

YORKSHIRE LAND

Limited

CONSULTEE ID: 23082

BARNSELY LOCAL PLAN EXAMINATION 2018

STATEMENT REGARDING MAIN MATTER 22:

*“WHETHER OR NOT THE PLAN WOULD BE VIABLE AND DELIVERABLE
WITHIN THE PLAN PERIOD AND WHETHER THE ARRANGEMENTS FOR
MONITORING ARE ROBUST”*

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 22 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.

22.1 WOULD THE PROPOSED EMPLOYMENT, HOUSING AND MIXED USE SITE ALLOCATIONS BE ABLE TO ACCOMMODATE THE PLAN'S POLICY REQUIREMENTS HAVING REGARD TO VIABILITY AND IS THIS SUPPORTED BY THE EVIDENCE IN THE VIABILITY STUDY (SD22)?

We do not consider that there is a sufficient quantum of housing land allocated in the Publication Draft Local Plan to meet identified needs. In addition the majority of housing allocations are located in parts of the Borough which have been identified to demonstrate weak and failing housing markets and are unattractive to developers.

Paragraph 4.20 of the Strategic Housing Market Assessment Update 2014 (SHMA) identifies 'developer appetite for delivery' as a reason for previous under-delivery and recommends that the OAHN is adjusted accordingly.

A greater proportion of housing, safeguarded land and employment allocations need to be identified in the stronger housing market areas of the Borough, which the SHMA identifies are generally located to the west of the M1 Motorway. Identifying a sufficient quantum of allocations in these areas will provide a better balance and mix of allocations in the Borough, thereby providing greater choice and flexibility within the Local Plan to ensure that housing needs and targets can be met.

The Councils evidence specifically identifies a need for between 1,200 low density executive homes (Economic Strategy) and 2,500 larger family homes (Housing Strategy) in the better housing market areas of the Borough.

In addition, Rural Settlements in the West are identified in paragraph 6.33 of the Councils Sustainability Assessment to be 'high demand areas' for affordable housing. The failure to identify sufficient **deliverable** housing allocations over 15 homes in size in the Western Villages will result in a failure of the Plan to meet affordable housing needs.

The only way to realistically ensure the delivery of affordable homes in the Western Rural Areas is through the identification of deliverable housing allocations. Policy H8 of the Publication Draft Local plan stipulates that developments of 15 homes and over in Penistone and the Western Villages must deliver affordable housing at 30% of the overall development scheme.

The majority of housing site proposals identified in the villages of Oxspring, Thurgoland, Silkstone Common and Cawthorne within the Local Plan Examination Consultation 2018 are simply not deliverable housing sites as a result of a range of viability issues including, landscape impact, topography, flood risk and highways constraints.

In site specific terms, we do not believe that sites EC6, EC7 and EC8 in the village of Oxspring will be able to meet Policy Requirements in light of the extensive site constraints which we have outlined in our Main Matter 20 and Main Matter 21 Hearing Statements.

The Publication Draft Local Plan also fails to take account of the need to allocate small sites suitable to accommodate executive homes at the top end of the housing market. This is despite the recognised need within a plethora of evidence underpinning the Local Plan. If such sites are not identified, then Local Plan will fail to satisfy these identified needs in full. Small sites are required to deliver truly executive homes which are generally individually designed properties constructed by small local building companies.

The planning precedent of the importance that small developments of executive/larger family housing can play in meeting the identified housing needs of the Borough was established by a recent appeal decision at Land off Huthwaite Lane, Huthwaite (Appeal Ref: APP/R4408/W/15/3134783). The decision is enclosed in Appendix A. The following factors were identified as reasons why the Inspector allowed the appeal: -

- The development would provide high-quality detached dwellings aimed at the executive end of the housing market. Various strategies of the Council identify that housing plays a key role in stimulating and supporting economic growth.
- The Economic Strategy acknowledges the need to deliver a step change in the quality and mix of housing available in the district. The document goes on to identify that an inadequate supply of appropriate development sites and executive housing is an issue to be addressed.
- The Housing Strategy 2014 to 2033 has as a key objective the need to increase the number of larger, 4/5-bedroom, family/higher value homes across the district.
- The 2014 SHMA refers to the need to provide for executive dwellings to support economic growth. Executive housing is identified as having a role in responding to the need for diversification and expansion of the sub-regional economy.
- The development would assist in achieving these objectives. Thus, the provision of dwellings of the type and size proposed would make an important, albeit small, contribution to the delivery of a wide choice of high quality homes and meeting the needs of different groups in the community.

