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Our ref YLL/ONP/2018-09.01

13 September 2018

Planning Policy Team
Regeneration and Property
Barnsley Metropolitan Borough Council
PO Box 634
BARNSELY
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By Post & Email to
neighbourhoodplanning@barnsley.gov.uk

Dear Sir/Madam

OXSPRING NEIGHBOURHOOD PLAN
CONSULTATION IN ACCORDANCE WITH PARAGRAPH 16 OF THE
NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012

We set out below why we believe it would be inappropriate to adopt the Oxspring Neighbourhood Plan as currently drafted.

As the Oxspring Neighbourhood Plan Steering Committee/Parish Council are aware, we have a large landholding in Oxspring and have been instrumental in the development of the village for over 26 years.

Ourselves and our planning consultant, Mr Paul Butler of PB Planning have submitted robust representations at every consultation stage in an attempt to positively engage with the Neighbourhood Plan Steering Committee and Parish Council throughout their preparation of the Oxspring Neighbourhood Plan.

We attach at Appendix 1 a letter which we sent to the Joint Chair of the Oxspring Neighbourhood Plan Steering Committee on 23 October 2015, which provides a sound and balanced overview of the preparation of the Oxspring Neighbourhood Plan to date.

In short the Neighbourhood Plan Steering Committee have identified that the key issues for the Oxspring Neighbourhood Plan include the need for new housing development, a new community centre/sports pavilion (including changing facilities) and a tourism hub.

The draft Oxspring Neighbourhood Plan (March 2016) has also considered the heritage assets and historical development of the village and recognises at paragraph 4.2 that

“the main village settlement is largely linear in form and lies between the Sheffield Road (B6462) and the route of the Trans Pennine Trail”

It is our firm belief therefore, that any future development proposals should seek to take account of and continue this established pattern of development.

We also attach at Appendices 2 & 3 two further letters which we sent to Oxspring Parish Council on 16 February 2016 and 09 March 2018 respectively. We would specifically refer you to the highlighted sections of these particular documents.

Importantly within an article on the [Oxspring Neighbourhood Plan Website](#) posted on 23 December 2015 and entitled ‘Response to Barnsley Chronicle Article’ it is stated that:

“The good news for Oxspring, resulting from this document (Draft Barnsley Local Plan) is that there are no sites listed for development in Oxspring during the Local Plan period, i.e. up to 2033.”

We question why the Neighbourhood Plan Steering committee would view no development in Oxspring as good news. Indeed, within a promotional video of a meeting between representatives of the Oxspring Neighbourhood Plan Steering Committee and the Barnsley Metropolitan Borough Council’s (The Councils) Senior Planning Policy Officer, Ms Helen Willows, which took place on Tuesday 25 February 2014 on the Parish sports field, it is identified by the then Chair of the Neighbourhood Plan Steering Committee that:

“What local people have told us so far is that what we need is affordable housing or at least a mixture that would allow for starter up homes as well as maybe more executive homes.”

It is apparent from the attached letters that were the Neighbourhood Plan adopted as currently drafted, the Plan would fail to address the identified needs and desires of the village including, and perhaps most importantly, local housing needs which are recognised within a comprehensive Housing Needs and Capacity Study undertaken formally by independent consultants instructed by Planning Aid England on behalf of the Neighbourhood Plan Steering Committee during 2014.

We believe that the Neighbourhood Plan as currently drafted would also set a dangerous precedent for other Neighbourhood Plans around the country, in that they may be utilised as a mechanism to stifle development, rather than being a positive mechanism - as intended by central Government - to help influence the location of new development and address community needs at a local level.

Had the Oxspring Neighbourhood Plan been positively prepared it would have sought to influence the preparation of the Barnsley Local Plan in its early stages of preparation and as

a result would ensure that the identified needs and desires of the village could be delivered.

Our position in this regard is corroborated by the minutes of the Neighbourhood Plan Steering Committee meeting on 21 May 2014 which identify that:

"An option highlighted by the Local Authority was that the residents of Oxspring, through the emerging Neighbourhood Plan could identify and prioritise a number of potential sites, from least preferred to more acceptable, for different land uses, including housing development. The Local Authority could then consider these sites as part of their Strategic Housing Land Review which is to be completed by the autumn." (Our Emphasis)

Clearly the Council were seeking, and wholly willing to take into consideration, the views of Oxspring residents expressed through the Neighbourhood Plan Process, in respect of which sites would be suitable for future housing development. However, despite a review of the formal meeting minutes on the Neighbourhood Plan Website and following Freedom of Information requests, we are not aware that such work was ever undertaken by the Neighbourhood Plan Steering Committee or Sub-Groups.

There has been a multitude of correspondence between ourselves, the Neighbourhood Plan Steering Committee/Parish Council and the Council since the beginning of the Neighbourhood Plan preparation process in 2013, which is too numerous to include with this consultation response, however this documentation has been made available by us, acting in an open and transparent manner at every stage, and can be viewed online at: www.Oxspring-Fields.co.uk

We also believe that the proposal to adopt the Oxspring Neighbourhood Plan at this juncture is premature on the basis that the Examination in Public, which is currently underway in respect of the Barnsley Local Plan, has not yet reached its formal conclusion. This is particularly important as the Neighbourhood Plan should not undermine strategic policies of the Local Development Plan and any modifications to this overarching statutory document could necessitate further changes to the Oxspring Neighbourhood Plan.

Importantly in this respect, the Barnsley Local Plan Inspector has already made clear within an interim findings report, that if the Barnsley Local Plan is to be found sound it should have a more positive approach to the future of the Borough's villages.

Several potential sites have since been proposed and rejected in the Borough's villages since the Interim Findings report was published on 15 August 2017 (on site specific grounds) including sites EC6 and EC7 in Oxspring, which were both been removed by the Council (before they could be examined by the Inspector) due to their proximity to a localised heritage asset and following concerns expressed by Historic England. However, notwithstanding this, in settlement assessment work undertaken by the Council at the request of the Local Plan Inspector, Oxspring has been identified as one of the most sustainable western villages, which led to the proposed allocation of sites EC6 and EC7.

This confirms our view that Oxspring is a sustainable village settlement which is capable of

accommodating housing development to meet identified needs.

