in respect of the failings of the Green Belt Review. Furthermore, the letter by Smeeden Foreman Landscape Architects dated 02 May 2016, elaborates on the relationship between the Hunningley Lane site and the Green Area located to the west of the B6100 'Hunningley Lane' between Kendray and Worsbrough Dale (identified in the Green Belt Review as General Area UB13) demonstrating the capacity of the Hunningley Lane site to accommodate significant numbers of dwellings whilst leaving a generous open corridor east-west through the site. Both of these documents have previously been submitted to the Council, but can now be viewed online at: www.Hunningley-Lane.co.uk

The evidence referred to above demonstrates that our Hunningley Lane site falls completely outside of the specified 1.5km radius between the new Green Belt boundary and between Barnsley and Wombwell, in common with the similarly situated proposed allocation AC14.

You categorically informed us that the Council would not be including either the proposed Blackmoor Business Park site or our Oxspring Fields site as employment and housing site

allocations respectively in the Local Plan, and that we should forget these sites and write off any costs associated with them to date. You also commented further that this position goes to the top of the Council and we do find this statement particularly objectionable.

We have captured the commentary of the meeting in a detailed memo, which we can provide if required. However, we do find many of the comments you made at the meeting deeply perturbing as it appears that the Council have predetermined that our Oxspring Fields and the Blackmoor Business Park sites should not be included as allocations in the Local Plan. Clearly, this should not be the case as the site selection process should always remain fair and objective.

Firstly, it is the opinion of ourselves and our professional advisers that all site allocations should be judged and selected only on their planning merits (which includes sustainability and deliverability) and ability to satisfy planning policy requirements. In respect of this very point, at our earlier meeting with yourself, held at 1300 hrs at Westgate Plaza on 19 July 2016, you informed myself and Samuel Green, that the Oxspring Fields site is a good site with good planning credentials, but that the Council had simply taken a policy decision not to allocate any Green Belt sites for housing in the western villages and the Council therefore had no intention of allocating the site in the Local Plan.

Regarding the matter of Sustainability, Mr Matthew Reynolds (Planning Officer) of South Yorkshire Passenger Transport Executive (the driving force behind the development of Public Transport in South Yorkshire and a public sector partner of the Council) outlines in his letter of 12 June 2014 (previously submitted to the Council and available on the Oxspring Fields website - www.Oxspring-Fields.co.uk) that the proximity to the Trans Pennine Trail (TPT) is a very good feature for the Oxspring Fields site and should not be overlooked. Mr Reynolds also sets out in the letter that the high levels of accessibility to the TPT promote the Oxspring Fields site as a very sustainable option given the connections to a high quality walking and cycling network and that as the site is within 2 kilometres from the railway station, SYPTE would deem it acceptable to expect a proportion of cycle based park and riding from Penistone, as well as a higher proportion of cycling trips for commuter purposes. Clearly, Mr Reynold's comments equally apply to the proposed adjoining Blackmoor Business Park site.

The TPT forms the Southern Boundary of the Oxspring Fields site. From here Penistone and its Railway Station are only 10 minutes away by bicycle. The remaining boundaries of the Oxspring Fields site comprise the B6462 'Sheffield Road' to the north, the proposed Blackmoor Business Park site and Yorkshire Water waste water treatment works to the east, and the existing built form of Oxspring to the west.

Arup's assessment of Green Belt Review General Area PEN11, within which the Oxspring Fields site is located, recognises that:

"The Trans Pennine Trail within a dismantled railway could represent a strong internal boundary, should the General Area be considered for sub division"

Indeed, the proposed Oxspring Fields site is a much smaller parcel of land stretching to just 12 hectares within the overall 190.8 hectare General Area PEN11. Furthermore, the site is located to the north of the TPT, where land has completely different landscape characteristics to that located to the south of the TPT, which is formed of large open fields stretching to approximately 148 hectares from Roughbirchworth Lane in the West to Cross Lane in the South and Blackmoor in the East.

It is therefore very concerning that the Council has not pursued the opportunity identified by Arup to consider the TPT as an internal boundary within Green Belt General Area PEN11 which would lead to the identification of the Oxspring Fields the site as a resultant parcel.

We note that Leading Counsel, Sasha White QC, comments specifically on this issue within paragraph 28 of his Legal Opinion regarding the Barnsley Local Plan:

*"It would seem to me that there has been a clear failure properly to analyse the merits of releasing land from the Green Belt consisting of smaller areas than the general areas identified in the review. Whilst in other locations the Green Belt review process leads to an analysis of "resultant parcels" where release could be considered, there is no such analysis in respect of the YLL sites. I consider this at least arguably unsound given that in the case of both PEN11 and UB12, the Arup reports recognise (a) the absence of defensible boundaries for the whole of the general areas but (b) the existence of features within the general areas which could form defensible Green Belt boundaries. **It seems to me that a sound Green Belt review** should, when faced with that evidence, go on to consider whether the purposes of the Green Belt in that location could be served by adjusting the boundary to reflect the defensible boundaries identified (i.e. the Trans Pennine Trail in PEN11 and the operational railway line in UB12). I can see no consideration whatsoever of that possibility." (Our Emphasis)*

As noted in Paragraph 19 of the Sasha White QC opinion, the review also failed to identify the sizeable decommissioned Works site (identified as a 'depot' on the map of general area PEN11) as a defensible boundary within the PEN11 general area:

"If this were taken into account together with the Trans Pennine Trail, B6462 and the existing settlements boundary of Oxspring, YLL's site would be surrounded on each side by defensible boundaries."

Furthermore, the 2013 Barnsley Strategic Housing Land Availability Assessment (SHLAA) recognises the Oxspring Fields site as a Category 1 'Deliverable' Site, unlike the proposed Safeguarded Land 'SAF18' which is a Category 2 site considering its close proximity to an active dairy farm, which has expanded further within the last year with the erection of new agricultural buildings.

As you are aware highways consultants, Pell Frischmann, have confirmed that satisfactory access can be achieved from the Oxspring Fields site directly onto the B6462 'Sheffield Road' and the multitude of documentation previously submitted to the Council confirms that there are no technical constraints which could affect the delivery of the site.