Notwithstanding this appeal decision, BMBC have not sought to allocate any sites of a similar type for development within the Borough's Villages, which provides clear evidence that BMBC are not listening to their own evidence.

Similarly, 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.

On account of the evidence presented within this statement, we believe there is compelling evidence to justify the release of our 0.4 hectare land interest at Millstones, Oxspring.

Further evidence in respect of the suitability of this site is identified within our Main Matter 20 Hearing Statement.

We also do not consider that the majority of Safeguard Land allocations identified in the Local Plan are deliverable. Many of these sites have been identified for in excess of 40 years and would have been brought forward for development before now, particularly in more recent years when the Council has been unable to demonstrate a five year supply of deliverable housing sites. As such we believe truly **deliverable** safeguarded land allocations need to be identified to ensure that sufficient land to meet future needs is provided.

There is also a significant lack of employment land to meet the needs of Penistone and the Western Rural area of the Borough. The Western Part of the Borough is home to 10% of the Borough's population and represents more than 50% of all land within Barnsley. Presently, the only Employment Land Allocation identified to meet the needs of Penistone and the Western Rural Villages is Site Reference P2 in Oxspring, which represents only 1% of the proposed employment land allocations in the Borough. We do not believe that this is a deliverable site due to a number of constraints including High Voltage Power Cables which hang low across the site, the site's location between low railway bridges in Penistone and Oxspring, preventing access to high sided vehicles and several other site specific constraints. These constraints are identified in full within our Stage 3 Examination Hearings Statement in respect of Main Matter 10 and the Main Matter 16 Hearing Statement which has been submitted by PB Planning to this stage of the Examination.

If site P2 is not delivered in the Plan period then no employment land will be provided to meet needs in Penistone and the Western Rural Area. This would be a complete failure of the Plan to meet employment needs in this area, where there is an identified demand for employment units.

Enclosed at Appendix B is evidence from an email exchange between Barnsley Metropolitan Borough Council and the Barnsley Development Agency in respect of a previously identified employment site at Lairds Way, Penistone (Site Ref. P1 which is now in the process of being developed for residential use) which supports the argument in respect of the need to distribute additional employment sites to Penistone on account of the following:

- From both a labour supply and a labour demand perspective Penistone is seen as being one of the Borough's most economically active parts 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.
- 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.
- The ability to continue the growth recorded over the past is crucial to helping to ensure that Penistone contributes to the overall Borough wide economic strategy targets.

- 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.
- Recent demand for appropriate sized units at Marrtree Business Park (3,000 – 4,000 sq.ft) has seen all units on this employment site currently being occupied and let to tenants. The issue now will relate to the provision of additional space to retain these businesses and the delivery of additional employment space for similar businesses that could be attracted to Penistone.

An article attached at Appendix C, which featured in the Barnsley Chronicle on Friday 23 February 2018 identifies significant demand for new business units in Penistone.

The need to identify additional employment sites in Penistone and the Western Rural area of the Borough is therefore well evidenced. Such evidence exacerbates the concerns associated with the deliverability of Site Ref. P2 given it is currently the only proposed new employment allocation in the area. We therefore consider that additional or alternative employment land allocations need to be identified to ensure that employment needs in Penistone and the Western Villages are satisfied over the Local Plan period.

The evidence is substantially weighted in favour of allocating our proposed Blackmoor Business Park site in place of, or in addition to, Site Ref. P2 to meet employment needs in Penistone and the Western part of the Borough.

We attach at Appendix D, just one of the many consultation responses we have received through the comments form on our proposed Blackmoor Business Park website (www.blackmoorbusinesspark.co.uk) from a local business owner looking for suitable premises in the Penistone Area.