Considering that the majority of the sites proposed by the Council in the Borough's villages were rejected by the Inspector (on site specific grounds) we now believe that the level of housing development proposed in the Borough's villages (including in Oxspring considering its acknowledged sustainability) does not now properly take account of the Inspector's earlier direction to take a more positive approach to the future of the Borough's villages and that several additional sites must be identified in these locations for the Local Plan to be found sound.

On this basis we recently sought a legal opinion from leading counsel, Sasha White QC (attached at Appendix 4) which was submitted to the Local Plan Inspector on 11 July 2018 as a critical friend and identifies that:

- The Inspector has rightly invited comments on the omission of sites as part of the consultation on main modifications. The clear gap created means that the current solution offered by the Council to address the Inspector's interim findings will not at present be sufficient (Para 8)
- To ensure that the Barnsley Local Plan is sound and the significant reduction in housing allocations and safeguarded land is remedied, in our view it is necessary for the Council and the Inspector to actively identify substitute sites. Otherwise, the Inspector's initial concerns about soundness will go unaddressed (Para 9)
- Without prejudice to other concerns raised by Yorkshire Land regarding (1) the sufficiency of the housing requirement, (2) the sufficiency of the allocated sites to meet that requirement, and (3) inadequacies in the assessment and selection of sites for development (all of which may be separate grounds of challenge if not properly addressed), it seems to us that the present predicament can be readily resolved by actively considering alternative sites proposed by Yorkshire Land (Para 10)
- This is a convenient and available solution to the problem, and will have the double benefit of mitigating the serious errors Yorkshire Land allege to have occurred in ARUP's Green Belt review and the site selection process (Para 11)
- The need to find replacement sites is particularly acute in Oxspring, given the findings of the 2014 Housing Needs and Capacity Study for Oxspring, which was undertaken by independent consultants 'URS'. (Para 12)

[For the avoidance of any doubt the only remaining deliverable sites for residential development to meet the needs of Oxspring are of course YLL's Oxspring Fields and Millstones sites]

- There is still a full opportunity for a constructive approach to be taken to addressing the loss of sites. If this opportunity is not taken, and the BLP is adopted without

filling the gap left by the above sites, then the Barnsley Local Plan will be at serious risk of a challenge under section 113 of the PCPA (Para 14)

- We suggest that the Inspector and the Council make it clear that it is either inviting written representations, or an additional hearing, to consider alternative sites to replace those either withdrawn by the Council or rejected by the Inspector at Stage 4 (Para 15)
- If this approach is not taken, then it is not clear how the Inspector can reasonably conclude that her interim concerns about the approach to housing in villages have been addressed (Para 16)

For the reasons identified in this consultation response, we believe the Oxspring Neighbourhood Plan requires significant amendments before it can be deemed to be deliverable in accordance with National Planning Policy Guidance and proceeds to independent Examination. Notwithstanding this, we also believe that any proposed adoption of the Oxspring Neighbourhood Plan should be postponed until such time as the Statutory Local Development Plan has reached the end of its formal Examination in Public and is adopted by the Secretary of State, to ensure that the Neighbourhood Plan properly conforms with and does not undermine its Strategic Policies.

Until such time as the Local Plan Examination in Public has reached its conclusion, modifications to strategic policies of the Barnsley Local Plan may be identified and necessitated by the Inspector, in which case a premature adoption of the Oxspring Neighbourhood Plan may render the Neighbourhood Plan an unsound and extraneous document insofar as it is affected by any modifications and moreover, may incur unnecessary extra expense to the public purse in addressing any necessary amendments and repeating the consultation and examination processes.

We respectfully request that these comments are fully considered alongside the comprehensive representations submitted by ourselves and our planning consultant, PB Planning, to the previous consultation stages in respect of the Oxspring Neighbourhood Plan and that we are kept informed of any developments in this regard.

Yours sincerely
YORKSHIRE LAND Limited



Samuel S. Green
Business Manager

Encs	Appendix 1	-	Letter to Oxspring Neighbourhood Plan Joint Chair, 23 October 2015
	Appendix 2	-	Letter to Oxspring Parish Council, 16 February 2016
	Appendix 3	-	Letter to Oxspring Parish Council, 09 March 2018
	Appendix 4	-	Legal Opinion of Sasha White QC, July 2018

APPENDIX 1

YORKSHIRE LAND

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Our Ref YLL/NP/10.01b

23 October 2015

www.Oxspring-Fields.co.uk

Mrs Ann Walker / Mrs Cheryl Kelleher
Joint Chair of Oxspring Neighbourhood Plan
c/o 9 Brookfield
Oxspring
SHEFFIELD
S36 8WG

Dear Mrs Walker / Mrs Kelleher

OXSPRING NEIGHBOURHOOD PLAN

You may be aware that our Planning Consultant Mr Paul Butler of PB Planning wrote direct to your appointed planning advisers 'Kirkwells' on 7 October 2015 raising a number of valid concerns with regards to the ongoing preparation of the draft Oxspring Neighbourhood Plan (ONP).

The main concerns raised in Mr Butler's letter relate to meeting the **Identified Housing Needs of Oxspring** which have been quantified in an **evidence based** 'Housing Needs and Capacity Assessment' formulated by independent consultants URS, who were commissioned by Planning Aid England in October 2014 on behalf of OPC/ONP.

As key stakeholders in Oxspring we are a little disappointed that, prior to being prompted by Mr Butler on 21 October 2015, Kirkwells failed to acknowledge receipt of the letter and enclosures, which had been sent approximately two weeks earlier. The letter was also copied to the clerk of Oxspring Parish Council (OPC) and it is now available to read online at www.oxspring-fields.co.uk.

The intent of this letter is to bring your attention to both historical and more recent evidence base documentation which shows how members of OPC and ONP have repeatedly confirmed their desire to deliver a comprehensive Community/Sports pavilion on the sports field for the benefit of Oxspring.

OPC first gained planning permission for a Community/sports pavilion in 2008 (Planning Reference 2008/1249), subsequently gaining an extension of time in 2011 (Planning Reference 2011/0785) before the permission time expired in August 2014.