There is strong developer interest in the Oxspring Fields site from a number of housebuilding companies, but not least from Barratt and David Wilson Homes (BDWH)

who are a five star housebuilder and the country's number one house builder by volume, all of whom could deliver housing on the site within the first two years of the Local Plan having been adopted.

The Oxspring Fields site will also act as a catalyst to enable the delivery of a number of unmatched community benefits to the village of Oxspring. This includes the construction of the long sought after Sports and Community Pavilion on Oxspring Sports Fields and a Tourism Hub alongside the TPT, which will provide facilities for the local community, visitors to the village and users of the TPT. Both of these facilities are sought in the Draft Oxspring Neighbourhood Plan, the progress of which has been halted pending adoption of the Barnsley Local Plan, but identifies no means of delivery.

As we highlighted at the Stage 3 Local Plan Hearing Sessions, the Tourism Hub element of the Oxspring Fields scheme aligns with and seeks to deliver the aspiration set out within Policy E7 of the Local Plan, the supporting text to which confirms (Paragraph 8.31) the need to maximise the use of Tourism Assets, specifically identifying the Trans Pennine Trail:

"The future development of tourism is an important issue in both urban and rural areas. Tourism has an important role to play in Barnsley's economy. We want to build on the existing tourism potential of current attractions and others close to our borders and to support and explore all opportunities to improve existing destinations and create new tourism and cultural attractions. We need to build on the legacy of the Tour de France and maximise use of key assets in the borough such as the Trans Pennine Trail."

To date, the Council has ignored the Housing Needs and Capacity Assessment undertaken by consultants URS, instructed by Planning Aid England on behalf of Oxspring Parish Council. This report - which is in the public domain and has been extensively referred to during the examination hearing sessions - objectively identifies a need for 53-68 dwellings in Oxspring over the plan period to 2026, or 96 new homes when extrapolated to cover the Local plan period to 2033. No such Assessment currently exists for any other western village.

Minute 5a of the Oxspring Parish Council meeting on Monday, 07 July 2014 confirms that:

*"Planning Aid England are doing a housing Needs Analysis Survey. This will be an **independent review of the housing needs in Oxspring** and will take a couple of months to be completed." **Our Emphasis***

Furthermore, paragraph 6.33 of the Council's Sustainability Assessment, prepared in support of the Local Plan, recognises that there is demand within the Borough for Affordable Housing 'particularly in high demand areas such as the rural settlements in the west' where house prices are more expensive than in all other areas of the Borough, rendering it more difficult for first time buyers and those on lower incomes to purchase a home. Our current proposals for 150 dwellings at the Oxspring Fields site would result in the delivery of 45 new affordable homes for the village, in accordance with the planning policy

requirement for 30% of any development in Penistone and the Rural West of the Borough in excess of 15 dwellings to be provided as affordable units.

All of this compelling information has previously been submitted to the Council and is available to view on the Oxspring Fields website.

A comprehensive Landscape Assessment prepared by Smeeden Foreman was submitted to the Council in 2014 and demonstrates on page 17 'Historical Settlement Pattern' how the village has evolved over the centuries, predominantly as a linear settlement between the Sheffield Road (B6462) and the former Railway Line, now the TPT. We attach pages 16 & 17 at Appendix 1, for ease of reference.

You will also recall several other comprehensive reports which have been submitted to the Council throughout the Plan preparation process, including the Oxspring Non-Green Belt Windfall & Safeguarded Land Housing Deliverability and Capacity Assessment (July 2015) prepared by PB Planning and a Sustainability and Accessibility Study prepared jointly between PB Planning and Pell Frischmann, one of the UK's leading firm of Consulting Engineers. The latter document provides clear and demonstrable evidence that the Oxspring Fields site is situated in a highly sustainable location given the accessibility of the site and its connectivity to a wide range of services and facilities.

At the Stage 3 Hearing Session of the Barnsley Local Plan Examination on Tuesday, 10 October 2017 both ourselves and our consultant, Mr Paul Butler, presented compelling evidence pointing to the requirement to identify additional employment land to meet the needs of Penistone and the Western Villages.

As you are aware, currently only one site is proposed for employment allocation to meet the needs of Penistone and the Western Villages (Site Ref P2) which at 3.27 hectares in size, makes up only 1% of the total employment land proposed in the Borough. This is despite the fact that the Penistone East and West Wards are home to 10% of the Borough's population. In contrast, the Council's adopted Core Strategy sets out in paragraph 7.79 the need to provide between 4.5 and 6.5 hectares of Employment Land in Penistone over the Core Strategy period (2008 to 2026). As the Local Plan extends to 2033, we believe that at least a proportionate amount of additional employment land will be required to ensure that the employment needs of Penistone and the Western Villages can be met over the Local Plan period.

As identified in our evidence to the Local Plan Examination, Site P2 is situated between a number of low railway bridges which cause access restrictions to high sided vehicles (see letter reference YLL/BMBC/2017-11.01 at www.BlackmoorBusinessPark.co.uk). We also highlighted a number of onsite constraints and the Council itself notes within its Stage 3 Matter 10 Hearing Statement in respect of site P2 that:

"The site scores relatively poorly but, given the lack of suitable alternatives it is proposed for allocation to ensure some new employment land provision is made in Penistone"

“EB37 Barnsley Employment Land Report Mott Macdonald April 2016 anticipates that the site is unlikely to be developed until over 10 years into the plan period (Timescale: Long term (10+years).”

Whilst site P2 is proposed to meet the needs of Penistone, as we have highlighted to the council on a number of occasions, it is located within the Parish Boundary of Oxspring. Furthermore, Site P2 is a greenfield site located within the Green Belt. In comparison, the proposed Blackmoor Business Park site, which is situated on the edge of Oxspring, is also located in the Green Belt but is a previously developed brownfield site. This is evidenced by the plan utilised in the Green Belt Review (General Area PEN11) which identifies the site as a ‘depot’ and from the various photographs and correspondence we submitted to the Council regarding the Blackmoor Business Park site during 2016, which are available to view on the Blackmoor Business Park website (www.BlackmoorBusinessPark.co.uk).