We are not aware of any other current employment land allocations or employment sites having been proposed in the Penistone area capable of meeting the area’s identified needs. The proposed Blackmoor Business Park represents the only site which has the available infrastructure, satisfactory topography and which is large enough to accommodate the current and future employment needs of the Principal Town of Penistone and the Western Rural Area. For further evidence in respect of the suitability of this site, we refer you to the Main Matter 16 Hearing Statement submitted by PB Planning.

Whilst presently the land is in the ownership of the Ministry of Defence (MoD) the Inspector will recall that our Agents, PB Planning wrote by letter dated 23rd January 2018 to forward a letter from our solicitors, Gateley PLC (dated 20th January 2018) which confirmed that the MoD have now appointed agents GVA Grimley to market the property for sale as early as Spring 2018. These letters are attached at Appendix E for completeness.

The Blackmoor Business Park site represents a previously developed site which could be brought forward early on account of current national and local planning policy, we believe that it would be beneficial to all parties who may be interested in acquiring the Blackmoor

Business Park site to have further certainty of its planning status through the site's allocation within the Barnsley Local Plan.

The allocation of the Blackmoor Business Park site for employment purposes will act as a catalyst to enhance the prospect of the site's development in the future and the development of the site would deliver substantial benefits to the Borough through the delivery of a high-quality employment site situated in a sustainable location.

22.2 IS THE REVISED HOUSING TRAJECTORY (BMBC030) DELIVERABLE OVER THE PLAN PERIOD AND HOW WILL IT BE MONITORED AND KEPT UP TO DATE?

We instructed our planning consultant Mr Paul Butler of PB Planning to review the Council's housing trajectory. This was informed by site visits to all sites allocated in the Barnsley Borough over 100 homes in size. The results of this review were submitted to the examination by Mr Paul butler and the Inspector requested PB Planning and the Council to reach a statement of common ground during the Stage 2 Examination Hearing Sessions.

We strongly believe that the amended trajectory as presented to the examination by PB Planning represents the most realistic assessment available in respect of the deliverability of sites in the Borough over the Local Plan period.

The trajectory as presented by PB Planning is particularly at odds with that of the Council in respect of large strategic sites (i.e. site MU1) and several of the large allocations which are situated close together in the weaker market areas of the Borough, where there is a limit to the number of outlets achievable, given the viability of those areas. (I.e. Carlton, sites reference AC11, AC12 and H24).

For brevity we do not repeat the evidence in full here. We refer you to the Main Matter 12 Hearing Statement submitted to the Local Plan Examination by PB Planning and the evidence contained within the MM20 Hearing Statement submitted on our behalf by PB Planning to this stage of the Local Plan Examination in respect of sites in Urban Barnsley and the Principal Towns.

22.3 DOES THE PLAN HAVE SUFFICIENT FLEXIBILITY TO RESPOND TO CHANGING CIRCUMSTANCES? SHOULD THERE BE A POLICY OR STATEMENT REQUIRING AN EARLY REVIEW OF THE PLAN?

We believe the Local Plan is overly balanced towards development in the east of the Borough with an insufficient quantum of land allocations identified to meet the needs in the Western part of the Borough.

Increasing the distribution of sites in the order of 7% of the overall housing (i.e. 1,847) to the larger western villages, the strongest market areas in the Borough, will provide greater choice and flexibility to respond to changing circumstances over the Local Plan Period and ensure that housing needs and targets can be met.

We believe a Policy or Statement requiring an early Review of the Plan should the Council become unable to demonstrate a deliverable supply of housing sites, would be beneficial and in the best interests of the Borough. This will help to keep the Local Plan up to date and minimise any detrimental economic impacts which would arise through the lack of deliverable housing and employment land allocations in the Borough.