A webpage which is dedicated to providing background information about the sports/community facility, including its previously approved location and design (www.oxspring-centre.org.uk) highlights the many fund raising attempts (Charitable and public sector grants to local resident donations and a 'stakeholder wall' scheme) which were undertaken prior to the expiration of planning permission in 2014, all of which were unfortunately unsuccessful

Interestingly, whilst reading through the website we found that:

1. *Barnsley Council Leader Sir Stephen Houghton CBE enabled a meeting to discuss support for the centre's place within the borough's strategic provision for sport and leisure (Essential to attract funding for building);*
2. *Angela Smith MP took an interest in the project and met with members to get gain more information; and*
3. *The project gained publicity through an "in depth" interview on Penistone FM.*

These high profile interventions reflect the strenuous efforts of Parish Council members, individuals and other organisations who worked tirelessly over a number of years in an attempt to obtain the funding required to deliver the facility.

More recently, the decision to formulate a Neighbourhood Plan for the Parish appears to have renewed ambition for the delivery of the facility, and we are very pleased to see that the Neighbourhood Plan Steering Group has included provision for such a building in the "Consultation Draft Neighbourhood Plan of January 2015"

Our review of numerous minutes and newsletters of ONP and OPC (which can be found on the ONP and OPC websites) has identified that the **ONP and OPC accept Oxspring will accommodate more houses and that, if handled correctly, this may be a positive thing; strengthening the community, whilst importantly providing significant funding for neighbourhood projects, including for the long held ambition to provide up to date changing facilities along the lines of the previously approved but now lapsed plans for improved facilities on the playing fields' site:**

Parish Newsletter – Spring 2014

"A NP cannot set an agenda against development and change. There is a housing crisis across the Country, let's not turn it into a crisis for our village or for our Parish. We will not turn the tide against housing growth set by Central and Local Governments, but if we work together we can find a solution that could improve all of our lives young and old, now and in years to come. The challenge is for us all to create our NP."

NP Steering Committee – 10 April 2014

"If we are going to have more housing it may well be that we need to increase the facilities that are available to support additional housing, i.e. shops, other business ventures, doctor's surgery facilities etc. We are not suggesting that we inundate our village with lots of different buildings, but it may be viable to consider that if we are ever successful in building our sports hall on the village football field, that we might for instance be able to rent out space to someone wanting to sell refreshments, host a doctor's surgery, hire cycles for the trans-Pennine trail etc."

NP Steering Committee – 21 May 2014

"A discussion took place regarding some of the conflicting information and aspirations that have been gathered so far, such as a piece of land that might be suitable for building, but that might also have been identified as space that people in the village might want to protect. Ruth Rovira Wilde advised that she had spoken with the planning officers at the Local Authority and asked for their advice on how best to deal with such issues. An option highlighted by the Local Authority was that the residents of Oxspring, through the emerging NP, could identify and prioritise a number of potential sites, from least preferred to more acceptable, for different land uses, including housing development. The Local Authority could then consider these sites as part of their Strategic Housing Land Review which is to be completed by the autumn"

"M Dando (Planning Aid England) suggested that we may wish to request some Consultancy support through the time allocation and resources provided to Oxspring NP. This consultancy could then be used to produce a professional Housing Needs Assessment and Site Appraisal for Oxspring. RRW will contact M Dando to see what the implications are and she will ask him if we should use the BMBC proposed process detailed above... it was also agreed to put some of

Planning Aid England's time to use to help us with the site assessment surveys. This obviously means that we are getting appropriate expertise to assess any possible suitable sites for development in the village."

NP Social Sub Group – 4 September 2014

"The Group discussed in detail the following issues, to be proposed in the overall neighbourhood plan, aimed at developing and improving the social elements of the village, and the wellbeing of current and future residents:

- ***Developing a community spirit*** – it is felt that Oxspring is seen by many residents and visitors as a crossroads and place to simply pass through. However during recent resident's group survey, community spirit is an often mentioned as a priority. It is proposed that in future building and community projects should drive towards creating a 'heart' to the village. This could be achieved with a new development that included -
 - Sports and fitness – Gym, Tennis and badminton etc
 - Changing rooms/ toilet facilities (for visitors to the village as well/Pennine trail)
 - Community Meeting and function facilities (possibly using a private company to run the non educational facilities)
 - Youth Club/ After School club
 - Health care (as Thurgoland), with drop in facilities for Dentist, Chiropody, Opticians etc.
- ***Sports and Leisure*** – School/ Heart of village project would include much of this;
 - General Changing rooms and keep fit facilities, indoor and outdoor
- ***Housing/Accommodation*** – it is clear that Oxspring will have more houses/accommodation, within a short space of time, and around the table the position taken was that if handled correctly, this may be a positive process, and strengthen the community, whilst importantly providing significant funding for the neighbourhood projects."

Parish Newsletter – Spring 2015

*"An audit of the village's existing services and facilities will be undertaken and policies written to protect and enhance those services and facilities for the future. For example, **it has long been an ambition of the village to provide up to date changing facilities etc for anyone using the playing fields for sport and recreation. If it is practicable to do so, in line with Barnsley's emerging Local Plan, a policy will be formed along the lines of the previously approved but now lapsed plans for improved facilities on the playing fields' site. This would include improvements to the fields as well as the construction of a suitable building.** With improved facilities both the school and community sports groups could be encouraged to make more use of the site. This could possibly incorporate a commercial venture such as a café, shop, room for hire or cycle hire business in order to provide the necessary funding to maintain the improved facilities."*

NP Steering Committee – 8 September 2015

"A discussion took place about the first draft of the Neighbourhood Plan produced by Louise Kirkup of Kirkwells. Those present at the meeting felt that the first draft plan was well produced and that the draft policies met the needs and aspirations of the village"

Further evidence of ONP's willingness to accommodate a mix of housing and the delivery of community facilities for the Parish is provided in the Promotional video of a meeting between representatives of the Neighbourhood Plan Steering Committee and Barnsley Metropolitan Borough Council's (BMBC) Senior Planning Policy officer, Ms Helen Willows, which took place on Tuesday 25 February 2014 on the village sports field (<http://www.oxspringplan.org.uk/about/videos/>). A transcript of the video is available at www.oxspring-fields.co.uk

At the meeting it was stated by the then Chair of the ONP Steering Committee, Ms Ruth Rovira-Wilde that:

“The reason we’re here now is because, the current sport fields would, the people in the village would like to develop a sports, a better sports facility for its changing rooms, rather than the shed that they’re occupying at the moment at the other side of the road and ancillary to that we would want to have some other recreational facilities at this particular site (Oxspring Sports Field).”