The Arup Green Belt Review (General Area PEN11) confirms in respect of the area of the Blackmoor Business Park site that:

“Large wooded areas reduce the level of openness and the large sewage works at Cheese Bottom reduces the rural character.”

On Wednesday, 11 October 2017, Mr Paul Butler of PB Planning wrote to the Local Plan Inspector via the Programme Officer, enclosing his scoring of the Blackmoor Business Park site against the Council’s criteria for the assessment of proposed employment sites. PB Planning identify that the site scores 88 points, highlighting a sustainable and suitable employment land opportunity. The documentation is available to view on the Local Plan Examination Website under ‘Documents Submitted at Stage 3’.

The Blackmoor Business Park site is located off the B6462 ‘Sheffield Road’ only 2.2 miles from Penistone Town Centre and just 1.4 miles of the Penistone Principal Town boundary at Springvale, which adjoins Oxspring. The A628 is also situated 0.7 miles from the site. In respect of Public Transport, there is an existing bus stop positioned at the site entrance on the B6462 ‘Sheffield Road’ and the Trans Pennine Trail also forms the southern boundary of the site, from where Penistone Railway Station is just 10 minutes away by bicycle. This therefore dispels the position of officers, referred to in the Letter from Councillor Roy Miller (Cabinet Spokesperson for Place) dated 23 May 2016 (available on the Blackmoor Business Park website) that the site is remote from the Penistone Principal Town and that the sustainability credentials of the site are poor due to the location of the site.

Paragraph 10.2 of the Council’s Cabinet Report of 15 November 2017 (CAB.15.11.2017/6) recognises the *“adoption of a Local Plan is essential in order to allow the Council to manage physical development of the Borough on behalf of residents and businesses. This includes providing sufficient land in the right places to attract more businesses into the Borough and to allow existing Businesses to grow. The aim of this is to create more and better jobs in order to improve earnings and increase opportunities for local residents.”*

We turn now to the compelling evidence we submitted to the Local Plan Examination

compiled independently by the Barnsley Development Agency (BDA), which is attached at Appendix 2, and identifies amongst other salient points:

- A. that the ability to continue the growth recorded is crucial to helping to ensure that Penistone West ward contributes to the overall Borough wide economic strategy targets (need for up to 32,000 jobs to be created and the growth of the indigenous business base by 1,500 new businesses);
- B. that bank start data (new business bank accounts) continues to record the Penistone West and East wards as being in the top 3 wards within Barnsley for the creation of new business; and
- C. Loss of key employment land to other uses (most notably housing) could potentially hamper the future and continued growth of both the overall business base and future jobs within the Penistone part of the Borough. Thus meaning that the Borough is unable to meet its core economic strategy targets; a reduction in potential business rates for BMBC and the potential out commuting of businesses and loss of additional private sector jobs if a range of future land and premises does not remain.

Against the background outlined above, we find the comment you made at our meeting that the Council will never allocate the Blackmoor Business Park site in the Local Plan deeply concerning, especially considering that the only currently proposed employment site allocation for Penistone (P2) represents only 1% of total employment land proposed to be provided across the Borough.

We trust you will agree that employment land and job opportunities in Penistone are equally as important as employment land and job opportunities in any other part of the Borough.

At the Stage 3 Examination Hearing on Tuesday, 10 October 2017 the Inspector asked you several specific questions concerning the supply of Employment Land for Penistone and our proposals for the Blackmoor Business Park. In response, you informed the Inspector that there are very few locations suitable for employment land to meet the needs of Penistone and also stated:

"The only reason he (Mr Green) wants us to allocate the Blackmoor Business Park site is because his Oxspring Fields site would become infill."

Both of these points were noted and we believe your verbal statement to the Inspector in respect of the Oxspring Fields site was an important recognition of the site's suitability to accommodate development. On this basis, we cannot understand why having previously informed myself and Samuel Green at our meeting on 19 July 2016 that the Oxspring Fields site has good planning credentials, you informed us at our meeting last week that the site will never be allocated for development by the Council in the Local Plan.

It could be perceived from your statement that the Council are resisting allocating the Blackmoor Business Park site for employment purposes, simply because it fears that this

would also lead to the identification of the adjoining Oxspring Fields site as a housing allocation.

Following your comments at the Examination Hearings in respect of Employment Land for Penistone, Mr Graham Saunders of the Community Action Penistone group spoke at the invitation of the Inspector, stating that he recognised the need for employment land to meet the needs of the Penistone area over the Plan Period to 2033. Mr Saunders also commented in respect of the Blackmoor Business Park proposals, that it appeared to him to be more logical to allocate a previously developed site ahead of a greenfield site such as site P2.

On Tuesday, 15 August 2017 Inspector Housden issued an Interim Findings report following stages 1 & 2 of the Local Plan Examination. Within this report Inspector Housden identifies amongst other matters that, based on what she has read and heard to date, her view is that if the plan is to be found sound it should have a more positive approach to the future of the Borough's villages.

In the closing stages of the Stage 3 Hearing Sessions, which addressed the supply and deliverability of housing sites, you provided a brief explanation to the Inspector and Representors outlining how the Council intends to address the matters raised by the Inspector in her Interim Findings Report, regarding the most appropriate course of action to be taken to address the issue of soundness in relation to the villages. You did confirm that the council recognise there are a number of longstanding Safeguarded Land allocations in and around the Western Villages which have technical and other issues, rendering them unsuitable for development, and that it would therefore be necessary in some instances to identify new housing land allocations.

The Non-Green Belt Windfall and Safeguarded Land Housing Deliverability and Capacity Assessment prepared by PB Planning, identifies in detail why Safeguarded Land allocation 'SAF18' in Oxspring is not deliverable and we have previously provided the Council with a detailed Drainage Report by Topping Engineers, which identifies that the site has surface water drainage constraints. Both of these documents are available to view on the Oxspring Fields website.

Importantly, the owner of site 'SAF18' has made it quite clear to ourselves and to the Oxspring Parish Council (see section 5a of the Oxspring Parish Council Minutes dated Monday, 03 November 2014) that he will not sell the land and considers that allowing housing development to encroach closer to his property would cause issues which may affect the future of his dairy farm. This was identified in the 2013 SHLAA, which recognises a 'bad neighbour' constraint for the safeguarded land 'SAF18' (SHLAA Ref 341).