YORKSHIRE LAND Limited

**PO Box 785
HARROGATE
HG1 9RT**

APPENDIX A

Appeal Decision

Site visit made on 2 February 2016

by **S R G Baird BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 February 2016

Appeal Ref: APP/R4408/W/15/3134783

Land off Huthwaite Lane, near Thurgoland, Huthwaite, South Yorkshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Yorkshire Land Limited against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref 2014/1240, dated 17 October 2014, was refused by notice dated 30 July 2015.
 - The development proposed is the erection of 4 detached dwelling houses with associated access, parking and landscaping.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of 4 detached dwelling houses with associated access, parking and landscaping on land off Huthwaite Lane, near Thurgoland, Huthwaite, South Yorkshire in accordance with the terms of the application, Ref 2014/1240, dated 17 October 2014, subject to the conditions set out in the attached schedule.

Application for Costs

2. An application for costs was made by Yorkshire Land Limited against Barnsley Metropolitan Borough Council is the subject of a separate Decision.

Main Issues

3. Whether, having regard to the provisions of the development plan¹ and the National Planning Policy Framework (Framework), the proposed development would constitute unsustainable development.

Reasons

4. The Core Strategy (CS) settlement hierarchy lists Huthwaite as a village and, as I understand it, the emerging Local Plan continues to list Huthwaite as a village. The CS indicates that within villages, development is likely to occur on small infill sites that are consistent with and sensitive to Green Belt policy.
5. The appeal site is located within the Green Belt, where the Framework says that inappropriate development should not be approved except in very special circumstances. The construction of new buildings is regarded as inappropriate development except where it comprises limited infilling within villages². The site has a frontage to Huthwaite Lane, it is bounded on its eastern and western sides by residential development and is located within the built-up area of the

¹ Barnsley Local Development Framework – Core Strategy Adopted 2011 (CS).

² Framework paragraph 89 5th bullet point.

village. On these facts and given the scale of the development, I conclude, that this proposal would comprise limited infilling in a village and would not be inappropriate development. Accordingly, it is unnecessary to consider whether very special circumstances exist to justify the development.

6. The above conclusion is wholly consistent that of the planning officer contained in a report to the Planning Regulatory Board (PRB) and a conclusion the local planning authority (lpa) does not resile from in its appeal statement. The development would inevitably have some effect on the openness of the Green Belt. However, given that I have concluded that it would represent limited infilling in a village, the effect on openness would not be so significant that it would cause any material harm to the Green Belt.
7. Framework paragraph 6 says that the policies in paragraphs 18 to 219, taken as a whole constitute the Government's view on what sustainable development means for the planning system. Paragraph 7 identifies that there are 3 dimensions, to sustainable development; economic, social and environmental. Section 6 of the Framework deals with the delivery of housing. Key objectives that would contribute to the economic and social dimensions include boosting significantly the supply of market housing, delivering a wide choice of high quality homes and the creation of sustainable, inclusive and mixed communities. These objectives include planning for a mix of housing based on, amongst other things, the needs of different groups.
8. Lpa's are required to identify and update annually a supply of specific deliverable sites sufficient to provide 5-years worth of housing against their housing requirements. The appellant submits that there is not a 5-year supply of housing land, a statement which the lpa does not refute. Thus, the provision of 4 dwellings would make a small, but important contribution to the housing needs of this district.
9. This development would provide 4, high-specification 5-bedroom detached dwellings aimed at the executive end of the housing market. Various strategies of the Council identify that housing plays a key role in stimulating and supporting economic growth. The Economic Strategy³ (ES) acknowledges the need to deliver a step change in the quality and mix of housing available in the district. The ES goes on to identify that an inadequate supply of appropriate development sites and executive housing is an issue to be addressed. Similarly, the Housing Strategy 2014 to 2033 has as a key objective the need to increase the number of larger, 4/5-bedroom, family/higher value homes across the district. The 2014 SHMA⁴ refers to the need to provide for executive dwellings to support economic growth. Executive housing is identified as having a role in responding to the need for diversification and expansion of the sub-regional economy. The appellant's submission that the development would assist in achieving these objectives is not challenged by the lpa. Thus, the provision of 4 dwellings of the type and size proposed would make an important, albeit small, contribution to the delivery of a wide choice of high quality homes and meeting the needs of different groups in the community.
10. The Framework does not contain a definition of an inclusive and mixed community and clearly whether this objective is achieved is a matter of informed judgement. Here, the lpa appears to suggest that the contrast

³ Growing Barnsley's Economy 2012-2033.