“.....as a community we think we can support the Local Authority but perhaps be more creative in trying to find a made to measure solution for Oxspring in so far as we know from what local people have told us so far that what we need is affordable housing or at least a mixture that would allow for starter up homes as well as maybe more executive homes and we feel that if we can try to encourage working from homes or businesses that use their home as a base and try to bring in you know starter up units in that respect in the village as well as I mentioned to you if there is a new sports facility that can have some ancillary businesses that are linked to recreation such as a bicycle hire and that its linked to the Trans Pennine trail that might help create jobs in a way that perhaps benefits our village and our parish.” (Our Emphasis)

Via a Section 106 Agreement linked to our Oxspring Fields development, we are committed to providing £500,000.00 (Five Hundred Thousand Pounds) funding to OPC for the delivery of the community/sports pavilion. This should enable OPC to obtain match funding towards the construction of a comprehensive facility for the Parish. Undoubtedly, this not insignificant level of funding will provide OPC with the ability to turn a dream into reality; delivering a 21st century state of the art building with **eco credentials**, that satisfies the needs of all. Such a building would also help to achieve the Community Spirit which was identified by ONP (following public consultation) as a priority for Oxspring.

Our suggested plan of the proposed community building, can be viewed online at www.oxspring-fields.co.uk

Naturally, whilst it is OPC and the local community who should inform the final design of the building, we envisage that it will include modern heated changing facilities with washrooms, an indoor hall (for both sports and community gatherings) and also a Kitchen/bar area. You will recall that in our consultation material, we also proposed an adjoining Drop in Doctors Surgery. With the funding proposed, the inclusion of such a facility is not beyond the realms of possibility, if required.

Once complete, the building would be used as a hub for clubs and events and could even be utilised by Oxspring Primary school during the day time as an extra classroom, if necessary. The facilities would certainly be of benefit to the school children undertaking P.E activities at the sports field (i.e. WC’s, washing and changing facilities). In addition, OPC could rent out the building for a wide range of public or private functions and special occasions, subsequently using the income generated to pay for the upkeep of the facility and also fund other worthy projects around the village.

It is clear that a comprehensive sport/community building for Oxspring would form an invaluable asset, which will help to stimulate vibrancy in the community and further enhance the heart of the village in this specific location, initially chosen by OPC.

You will be also aware of our proposals to deliver a **tourism hub** in the form of the ‘Trans Pennine Trail visitor centre’. This self funding proposal will be operated privately, but has been designed to satisfy both ONP and OPC’s documented desire to incorporate new commercial ventures by providing for a small cafe and WC facilities, cycle hire and repair e.t.c. We believe that this facility (which will also create a number of local employment opportunities) is long overdue, and once built will become very well used and supported. It is nationally recognised that tourist related facilities

help stimulate local economies and promoting tourism is also something which is strongly supported by BMBC.

Our Oxspring Fields proposals have not been formulated to hijack or pre-empt the Neighbourhood Plan, but rather to deliver in full and on one site the complete market and affordable housing needs of the village (which have been identified by an independent and professional consultancy), whilst delivering the vast majority of identified aspirations, and more. Logically, the delivery of this site is the only way in which local aspirations will be realized.

Considering that the existing ONP boundary already includes 3.17ha of our Oxspring Fields site, we would welcome the opportunity of a meeting between ourselves and our respective consultants, to sit down, in a calm and constructive manner, to discuss and consider how a phased development could be the solution, to delivering both the identified housing needs and other aspirations of the Parish.

We trust that you will give this matter your further consideration and look forward to hearing from you with dates of your availability.

Yours sincerely
YORKSHIRE LAND Limited

Steven Green
Managing Director

Cc:	Ms Louise Kirkup	-	Kirkwells Ltd
	Ms Stephanie Tolson	-	Clerk to Oxspring Parish Council

APPENDIX 2

YORKSHIRE LAND

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16 February 2016

Our Ref YLL-OPC-16.05

Sent by email to
opc@tolson818.fsnet.co.uk

OXSPRING PARISH COUNCIL
C/o Ms Stephanie Tolson
Clerk - Oxspring Parish Council
43 Nether Royd View
Silkstone Common
BARNSELEY
S75 4QQ

Dear Member

HOUSING FOR OXSPRING, SUSTAINABILITY OF THE VILLAGE AND THE OXSPRING NEIGHBOURHOOD PLAN

As we have informed you in previous correspondence, our Community Consultation and Engagement event which was held at St' Aidans Church, Oxspring, on 23 January 2016, was extremely well supported by a wide range of interested parties including many Local Residents, Business representatives and a Senior officer of Barnsley Metropolitan Borough Council (BMBC). The Event was held in a totally open and transparent manner and all returned Discretionary questionnaires (a copy of the questionnaire handed out has been provided to Oxspring Parish Council) show an overwhelming favour for development of the Oxspring Fields site over the Safeguarded Land Site located North and South of Roughbirchworth Lane (Draft Local Plan Ref 'SAF18').

Whilst many attendees at our Community Consultation and Engagement Event informed us on the day that they **do support** the general aspirations of the Draft Oxspring Neighbourhood Plan (DNP) in seeking to encourage such things as a Sports/Community Building, new and enhanced links to the Trans Pennine Trail and Riverside and Small scale Tourism facilities e.t.c, many local people also expressed concern that the DNP fails to properly address the need to deliver new housing to satisfy the identified housing requirements of the village. This valid concern appears to be consistent with comments made on video by the previous chair of the Oxspring Neighbourhood Plan Steering Committee that **"...we know from what local people have told us so far that what we need is affordable housing or at least a mixture that would allow for starter up homes as well as maybe more executive homes."**(Our emphasis)

Additionally, a recurring and important question asked by many attendees was:

How can Oxspring Parish Council ever realistically deliver any of the aspirations in the Neighbourhood Plan when they do not have the required money and resources available?