Both Oxspring Parish Council and the Oxspring Neighbourhood Plan Steering Group have requested the Council to return the Safeguarded Land site 'SAF18' to Green Belt designation.

It is also important to note here that the Arup Green Belt Review (General Area PEN2 and PEN11) identifies that site SAF18 fulfils a strong Green Belt role:

“Generally, safeguarded land and allocations made by the UDP proposals map do not strengthen this boundary but enforce its irregularity. The existing Green Belt boundary is particularly weak adjoining the south of Oxspring around Roughbirchwood (sic) Lodge. The existing Green Belt boundary is therefore considered to be weak.”

“...the area of safeguarded land off Roughbirchworth road will appear to weaken the integrity of the Green Belt.”

The Green Belt Review (General Area PEN2) also goes on to identify that:

“Rectilinear field boundaries south of Oxspring portray a strongly rural character.”

We are therefore gravely concerned that you informed Mr Butler and ourselves at our meeting last week, that the Council will consider allocating site SAF18 for development to meet housing needs in Oxspring.

Considering that the ‘SAF18’ site is a longstanding safeguarded land allocation, the fact that the site has not been brought forward – despite the Council having been unable to demonstrate a five-year land supply in recent years – speaks volumes and reinforces the fact that the landowner is unwilling to see the site developed.

As we pointed out at the Examination Hearing Sessions, neither the landowner nor representatives acting on his behalf were in attendance promoting the site either as a continued safeguarded land designation or as a housing allocation.

It is clear that SAF18 is an unsuitable site with an unwilling landowner, surface water drainage and technical constraints and that it fulfils a strong Green Belt purpose, as highlighted in the Arup Green Belt Review. In comparison the Oxspring Fields site is promoted by a willing landowner/developer and is surrounded on all sides by strong defensible boundaries, indeed it is situated to the north of the TPT which, as Arup identify, could represent a strong internal boundary to the Green Belt, should the General Area be considered for sub division. Furthermore, the site has no technical constraints and significant interest from several national housebuilders, including BDWH, who could deliver homes at the site within the first two years of the Local Plan being adopted. The development will also enable the delivery of a host of long sought after benefits for the local community including a Sports and Community Pavilion, Tourism Hub and country park.

The Oxspring Fields site would not result in the merging of settlements (unlike site reference MU1 in Urban Barnsley) and will maintain the historical linear pattern of development which has developed over several centuries between the B6462 ‘Sheffield Road’ and Former Railway Line (now the TPT).

As you are aware, the Legal Opinion by Leading Counsel, Sasha White QC, identifies a number of serious issues with the Local Plan as currently drafted, and we refer you to paragraphs 26 and 27 particularly, in respect of Safeguarded Land SAF18.

You also subsequently identified at our meeting that the Council could consider allocating

the Resultant Parcel PEN9A in Oxspring (see General Area PEN9) which is located to the north of the B6462 'Sheffield Road' in the north western area of the village. We note the following comments by Arup in respect of Green Belt General Area PEN 9:

- The existing boundary of the Green Belt is well defined by the 'hard infrastructure' of the B6462 to the south west;
- This General Area is connected to the village of Oxspring, which is linked via a linear chain of settlements to the urban area of Penistone;
- Development to the north of the B6462 would be largely independent of current development patterns;
- The eastern portion of this General Area alongside the operational railway line does play a role in protecting the 'largely essential gap and very narrow' between Oxspring and Penistone, although coalescence has already mostly occurred; and
- Development to the south of the River Don corridor would imitate the linear residential built form to the south of Sheffield Road.

At both the Examination Hearings and at our meeting last week you commented that one of the reasons the Council are unwilling to allocate the Oxspring Fields site is because the Council consider that it is located in the River Don Green Corridor. However, we note that the Green Belt Resultant Parcel PEN9A actually lies within the heart of the River Don Green Corridor, directly adjoining the River Don.

In comparison, the proposed Oxspring Fields site is situated away from the River Don, to the south side of the B6462 'Sheffield Road' in keeping with the predominantly linear pattern of development in Oxspring, which has developed over several centuries.

We are also aware that the topography of Green Belt Resultant Parcel PEN9a falls away sharply from South to North towards the River Don. This is an important issue, which presents constraints for road access and drainage and will significantly affect the viability of any potential development.

At our meeting last week you also suggested to us (for the first time) that the Oxspring Fields site would constitute ribbon development. However, this does not withstand scrutiny, considering that you informed the Inspector at the Stage 3 Examination Hearings that if the Blackmoor Business Park was allocated for Employment development, the Oxspring Fields site would become infill. We reiterate that this infill will maintain the linear pattern of development in Oxspring, highlighted on page 17 of the Smeeden Foreman Landscape Statement, attached at Appendix 1.

As Mr Butler reminded you at last week's meeting, the Barnsley UDP recognises within Paragraph 4.12 (Volume 13 - Western Rural Area) that:

“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.”

Furthermore, the Settlement Assessment scoring submitted to the Council and the Local Plan Inspector by PB Planning on Friday, 03 November 2017 identifies Oxspring as the highest scoring Western Village.

Mr Butler also informed you at the meeting of his professional opinion that Oxspring Fields is an outstanding and sustainable housing site proposal, promoted by a willing landowner/developer, which is capable of immediate delivery upon adoption of the Local Plan, will meet the market and affordable housing needs of the village in full and provide unmatched benefits for the local community, whilst maintaining the established linear pattern of development in Oxspring.

As we have previously identified to the Council, the Community Consultation and Engagement Event which we held between 0930 and 1400 hrs on Saturday, 23 January 2016 at St Aidans Church, Oxspring, demonstrated an overwhelming support for the Oxspring Fields proposals, with a phenomenal 100% in favour of the scheme as an alternative to the Safeguarded Land 'SAF18'. This consultation event was attended by many individuals, business representatives and by the Council's Place Service Director, Mr David Shepherd.