⁴ Strategic Housing Market Assessment.

between the existing dwellings to the east and west with the scheme would lack integration thus creating an exclusive community. The implication of this approach is that the type development on the site should reflect the size and type housing around it. In my view what this approach would do is reinforce the nature of the existing community and restrict the creation of a mixed community in terms of family type and size. The introduction of 4, large detached houses into this setting would not conflict with the objective of encouraging inclusivity and would positively contribute to the creation of a mixed community consistent with the Framework.

11. The lpa's suggestion that Huthwaite, given its lack of services and limited access to public transport, is locationally unsustainable contradicts the identification of Huthwaite as a village in the CS and emerging Local Plan settlement hierarchy where some development is envisaged. Manual for Streets (MfS) published in 2007 highlights that walking offers the greatest potential to replace short car trips, particularly those under 2km. Thus, whilst within Huthwaite the availability of a wide range of services is lacking, there is within 2km a variety of facilities that could provide for the day to day needs of residents. Whilst the bus service to Huthwaite is limited, it appeared to me to run at times that would provide the opportunity to access employment and other services in Barnsley and Penistone by means other than the private car.
12. The lpa does not dispute that the proposed dwellings are of good quality or that there would be unacceptable effects on the living conditions of adjoining residents. I have no reason to disagree with those conclusions. In addition to retaining existing trees and hedging, the submitted scheme includes details of proposed landscaping that would strengthen the existing planting. In terms of visual impact, whilst the proposed layout, with the majority of the houses set back within the plot and the frontage house set at an angle to the road, would result in a change in the appearance of the area it would not unacceptably diminish the spacious character of the immediate area or appear obtrusive and incongruous in the immediate setting.
13. The environmental dimension includes moving to a low carbon economy. In terms of housing, this can be achieved through the minimisation of resource and energy consumption. Here, the appellant proposes to use low carbon energy generators such as solar panels, heat pumps, high standards of insulation and low energy lighting. The appellant also confirms that the homes would be constructed to achieve Level 3 of the Code for Sustainable Homes (CSH), which would be consistent with the requirements of CS Policy CSP 2. The CSH has now been superseded and elements of it have been incorporated into the Building Regulations and set to the equivalent of Code Level 4.
14. An ecological appraisal of the site has identified that the existing habitat value of the site is limited. Whilst I appreciate that the value of the site in ecological terms has been diminished by the actions of previous owners, this scheme is accompanied by proposals for the retention, creation and management of habitats, which would be a benefit. This is a matter that can be covered by way of a planning condition.
15. Access to the site would be from Huthwaite Lane which is an unmade road and in places in poor condition. Subject to the road frontage of the site being resurfaced, the highway authority has no objection to the scheme on highway

safety grounds and I have no reason to disagree with that conclusion. This is a matter that could be dealt with by way of a planning condition.

Conclusion

16. Drawing all these matters together, whether a development is sustainable is a matter that has to be viewed in the round looking at the development plan and the Framework as a whole and balancing harm against benefits. Thus, having regard to all the factors discussed above, I consider that the proposal would not conflict with the relevant policies of the development plan as a whole and Policies CSP 1, CSP 25 and CSP 29 in particular and having regard to the Framework as a whole would comprise sustainable development. In light of these conclusions and having taken all other matters raised into consideration, I conclude that this appeal should be allowed.

Conditions

17. I have imposed a condition specifying the relevant drawings as this provides certainty (2). In the interests of the appearance of the area and protecting the living conditions of existing and proposed residents, conditions relating to: finished levels (3), finishing materials (4), a construction method statement (6), landscaping, the protection of existing trees and boundary treatments (9), 10, 11 & 13), hours of construction (12), the treatment of potential ground contamination (14), controls relating to windows on Plot 3 (18), are all reasonable and necessary. In the interests of providing drainage and the prevention of flooding, a condition relating to foul and surface water drainage (8) is reasonable and necessary. In the interests of highway safety, conditions relating to: the provision of parking and manoeuvring areas (5), site gradients (7), the surfacing of Huthwaite Lane (16) and a restriction on the gating of the access (17) are reasonable and necessary. In the interests of ecology, I consider a condition relating to the implementation of ecological mitigation is reasonable and necessary. Where necessary and in the interests of precision and enforceability I have reworded the suggested conditions.
18. I have not imposed the suggested condition relating to the removal of permitted development rights. Planning Policy Guidance indicates that such a condition should only be used in exceptional circumstances. No such circumstances have been demonstrated here.