We can inform you from the proceedings of our consultation event and the detailed feedback received since, that a majority of local residents identify our 'Oxpring Fields' development proposals

as the only viable and realistic opportunity to deliver the identified aspirations of the DNP. **Crucially, this highlights the existence of a major flaw in the DNP in that it does not currently address how the identified housing requirements and community infrastructure aspirations will be delivered in the Neighbourhood Plan period to the year 2033.**

HOUSING FOR OXSPRING

The Draft Oxspring Neighbourhood Plan (November 2015) at paragraph 2.6 states that:

*"In 2014 the Parish Council, through PAE (Planning Aid England), asked consultants URS **for specialist advice in relation to housing needs and capacity**.... Housing need will be met predominantly in Penistone: only small infill windfall sites will come forward in Oxspring. This is because Penistone is considered to be a more sustainable settlement with a range of services and facilities." (Our Emphasis)*

For clarity, the URS Housing Needs and Capacity Assessment identifies Housing Need in **Oxspring** (not Penistone) across a range of house types including **affordable**. The findings of this assessment are reinforced by comments of the former chair of the Oxspring Neighbourhood Plan Group which are captured in a promotional video available on the Oxspring Neighbourhood Plan website entitled "Discussion with NP team and BMBC Planning Officer Part 1" (<http://www.oxspringplan.org.uk/about/videos/>):

*"...as a community we think we can support the Local Authority but perhaps be more creative in trying to find a made to measure solution for Oxspring in so far as **we know from what local people have told us so far that what we need is affordable housing or at least a mixture that would allow for starter up homes as well as maybe more executive homes** and we feel that if we can try to encourage working from homes or businesses that use their homes as a base and try to bring in starter up units in that respect in the village as well as I mentioned to you if there is a new sports facility that can have some ancillary businesses that are linked to recreation such as a bicycle hire and that is linked to the Trans Pennine Trail that might help create jobs in a way that perhaps benefits our village and our parish." (Our Emphasis)*

Affordable housing which will arise from new housing developments in Penistone is required to meet the housing needs of Penistone.

In July 2015, long prior to the publication of the latest DNP, Oxspring Parish Council and its associated Neighbourhood Plan Steering committee were provided with a comprehensive report commissioned by ourselves and undertaken by Planning consultants 'PB Planning' entitled "Oxspring Windfall and Safeguarded Land Capacity and Deliverability Assessment". The report is attached and we request that it is read in conjunction with this letter. In short, The report justifiably concludes that there are insufficient deliverable small scale windfall sites to meet Oxspring's identified housing needs and that unless the Safeguarded Land located North and South of Roughbitchworth Lane (Draft Local Plan Reference 'SAF18') is released for housing development to meet Oxspring's identified housing requirements, then our proposed Oxspring Fields site should be released to accommodate these needs.

Firstly, In the event that there were sufficient deliverable small scale windfall sites available in Oxspring (although this is not the case) BMBC Policy dictates that developments of less than 15 dwellings are not required to provide affordable housing as part of any proposed development mix. Whilst we acknowledge that Draft Policy OH1 of the DNP does recognise this fact, it only identifies that new housing development for between **two and nine** houses will be supported; clearly, developments of this size will not deliver the Neighbourhood Plan aspiration for new affordable homes to meet local needs. A primary example of this is the development of what was a windfall site

on Roughbircworth Lane, Oxspring. This site was owned by former Oxspring Parish Councillor A Wood who sold it after having been granted planning permission by BMBC for the construction of large detached houses upon it. Oxspring Parish Council did not object to the fact that the development scheme does not provide affordable homes in order to provide suitable accommodation for first time buyers, young families and older people wishing to downsize to smaller properties, despite it seeking to encourage such on windfall sites in the village to meet local needs as part of the Neighbourhood Plan. This demonstrates that where a windfall site becomes available, naturally, landowners are most likely to promote their site for maximum financial gain and there is a recognised need and demand for more Large Executive style homes in Oxspring. On this basis, only new housing developments consisting of fifteen dwellings and above will deliver affordable housing.

Secondly, Oxspring Parish Council supported by many local residents and representatives has on two separate occasions during the Barnsley Development Plan Review requested that BMBC return the Safeguarded Land Site 'SAF18' to Green Belt designation, citing a range of factors and viability concerns including:

- An Unwilling Landowner;
- Traffic and Safety Constraints; and
- Drainage issues

Clearly Oxspring Parish Council does not wish to see the Safeguarded Land Site 'SAF18' developed.

We enclose for your attention and consideration two separate 'Flood and Drainage Feasibility' Reports which have been undertaken on our behalf by 'Topping Engineers' and contain an assessment of our proposed Oxspring Fields site and the Safeguarded Land Site 'SAF18'. Briefly, these reports conclude that:

OXSPRING FIELDS

- The proposed Residential Site **is not at risk of flooding**;
- Gravity Flow Drainage systems for both foul and surface water are achievable based on topography **without the need** to provide pumping stations.

SAFEGUARDED LAND SITE 'SAF18'

- **The site is at risk of flooding** should the upstream highway drainage fail;
- Drainage Capacity represents a significant risk to the feasibility of the site;
- Gravity Flow Drainage systems for both foul and surface water **are not achievable** based on site topography without the need to provide **two separate pumping stations** on each land parcel (North and South of Roughbircworth Lane) for both surface and foul water;
- Any specific site layout proposals will need to take the requirements for pumping stations and the associated 15 metre no build zone into account.

Whilst the proposed Oxspring Fields site is considered suitable to accommodate housing development in drainage terms with no feasibility constraints identified, the Safeguarded Land Site

'SAF18' has significant feasibility issues which render the site financially unviable for housing development due to the fact that any development scheme will need to incorporate two pumping stations (which each require a 15 metre no build area and will reduce the developable area of the site) and technically because it has also been identified that drainage capacity issues are likely to exist at the site.

Even if the Safeguarded Land Site 'SAF18' were viable for new housing development, it would not satisfy the National and Local environmental aims (including in the Oxspring Neighbourhood Plan) of seeking to minimise energy consumption and reduce carbon footprints, this is because the required pumping stations would result in a heightened usage of energy/electricity (24 hours a day for 365 days a year) when compared with a site where pumping stations are not required (i.e. the 'Oxspring Fields' site where Drainage is viable via Gravity Flow). The Safeguarded Land Site 'SAF18' is therefore less sustainable than the proposed Oxspring Fields site. Additionally, another factor for consideration is that in the event a prolonged power outage was to occur, the pumping stations on the Safeguarded Lane Site 'SAF18' would cease to operate with a flood and pollution likely to ensue; this could result in damage to properties within the immediate vicinity of the development.