The Oxspring Fields site has been demonstrably proven to be logically situated, developable quickly and benevolent toward the wants and needs of the community in Oxspring. This is a unique opportunity to bring about betterment, and we request that the councils position is reconsidered, having regard to the elements reiterated once again in this letter.

We trust that you and the Councils Cabinet Spokesperson for Place, having been delegated power by Cabinet for the remainder of the Local Plan Examination to agree main modifications (including additional site allocations) will give the content of this letter your utmost professional consideration and respectfully request that our sites are considered objectively on their outstanding planning merits and the contributions they can make towards achieving a sound development plan.

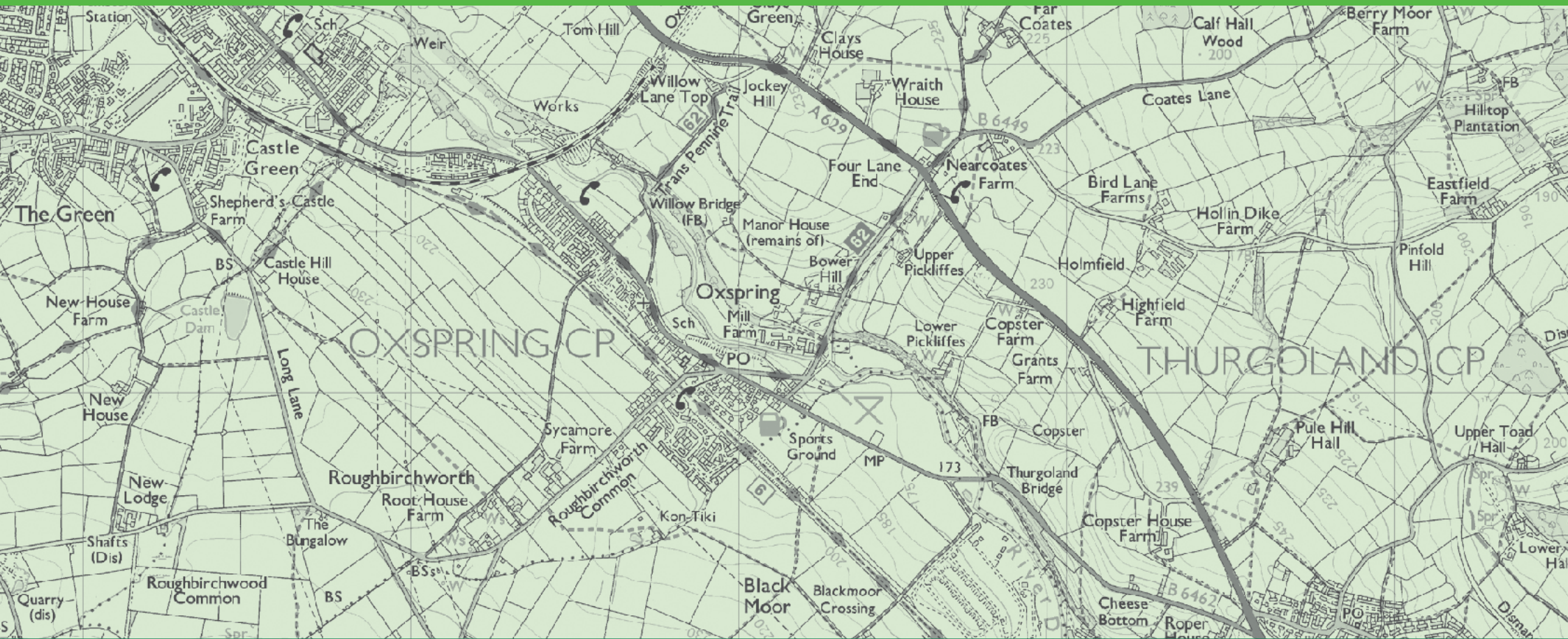
Cc *Mr David Shepherd* - *Director of Place, Barnsley MBC*
 Mr Paul Butler - *Director, PB Planning*

Encs *Appendix 1* - *Pages 16 & 17 of the Smeeden Foreman Landscape Statement 2014*
 Appendix 2 - *Barnsley Development Agency Economic Data for Penistone*

APPENDIX 1

**PAGES 16 & 17 OF THE SMEDDEN FOREMAN
OXSPRING FIELDS LANDSCAPE STATEMENT 2014**

OXSPRING FIELDS



Landscape statement, May 2014 - Yorkshire Land Ltd

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Access and connectivity

The proposed development represents an opportunity to create a well connected and natural residential extension to the linear settlement pattern along this area of the River Don valley. Transport links, local services and recreational facilities are all easily accessed from the site due to it's close proximity to key cycling, walking and road routes.

Local services, such as the post office, village store, school, playing fields, playground, church, and village pub are all easily accessed within a 7 minute walk or a 2 minute cycle. The new sports/ community centre would be located within this zone.

Beyond the village, the Trans Pennine cycle and pedestrian trail connects the proposed site to Penistone and it's railway station (less than 30 mins walk or a 7 minute cycle).

From Penistone station, trains connect to:

- Barnsley (15mins)
- Huddersfield (30mins)
- Wakefield (43mins)
- Sheffield (45 mins)
- Leeds (60mins)

Barnsley (43mins) and Sheffield (63mins) are also easily reached by cycle along the two Transpennine cycle routes that lead from the site.

Penistone also has many other facilities including schools, sports clubs, cinema, local shops, supermarket, providing a large number of services within easy cycling or walking distance of the proposed site.

Furthermore, the fact that the site is situated along the B6462 Sheffield Road, enables this site to directly connect to the key road route in the area without drawing additional traffic through existing residential areas.