George Baird

Inspector

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the approved plans:- Drawing Nos. YLHLBR1 Site Location Plan; 2014/10/01 Plot 1 Dwelling Details; 2014/10/02 Plot 2 Dwelling Details; 2014/10/03 Plot 3 Dwelling Details; 2014/10/04 Rev A Plot 4 Dwelling Details; 2014/10/05 Rev A Proposed Site Layout Drawings and Drawing R/1638/1A Landscape Details.
3. Prior to the commencement of development plans to show the finished floor levels of all buildings and structures; road levels; existing and finished ground levels shall be submitted to and approved by the local planning authority. Development shall be carried out in accordance with the approved details.
4. No development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
5. The parking/manoeuvring facilities, shown on the submitted plans, shall be surfaced in a solid bound material (not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.
6. No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 1. the parking of vehicles of site operatives and visitors;
 2. means of access for construction traffic;
 3. loading and unloading of plant and materials;
 4. storage of plant and materials used in constructing the development;
 5. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 6. wheel washing facilities
 7. measures to control the emission of dust and dirt during construction;
 8. measures to control noise levels during construction.
7. Vehicular and pedestrian gradients within the site shall not exceed 1:12.
8. No development shall take place until:
 - (a) full foul and surface water drainage details, including a scheme to reduce surface water run-off by at least 30% and a programme of works for implementation, have been submitted to and approved in writing by the local planning authority;
 - (b) porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;
 - (c) calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways.

Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented and the scheme shall be retained throughout the life of the development.

9. No development shall take place until there has been submitted to and approved in writing by the local planning authority, full details of hard landscaping works. The approved hard landscaping details shall be implemented prior to the occupation of the dwellings.
10. The soft landscaping works hereby approved shall be carried out strictly in accordance with FDA Landscaping Plan R/1638/1A as approved. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
11. Prior to the commencement of development or other operations being undertaken on site in connection with the development, (i) Tree Protective Barrier details; (ii) a Tree Protection Plan and (iii) a Arboricultural Method Statement prepared in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations) shall be submitted to and approved in writing by the local planning authority. No development or other operations shall take place except in complete accordance with the approved methodologies. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.
12. Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 08:00 to 18:00 hours Monday to Friday and 09:00 to 14:00 hours on Saturdays and at no time on Sundays or Bank Holidays.
13. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the position of any boundary treatment to be erected. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details.
14. Prior to commencement of development an investigation and risk assessment to assess the nature and extent of any contamination on the site shall be submitted to and approved in writing by the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include:
 - (i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health;
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

The above must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Development shall be carried out in accordance with the approved report including any remedial options.

15. Prior to commencement of development full details of the mitigation measures identified in the Ecological Survey (revision C), including a timetable for their implementation, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
16. No development shall commence until a detailed scheme for the resurfacing of Huthwaite Lane between Cote Lane and the application site including the full extent of the site frontage have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to first occupation of any dwelling.
17. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved access off Huthwaite Lane.
18. All windows on the east facing elevation of the Plot 3 facing the existing dwellings Kinross and Fair View, Cote Lane shall be fitted with obscure glass and retained as such thereafter.

APPENDIX B

From: Smith , Matthew [MatthewSmith@barnsley.gov.uk]
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
PO Box 604
Barnsley
South Yorks
S70 9FE
Tel: 01226 772583

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
 Tel: 01226 787532
 Email : pauljohnson@barnsley.gov.uk

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
PO Box 604
Barnsley
South Yorks
S70 9FE
Tel: 01226 772583**

APPENDIX C

SS



OPEN FOR BUSINESS: Paul Fearn outside one of the new units.

Units open in Penistone

BUSINESSES are queuing up to move into new industrial units in Penistone.