Considering the above **facts**, we question how the identified housing requirements of **Oxspring** (including affordable) can ever be delivered in the plan period to the year 2033 without the delivery of new housing arising from the Oxspring Fields development, which will enable the construction of 36 new affordable homes to meet local needs. Significantly, if the proposed DNP policy that 'Oxspring's Housing needs will be predominantly met in Penistone' is progressed; this will only enable the delivery of new affordable homes in Penistone, not Oxspring, and this will ultimately result an ever growing requirement for new housing in Oxspring, above that identified in the URS Housing Needs and Capacity Assessment.

Yorkshire Land Limited and its full team of professional advisers believe that on this basis alone the Draft Neighbourhood Plan is likely to be successfully challenged.

SUSTAINABILITY OF OXSPRING

Whilst we wholly agree with the DNP statement at paragraph 2.6 that "Penistone is considered to be a more sustainable settlement with a range of services and facilities" this **does not mean** that Oxspring is by definition 'Unsustainable'. **In fact, the village has been identified as Sustainable** and this is unquestionably evidenced by BMBC's own adopted Unitary Development Plan (UDP) policies, the comments of the Senior Planning Inspector who found the UDP a sound Development Plan (thereby endorsing its content), written scripture of Oxspring Parish Council/Oxspring Neighbourhood Plan Steering Committee/Sub Groups, and comprehensive reports commissioned by ourselves and undertaken by leading consultancies.

Paragraph 4.1 of the DNP states that "Oxspring is a small village community..." and at paragraph 6.1.3 that Oxspring is "...considered to be an unsustainable location for large housing developments because it lacks services and facilities, and has limited transport accessibility."

Firstly, the statement that Oxspring has 'limited transport accessibility' wholly contradicts paragraphs 4.3 and 6.3.9 of the same DNP document which state that:

Paragraph 4.3

*"The Village (Oxspring) has **good accessibility** to public transport, there are direct bus services to Penistone, Barnsley and Sheffield running on a regular basis. The nearest train*

station is only a couple of miles away at Penistone, with direct, hourly services to Huddersfield, Barnsley, Meadowhall and Sheffield.” (Our Emphasis)

Paragraph 6.3.9

*“The village (Oxspring) is positioned on the Trans Pennine Trail (TPT) and is **easily accessible** by foot, cycle and horse users from other areas.” (Our Emphasis)*

The statement also contradicts the ‘Travel and Transport’ page of the Oxspring Parish website which has confirmed for many years (prior to the production of the Neighbourhood Plan) that:

- A. Oxspring is well connected with good links to both public transport and the national road network;
- B. The nearest train station is only a couple of miles away at Penistone, with direct services to Huddersfield, Barnsley, Meadowhall and Sheffield;
- C. Oxspring is well served by local bus services with direct services to Penistone, Barnsley and Sheffield running on a regular basis; and
- D. Oxspring is close to the motorway network with the M1 being only 10 minutes drive away. For those going westward, then the start of the Woodhead Pass (A628) is again only 10 minutes away.

Perhaps most importantly however, both statements of the DNP **wholly contradict the adopted Barnsley UDP** (Volume 13 – Western Rural Community Area) which **identifies Oxspring** as a ‘Selected Village’ at section 2.16 Village Hierarchy:

*“These are where the majority of housing developments in the Community Area will be located; mainly on sites exceeding 0.4 hectare. Generally, these are the **larger villages which have the range of services and facilities considered sufficient to accommodate a modest level of development and where it is not considered that the level of development proposed would adversely affect their character.**” (Our Emphasis)*

Furthermore, paragraph 4.12 of the adopted UDP also identifies that:

*“Oxpring 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.**” (Our Emphasis)*

Finally, the Senior Planning Inspector of the UDP stated in paragraph 13.4.219 of this Inspectors Report that:

*“I consider Oxspring is well located in the Community Area for additional housing development. **This is particularly so in the light of its relationship to Penistone** and*

the proposed allocation of land for employment development at the former Oxspring sidings (WR8/1).” (Our Emphasis)

This comment was made by the UDP Inspector following his extensive and detailed Public Inquiry at which detailed evidence was presented for his consideration from many sources. We believe it is highly pertinent and equally applies to the present day circumstances, especially considering that the only proposed Employment Site contained within BMBC’s Draft Local Plan to meet the employment needs of the Principal Town of Penistone and the Western Rural Area until the end of the Local Plan Period in 2033 is located within the Parish Boundary of Oxspring. This site is identified with Draft Local Plan Reference ‘P2’ and is located North of Sheffield Road, Oxspring.

Taking all of these factors into consideration, it is apparent that paragraph’s 4.1 and 6.1.3 of the DNP are inaccurate. We therefore request that they are amended in the next version of the DNP.

BMBC PRECEDENT FOR DEVELOPMENT IN THE VILLAGES

BMBC has recently approved a number of planning applications for new housing developments in the Western Villages of the Barnsley Borough, including at Ingbirchworth and Hoylandswaine.

The Hoylandswaine Application (BMBC Planning Reference: 2014/0754) was submitted by Barratt and David Wilson Homes for the construction of 60 large executive style homes and 7 affordable homes on land off Church Lane. A financial contribution was also agreed by the developer to fund a further nine affordable homes offsite. This planning application was approved by BMBC’s Planning Regulatory Board on 17 February 2015 and we believe it is highly relative and supportive of our case for the release of the Oxspring Fields site from the Green Belt as part of the Barnsley Local Plan Process. Of vital significance to our Oxspring Fields development proposals is the fact that in considering the planning application by Barratt and David Wilson Homes, BMBC’s planning officers undertook a thorough assessment of the three dimensions of Sustainable development; Economic, Social and Environmental. In determining the planning application BMBC concluded that on balance the development of new homes in the village (which like Oxspring is also identified as a selected village in the UDP) is Sustainable.

When considering the Planning Application by Keyland Developments Limited for the construction of 13 detached executive style dwellings (delivering no affordable housing) on Land off Wellthorne Lane, Ingbirchworth, BMBC again assessed its performance against the three dimensions of Sustainable development. Although Ingbirchworth is situated a greater distance from Penistone than Oxspring or Hoylandswaine, its Bus Services are limited and it does not have a school (in fact BMBC specifically noted within its Planning Report that ‘services are limited within the village’) it was concluded that:

“Overall, whilst some of the contributions to Sustainable development would be largely neutral the sites location adjacent to existing housing within 400 metres of a Bus stop and opposite a public house and recreation ground, means there are considered to be sufficient credentials to consider that the presumption in favour of sustainable development applies.”