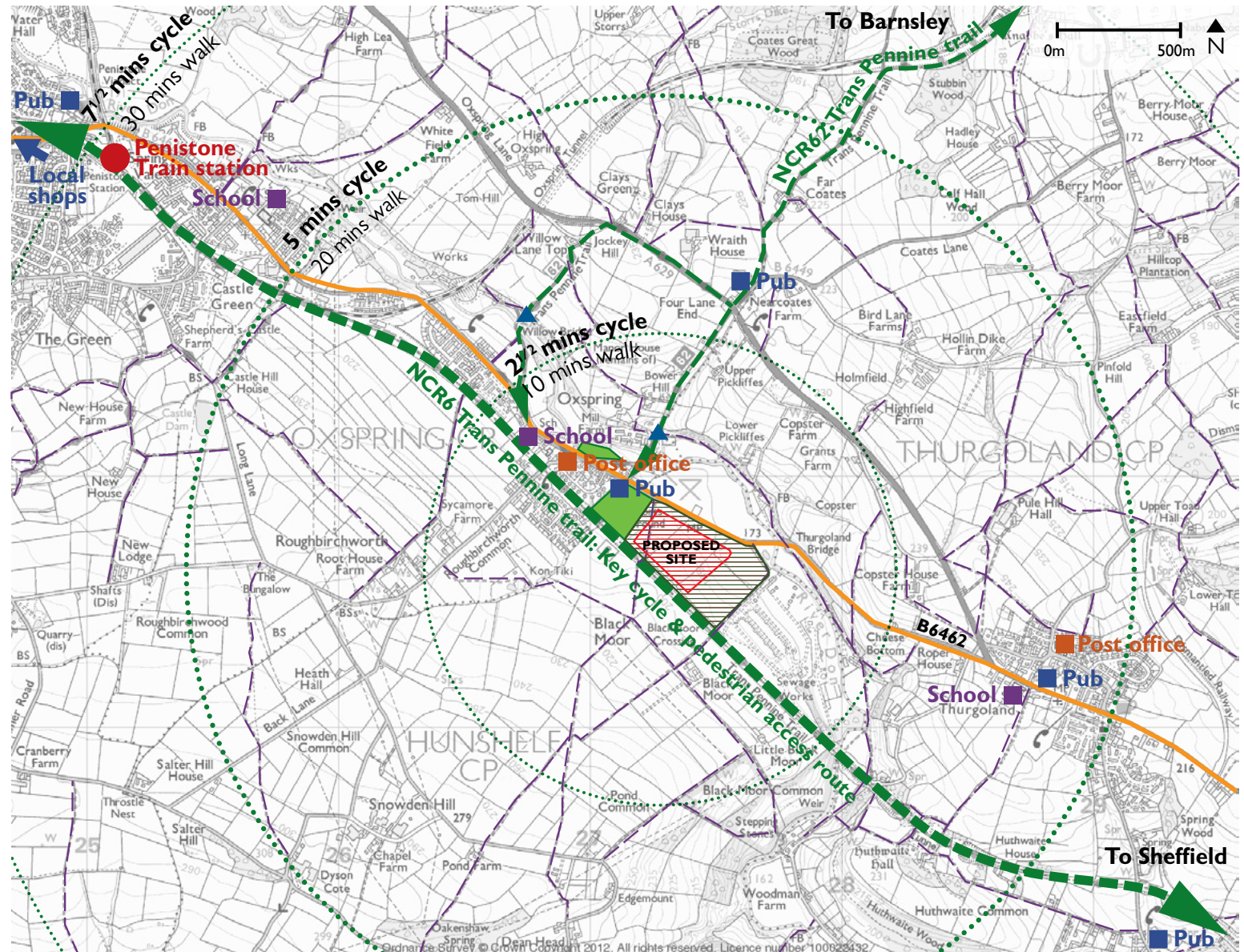


Fig 2: Map showing connectivity to local services and key pedestrian and cycle routes in the area

The proposed site will have a positive impact on the area's connectivity and facilities including:

- New connectivity to and from the site and Trans Pennine trail

- Direct connectivity to the B6462 from the site, drawing traffic along the main road route rather than through residential areas
- The local community will benefit from access to improved recreational facilities,

including a sports/ community centre and improved sports grounds, play area, and new recreational opportunities through the proposed woodland area adjacent to the southeast site boundary.

Historic settlement pattern

Over the last two centuries, settlement has been mostly linear, focused along the River Don valley, with isolated rural farmsteads and small hamlets scattered over the remaining landscape.

Mills have been part of the local economy since the middle ages and have helped to form the basis of settlement along the sloping valley of the River Don, which provides a natural boundary to development.

When the Railway arrived in the mid 19th century, it provided another strong boundary to the southwest providing another force to influence the linear syntax of the River Don valley's development.

The combination of river and railway has thus provided the syntax and framework for a strong linear pattern of development along this section of the River Don valley over the last two centuries.

More recently, in the late 20th century and early 21st century, development has contravened this historic development pattern, by moving to the southwest towards Roughbirchworth.