Penistone Paper and Board is using a grant of around £190,000 to part-fund building five new units on disused land off Sheffield Road.

The company has already created 13 units on the site, which have been snapped up by businesses.

Paul Fearn, co-director of Penistone Paper and Board, said: "We are literally getting asked all the time if we have any space. It's mainly local people who want to work locally.

"If you go to Barnsley or go half an hour up the road you can probably find units, but people want to work nearer to home.

"And by offering them workspace nearer home we are also doing our bit to cut carbon emissions."

The new units, and the existing ones, have all been part-funded by Section 106 money, which is paid by large developers in the area as part of planning permission to support the local economy.

The money was gained with help from Enterprising Barnsley, which aims to help businesses develop and expand; generating economic growth and creating jobs.

Andy Arnold, of Enterprising

Barnsley, said: "This is a really good example of the public sector helping the private sector. Basically what we do is work behind the scenes to help create jobs in the borough."

The first five units were created five years ago and let immediately. A further five were also snapped up and the company then built three on top of the original five.

The diverse range of businesses in the existing units include a specialist bicycle manufacturer, a tree surgeon, plasterers, a craft paper company and a furniture dealer.

The new units will be about 500 square foot each and will be ready in the summer. Paul said as well as creating space for light industry, the units had created another income stream for the company.

"There has been no growth in the paper market because of the recession, so diversifying into renting out space is a very useful source of income for us," he said.

Penistone Paper and Board take unwanted or damaged cardboard and industrial-sized rolls of paper and turn them into useable board and sheets of paper for everything from fast-food containers and toothpaste tubes to writing paper for schools.

APPENDIX D

From: A.M.Crossland [mailto:wordpress@blackmoorbusinesspark.co.uk]

Sent: 02 February 2017 20:43

To: office@yorkshireland-ltd.com

Subject: Blackmoor Business Park

Message Body:

The company I own is presently looking for suitable premises in the Penistone area, we at this moment employ around 12 people most haveing to travel through central Barnsley to our present premises factory. The Blackmore site would be ideal and would save on many miles of travel.

This e-mail was sent from a contact form on Blackmoor Business Park (<http://www.blackmoorbusinesspark.co.uk>)

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2016.0.7998 / Virus Database: 4756/13884 - Release Date: 02/02/17

APPENDIX E

Inspector Housden
c/o Mr Richard Gilbert
Local Plan Programme Officer
Forwarded via Planning Policy Team
Economic Regeneration
Barnsley Metropolitan Borough Council
PO Box 634
Barnsley S70 9GG

23rd January 2018

Dear Inspector Housden,

EMPLOYMENT NEEDS OF PENISTONE & THE WESTERN VILLAGES – UPDATE ON THE BLACKMOOR BUSINESS PARK PROPOSALS

We write to provide you with an important update in respect of Yorkshire Land Limited's development proposal on the previously developed land site to the south of Sheffield Road, Oxspring, which has been promoted under the name of the Blackmoor Business Park throughout the Barnsley Local Plan examination process.

We thought it prudent to write to you at this time, before you have released your findings in respect of the proposed employment site allocations and prior to the stage 4 Hearing Sessions.

Enclosed is a letter dated 20th January 2018 from Yorkshire Land Limited's solicitors, Gateley PLC, which confirms the current owners of the Blackmoor site (the Ministry of Defence) have now appointed agents GVA Grimley to market the property for sale as early as Spring of this year.

Considering that the employment site allocations of the Barnsley Local Plan has now been examined, we hope you would agree that it would be beneficial to all parties who may be interested in acquiring the Blackmoor site, to have further certainty of its planning status/potential allocation within the Barnsley Local Plan.

My client has of course made known its interest in acquiring the site to develop it for employment use. However, this would require a substantial financial commitment to purchase and redevelop the site and like any other party, my client would be unable to commit to such financial expense unless certainty can be provided.

At the point of writing this letter, it is likely that the Barnsley Local Plan examination will continue until at least the Autumn of 2018 and there is the potential for further delays once the Council's new evidence in respect of employment and housing growth has been examined further at the stage 4 hearing sessions.