We attach for your attention the ‘Sustainability’ section of BMBC’s Planning Report regarding the approved Hoylandswaine Planning Application. Having carefully considered the statements made by BMBC in this report, it is evident that the majority equally relate (and if not more so) to Oxspring and our proposed Oxspring Fields development. For instance:

- BMBC identify that Economic benefits are delivered by all residential developments but that they gain more weight the larger the development proposed. In this regard, the proposed

Oxspring Fields development is larger than the development approved by BMBC at Hoylandswaine and the level of benefits proposed far outweigh those which will be delivered by the approved development at Hoylandswaine or are currently proposed by any development in the West of the Barnsley Borough.

- BMBC confirm that the 'Strategic Housing Market Availability Assessment' demonstrates a clear need for affordable homes in the west of the Borough and also acknowledge that this attracts significant weight in favour of the development proposal. In Oxspring, **this fact is further strengthened and compounded** by the findings of the URS Housing Needs and Capacity Assessment which has been commissioned as part of the Oxspring Neighbourhood Plan Process and identifies that **Oxspring specifically** has a housing requirement. No other Western Village of the Barnsley Borough has undertaken a Housing Needs and Capacity Assessment which confirms that housing is required.
- BMBC's statement that **private housing is required in order to viably deliver affordable homes** also adds significant weight and credibility to our viewpoint that the Oxspring Fields development Proposals represent the only viable method presently available to ensure that the identified Housing needs and Community infrastructure aspirations of Oxspring are delivered over the Local and Neighbourhood Plan Period to the year 2033.
- BMBC are clear that significant land will need to be taken out of Green Belt in order to get close to the identified housing growth figure of 1471 homes within Penistone between 2014 and 2033 and identify that three current Green Belt sites (H80, H81 and H82) are proposed, which have a total indicative figure of 975 dwellings.

We can reliably inform you that Detailed site plans have now been prepared for site 'H82' in Penistone showing a maximum density of 35 dwellings per hectare/ 15302.9 square feet per acre, and that on this parcel of land alone, there is a shortfall of 122 (One Hundred and Twenty Two) dwellings from BMBC's published dwelling yield figures. We also expect further shortfalls from BMBC's other identified Green Belt sites within the area, and this will result in a reduction of the number of new homes (including affordable) delivered. BMBC will therefore need to identify Additional Housing Sites to meet its identified growth figure.

- BMBC make clear in their Planning Report that whilst provision of housing within Hoylandswaine would not count toward meeting the needs within Penistone, Hoylandswaine is one of the closest villages within the Rural West to the Principal Shopping Area of Penistone. Indeed, this is wholly applicable to the circumstances in Oxspring where in a reverse situation, placing Oxspring's housing needs in Penistone would not count toward meeting the housing needs within Oxspring, a location where consultants URS working on behalf of Oxspring Parish Council to give specialist advice, have identified **specifically** has a requirement for new housing.

Secondly, in terms of Hoylandswaine being one of the closest villages in the Rural West to the Principal Town of Penistone, Oxspring is superior because it directly adjoins the built form of Penistone. The B6462 Sheffield Road which traverses the length of Oxspring is also the Main spine Road into and out of Penistone and furthermore, the Trans Pennine Trail which runs through Penistone also forms the 'backbone' of Oxspring and serves as the Southern Boundary of the Oxspring Fields site, the two settlements are therefore linked Sustainably; Hoylandswaine does not have these features or a Village Store and Post Office and is located a further distance away from Penistone. Undeniably, **No other Western Rural village shares the same physical connectivity and inextricable links with Penistone as Oxspring. Unlike any other settlement** within the Western Rural Area the relationship of Oxspring to Penistone is **specifically identified** by the Senior UDP Inspector in paragraph 13.4.219 of his Inspectors report, as set out above.

In January 2015 we commissioned a “***Sustainability and Accessibility Assessment***” of Oxspring. This was undertaken jointly between Pell Frischmann (one of the UK’s leading firms of consulting engineers) and PB Planning and takes account of a myriad of factors, concluding that Oxspring is a highly Sustainable location given its Accessibility and Connectivity to a wide range of services and facilities; this comprehensive assessment was provided to Oxspring Parish Council and the Neighbourhood Plan Steering Committee months prior to the publication of the DNP, however, we enclose with this letter for your ease of reference.

The findings of the ‘Sustainability and Accessibility Assessment’ regarding the ‘Accessibility’ of the settlement are also supported by South Yorkshire Transport Executive (SYPTe). In a Formal letter from SYPTe’s Planning Officer, dated 12 June 2014, regarding the proposed Oxspring Fields development, it is confirmed that:

“The proximity to the Trans Pennine Trail (TPT) is a very good feature of this site and this should not be overlooked. The High levels of accessibility to the TPT promote this site as a very sustainable option given the connections to a high quality High Quality walking and cycling network. Although this is not picked up within site assessment criteria, this should be stated within any supporting document. As the site is within 2km from the station (Penistone 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.”

This statement from SYPTe accords with section 6.3.9 of the DNP which as set out above, confirms that the village (Oxspring) is positioned on the Trans Pennine Trail (TPT) and is **easily accessible** by foot, cycle and horse users from other areas.

In comparing the Sustainability of Oxspring and Hoylandswaine, we contend that upon detailed examination of the evidence base, a Planning Inspector would conclude that Oxspring is **by far** the more sustainable of the two settlements. This is because of its closer proximity to the Principal Town of Penistone and its Railway station (where it is proposed to construct a ‘Strategic Transport Interchange’) which can be directly accessed by more sustainable means than the private car from Oxspring, including on foot or by bicycle using the Trans Pennine Trail and because, unlike Hoylandswaine, Oxspring does have:

- A Village Store and Off Licence
- A Post office
- Employment Facilities/Business Parks
- More Bus Stops with a greater frequency of Buses and Direct Services to Sheffield (as identified by Oxspring Parish Council and the DNP)
- The ‘B6462’ Sheffield Road (B-Road) traversing the length of the village.
- The Trans Pennine Trail Traversing the length of the Settlement, connecting it with Penistone and its Railway Station, which is just seven minutes away by bicycle.
- Allotments and a higher proportion of dedicated Public Greenspace e.t.c

Additionally, as set out above the only proposed Employment Site contained within BMBC’s Draft Local Plan to meet the employment needs of the Principal Town of Penistone until the year 2033 is located within the Parish Boundary of Oxspring. When developed, this will form the third business park in Oxspring and at 3.27ha, it will certainly be the largest serving the Penistone and Western Rural Area. This point again reinforces Oxspring’s Sustainability in demonstrating its ability and capacity to accommodate further development.