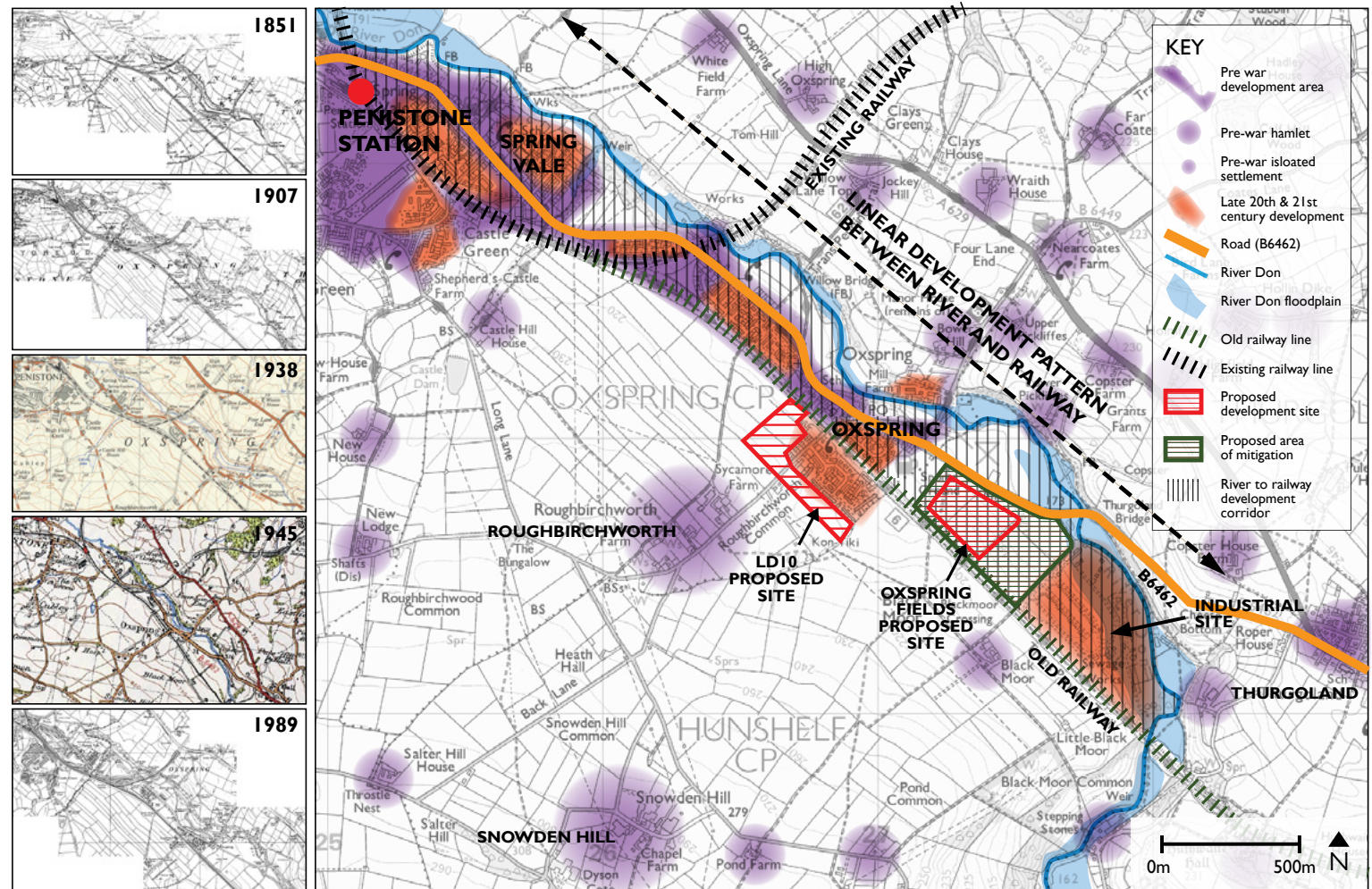


Fig 3: Map showing the historic settlement pattern in the area surrounding Oxspring

Future proposals (Oxspring fields site)

This development site represents a natural extension of the historic settlement pattern along the River Don valley between two clear, strong and defensible boundaries; the River Don and the old railway line and embankment. Furthermore, the site is also sandwiched between two existing areas of development; Oxspring village to the northwest and the largely disused industrial site to the southeast, creating clear, well defined barriers to prevent further expansion.

Future proposals (LD10 site)

Further development to the southwest would both ignore and conflict with the historic linear pattern of development in the Don valley area.

Development to the southwest of Oxspring, toward Roughbirchworth is already beginning to encroach upon the rural nature of the hamlet. Further development towards Roughbirchworth is likely to have a profound impact on the rural nature of this hamlet and effectively begin a coalescence between these two settlements. In addition, this site clearly has a more arbitrary boundary with no natural or clear edges which could help define a barrier for future development.

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APPENDIX 2

BARNSLEY DEVELOPMENT AGENCY

ECONOMIC DATA REGARDING PENISTONE

From: Smith , Matthew
Sent: 09 August 2013 16:04
To: Dunn , Keiron
Subject: FW: Penistone

Keiron,

More info to help with Lairds Way report.

Matthew

Matthew Smith
Group Leader (Outer Team)
Development Management
Barnsley MBC
Planning and Transportation

From: Johnson , Paul
Sent: 15 July 2013 13:16
To: Smith , Matthew
Subject: RE: Penistone

Matthew

Many thanks for your email

In relation to your questions hopefully the following should help

Census Labour Supply Data

According to the 2011 Census the Penistone West ward (incorporates main urban centre of Pensitone, Thurlstone and Hoylandswiane) recorded;

- 11,322 residents of which 65.2% are classed as being of working age (16- Pensionable Age)
- Penistone West's working age population rate (65.2%) is greater than the rates recorded at borough (64.1%), regional (64.6%) and national (62.5%) rates – helping to indicate a potential greater demand for potential employment sites to service the indigenous population base.
- 73% of Penistone West's resident based population (16-74) are classed as being economically active, which is greater than the rates recorded at borough (66.5%), regional (68.4%) and national (69.9%) rates
- Of those who were economically active in Pensitoen West;
 - 67.5% were in employment, which is greater than the rates recorded at borough (59.1%), regional (60.0%) and national (62.1%) rates
 - 10.8% were in self employment, which is greater than the rates recorded at borough (7.7%), regional (8.4%) and national (9.8%) rates
 - 3.0 % were unemployed, which is lower than the rates recorded at borough (5.1%), regional (4.8%) and national (4.4%) rates
- Over the last 10 years (since the last Census the following characteristic's have occurred within the Penistone West ward:
 - Employment levels have increased (65.0% in 2001 to 67.5% in 2011)

- Self employment levels has increased (9.9% in 2001 to 10.8% in 2011)
- Unemployment levels has increased (2.3% in 2001 to 3% in 2011)

Unfortunately, Census 2011 data has not released travel to work statistics for lower levels of geographies, therefore we are unable to provide a response to this question , however Census 2001 indicated that residents who lived in Pensistone West ward:

- 29.4% worked less than 2K form where they lived (lower than the rates recorded at borough (28.1%), regional (29.1%) and national (29.1%) rates
- 50.8% worked less than 10K form where they lived (lower than the rates recorded at borough (66.6%), regional (71.4%) and national (67.5%) rates

Labour Demand Data

According to ONS Business Register & Employment Survey (BRES) data there are;

- 3,073 total employee jobs are held by businesses within the Penistone West Ward, of which:
 - 68.6% are classified as being full time and 31.4% are part time classified
- In terms of the industrial breakdown of jobs in the Penistone West Ward;
 - 25.7% are Manufacturing based
 - 17% are Retail based
 - 8% are Transport and Storage based
- **Over the past year;**
 - the number of jobs in the Penistone West ward has increased by 0.3%, with Full time Employment (FTE's) jobs increasing by 1.3% (lower than the 2.8% increase recorded at Barnsley level)
 - Transport and Storage sector recording the largest increase in jobs that have been created (+142 increase of 135%)
- Despite the increase recorded over the last year, the number of employee jobs in Penistone West ward remains -6.1% lower than before the last recession (2008).