If it was possible for you to provide any initial findings in respect of the Blackmoor Business Park proposal, then this would allow interested parties to commit funding towards the site's future development as early as March of this year.

Only if you consider that the site should be allocated for employment development of course. If not, then my client would need to consider the site's future redevelopment in accordance with existing national planning policy guidance. Especially as we consider the site to be sustainably located with good road and pedestrian links (via the Trans Pennine Trail) to the Principal Town of Penistone and as

it is also unaffected by low railway bridges in the area. However, there are additional planning risks associated with this approach. Risks which the site's allocation would of course remove.

You will recall that during the stage 3 Hearing Sessions of the Barnsley Local Plan Examination, we raised concerns with the quantum of employment land which is proposed to meet the needs of Penistone and the Western Villages during the Local Plan Period.

As we set out in our evidence, the only site which is presently proposed to meet the employment needs of these areas is site reference P2 (Land North of Sheffield Road, Oxspring) which makes up just 1% of the total employment land proposed across the Barnsley Borough.

Site reference P2 by the Council's own admission is a poorly performing site which is unlikely to come forward until at least 10 years into the plan period. Our evidence also identifies further factors which call into question the viability of the site, including the presence of low bridges which restrict access to high sided HGV vehicles and high voltage low hanging pylon lines.

Furthermore, the Barnsley Development Agency informed the Council in response to its request for evidence in respect of the need for employment in Penistone, that Penistone is seen as being one of the Boroughs most economically active parts of the Borough and that it is crucial the Penistone West ward has the ability to contribute to the overall Borough wide economic strategy targets.

During the Examination Hearings you asked Mr Jenkinson (Barnsley MBC Head of Planning) why the Council has not allocated more employment land to meet needs in the Penistone area. Mr Jenkinson informed you that this was because there was a lack of suitable sites.

Mr Jenkinson's comment is substantiated by the fact that, with the exception of my client, no landowners/developers have put forward land for employment development within this part of the Borough.

We apologise if you consider the submission of this letter to be out of sequence with the examination process. However, as we have received confirmation that the site will be marketed for sale as early as Spring of this year we thought it prudent to make you aware of this fact.

We also didn't want to miss a potential opportunity to look to bring the site forward for development (and contribute to meeting Penistone's and the Western Rural Area's employment land requirements) as soon as practicably possible.

It would therefore be helpful to all interested parties if you could publish your findings on the suitability of and requirement for employment land to meet the needs of Penistone and the western villages. Considering that no other party has promoted an alternative employment site for the Penistone Area throughout the Local Plan Preparation process and the Local Plan Examination has now been underway for over a year, we believe that there would clearly be no conflict of interests in this course of action.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'P. Butler', with a stylized flourish at the end.

PAUL BUTLER
Director

Paul Butler
PB Planning Limited
PO BOX 827
YORK
YO31 6EE

Date 19 January 2018
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Direct tel: +44 (0) 161 836 7769
Direct fax: +44 (0) 161 836 7701
E-mail: dean.copley@gateleyplc.com

Dear Mr Butler,

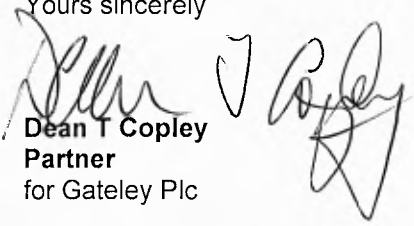
Former Blackmoor PSD – South Yorkshire

Following enquiries on behalf of our client, Yorkshire Land Limited, we are advised by the Principal Estate Surveyor of the Defence Infrastructure Organisation that the former Blackmoor PSD site in its ownership at Oxspring, South Yorkshire will be marketed for sale by GVA Grimley in spring 2018.

We are aware of our client's interest in acquiring the site to pursue its redevelopment as a modern business park.

We have advised our client that it is essential to be fully aware of the planning status of the site prior to committing any substantial financial expense and it would be useful for all interested parties to have confirmation of the site's planning status within the Local Development Plan moving forward.

Yours sincerely


Dean T Copley
Partner
for Gateley Plc