In addition to the above, Bank start data (new business bank accounts) continues to record the Penistone West and East wards as being one of the top 3 wards within Barnsley for the creation of new businesses.

Conclusion

- The above evidence from both a labour supply and also to that of a labour demand perspective help to indicate that the Penistone West Ward is seen as being one of the boroughs most economically active part of the borough, which has seen levels of employment and self employment continue to increase over the last 10 years and remain higher than borough wide, regional and national rates.
- Likewise Penistone West Ward residents have been more resilient and continue to record significantly lower levels of unemployment compared to other parts of the borough and indeed regional and national rates.
- Residents of the borough are more likely to out commute to work (outside Penistone), mostly associated to more constrained workplace pay that both Penistone and Barnsley as a borough commands.
- Job growth has occurred, during the last few challenging years from largely the growth of the indigenous business stock and also the expansion and relocation of companies to new employment sites.

- The ability to continue the growth recorded over the past year is crucial to helping to ensure that Penistone West ward contributes to the overall borough wide economic strategy targets (need for up to 32,000 jobs being to be created and the growth of the indigenous businesses base by 1,500 new businesses)
- Loss of key employment land to other uses (most notably housing) could potentially hamper the future and continued growth of both the overall business base and future jobs within the Penistone part of the borough. Thus meaning that the borough is unable to meet its core economic strategy targets; a reduction in potential business rates for BMBC and the potential out commuting of businesses and loss of additional private sector jobs if a range of future land and premises does not remain.
- For instance many “self-employed” are working from home in the Penistone and surrounding areas due to the lack of facilities in the proximity especially for new start and small businesses. Starter units and test bed area would do well.
- Likewise recent demand for appropriate sized units at Martree Business Park (3,000 – 4,000 sqft) has seen all units on this employment site currently being occupied and let to tenants, issue now will be for additional grow on space to remain these businesses and additional employment space for similar businesses that could be attracted to Penistone.

Hope this helps ,however if you require any additional information please do not hesitate to let me know

Regards

Paul Johnson
Connect Barnsley Manager
Barnsley Development Agency

From: Smith , Matthew
Sent: 11 July 2013 13:44
To: Johnson , Paul
Subject: Penistone

To Paul,

I've been informed you may be able to help me out with some background information on the current and future economic potential of Penistone.

I am currently dealing with a planning application for residential development on a site in Penistone which is designated for employment use. The applicants are arguing that the site is not required for employment purposes but in order to understand whether it is needed or not it would be useful to know how the labour market acts in Penistone. With this in mind, have you got any information which might answer the following:

- What is the percentage of residents who live and work in Penistone?
- Has the trend over the last 10 years been for residents to work outside of Penistone?
- Do you know if there is a great need for employment provision within Penistone>?

Any information you can provide on the above would be appreciated.

Matthew

Matthew Smith
Group Leader (Outer Team)
Development Management
Barnsley MBC
Planning and Transportation

APPENDIX E

Conclusions

The Plan Period - Household Increase

1.1.24 The question of extending the Plan period has been referred to elsewhere but, as a point promoted by a number of objectors, it is also relevant to the issue of calculating housing need. As a simple point, if that course of action were to be taken (say, to 2006 or beyond) then the assessment would have to be adjusted upwards to cater for the extended period of the Plan. The concept of rolling-forward the end date of the UDP is of great significance in relation to this issue.

1.1.25 I have previously concluded that it is no part of my remit to consider recommending to the Council that the Plan period should be extended to 2006 or some later date. In my opinion, and in common with the Council, I firmly believe that the period of the Plan is a fixed parameter which cannot be altered by modification. I have set out my reasons for reaching this conclusion on other issues elsewhere but, for consistency, I repeat my basic reasoning here, taking account of the objections.

1.1.26 The period of the Plan from 1986 to 2001 is a fundamental, if not *the* fundamental, 'boundary' which cannot be moved except by a mechanism involving a wholesale review of *all* its policies. It is not only the Part I housing policies which would be radically affected by such a significant modification. Green Belt and Safeguarded Land considerations and matters relating to economic development and transportation are obvious examples of subjects where a piecemeal approach to the Plan's end date would create substantial difficulties.

1.1.27 In any event many objectors will have set out their positions in the knowledge of the Plan's intended period and it would be prejudicial to them and unfair to consider altering that period now. The Plan is 'the Plan' and that is to 2001. PPG12 (paragraphs 4.18 - 4.19) advises that it is preferable to adopt a Plan on the basis of the earlier information available and to start an early review rather than to seek to modify the Plan at a late stage. In my opinion these are precisely the circumstances here.

1.1.28 Some objectors state that a roll-forward of a variety of UDP policies as an option has been promoted (and agreed to) in other nearby Areas. It has been pointed out that this approach has been favoured elsewhere in South Yorkshire. However, from the evidence to me at the inquiry, those Authorities considering this possibility are not in the same position as Barnsley where an early review of the Plan (possibly commencing in late-1997) is a firm proposal. Although the remaining period of this Plan (post-adoption) is likely to be relatively short, it should not be unreasonably so, in my judgement. If the position advocated by some objectors was to be adopted in relation to a rolling-over, then the remaining 'life' of the Plan post-adoption could be virtually non-existent.

1.1.29 The value of an adopted Plan even with a short life-span is still considerable and is preferential, in my judgement, to the prospect of a protracted adoption period. Any further delay in the Plan's adoption at this stage should be avoided and this would be inevitable, in my view, if the wishes of these objectors were acceded to. New Regional Guidance is expected within the short term and taking all these factors into account, I conclude that the Council is correct in its approach to this issue. The end date of the Plan for housing policies