Crucially, when considering new housing developments in Hoylandswaine and Ingbirchworth **BMBC have assessed them to be Sustainable** and granted planning permission accordingly, this clearly puts

beyond question Oxspring's credentials as a Sustainable settlement **because Oxspring has more Services and Facilities, better Accessibility and is situated in a Superior Location.**

All in all, taking into account the mountain of evidence across a broad range of sources (including from BMBC and Oxspring Parish Council) which points to the fact that Oxspring **is a Sustainable Village location**, we request that the next version of the DNP is amended accordingly to show this.

CONCLUSION

Oxspring is a sustainable Village which **unlike any other Western Village within the Barnsley Borough** has an assessed and identified Housing Need for a range of House Types, including Affordable. This fact is supported by the material evidence base which is referenced in this letter; there is no credible evidence which indicates that Oxspring is unsustainable.

A professional Planning Consultancy (PB Planning) has identified in the attached report entitled "*Oxspring Windfall and Safeguarded Land Capacity and Deliverability Assessment*" that there is an insufficient number of deliverable windfall sites within Oxspring on which the identified housing needs can be delivered. We have also identified that the Safeguarded Land site North and South of Roughbitchworth Lane (Draft Local Plan reference 'SAF18') is not viable for housing development; this is evidenced by the findings of the "*Drainage and Flood Feasibility Report*" produced by Topping Engineers. **Therefore, the identified Housing needs of Oxspring cannot be met over the plan period to the year 2033 without the need to release land from the Green Belt.**

BMBC has confirmed in its Draft Local Plan that the Boroughs Housing Needs and Aspirations cannot be accommodated without the need to remove land from the Green Belt and **importantly** the Adopted Development Plan for the Borough **does not restrict development within the Boroughs villages** provided it is necessary for the viability of the settlement and to meet local needs. Furthermore, the Draft Local Plan sets out in section 5.4 'Spatial Strategy and Location of Growth':

"Development in the villages will be encouraged where it meets local needs and supports vitality, the local village economy and viability of the local community... development may take place in villages where it is allocated through a Neighbourhood Plan..."
(Our Emphasis)

In this regard, we wish to emphasise that the DNP identifies in paragraph 6.1.4 that the long term **viability** of the Parish is compromised by the lack of affordable housing and paragraph 6.1.5 identifies that the findings of the URS Housing Needs and Capacity Assessment demonstrate that in the interest of providing suitable housing for local people, retaining young people, families and older people wanting to downsize and thus having a sustainable and balanced population, a small amount of **housing growth is critical**.

The DNP also sets out a number of aspirations which aim to **meet Local Needs**, strengthen the **viability of the community** and support and grow the **local Village Economy** but fails to identify how these aspirations can be funded or delivered.

It is for all of these reasons why we believe there is a compelling case for the allocation of the Oxspring Fields site as a housing proposal within the Draft Barnsley Local Plan and we question why Oxspring Parish Council will not support the release of the proposed Oxspring Fields site from the Green Belt as part of BMBC's Local Plan process, considering that 3.17 ha (7.83 acres) is already contained within the adopted Oxspring Neighbourhood Plan Boundary and it is the only available and

deliverable mechanism to ensure that Oxspring's identified housing needs and community aspirations are delivered in the Neighbourhood Plan Period to the year 2033 ?

Furthermore, we have been informed that Hunshelf Parish Council would support the Oxspring Fields Proposals should they be endorsed by Oxspring Parish Council and as set out above, the Draft Barnsley Local Plan states that development may take place in villages where it is allocated through a Neighbourhood Plan.

It is stated in the Oxspring Parish Spring Newsletter 2014 that a Neighbourhood Plan cannot set an agenda against development and change, there is a housing crisis across the Country, let's not turn it into a crisis for our village or for our Parish. **However, we contend that Oxspring Parish Council's current failure to properly address the identified requirement for new housing in Oxspring is creating a housing crisis for the Parish.**

As we have informed you previously the Oxspring Fields Site has been assessed and scored the highest possible grade as a 'category 1 deliverable' development site within BMBC's Strategic Housing Land Availability Assessment (SHLAA) which was commissioned in order to provide BMBC with information on the land available to meet housing requirements across the Barnsley Borough and evidence driven advice to inform the allocation of appropriate sites in the emerging Local Plan.

The proposed Oxspring Fields site is contained within Strong, Logical and Enduring boundaries and development in this location will importantly maintain Oxspring's historical linear pattern of development.

Whilst the Oxspring Fields site has not subsequently been identified as a possible housing site within the **Barnsley Green Belt Review** undertaken by Arup on behalf of BMBC. We have made it clear in paragraphs 3.4 to 3.21 of our latest representations regarding the Draft Oxspring Neighbourhood Plan (compiled and submitted to Oxspring Parish Council in January 2016 by PB Planning) why we believe this process is flawed. BMBC is wholly aware of our position in this regard and that we will have no alternative than to challenge the Green Belt Review Document if it is not amended as part of the ongoing Local Plan Preparation Process.

We once again reiterate our desire to work in harmony with Oxspring Parish Council and the Oxspring Neighbourhood Plan Steering Committee to ensure that the Oxspring Neighbourhood Plan is both sound and deliverable. The proposed Oxspring Fields Development represents the only viable and realistic opportunity to guarantee this and will satisfy the majority of the aspirations set out within DNP including:

- **New Housing to meet Local Needs**
- **A Sports/Community Building**
- **New and Improved access to the Trans Pennine Trail**
- **New and improved links to the Riverside**
- **New Green Infrastructure**
- **Small scale Visitor/Tourism facilities including a cafe and catering facilities**

The Oxspring Fields development both during and post Construction will generate much welcome trade and custom for local services including the two Public Houses, General Store and Post office, thereby helping to ensure the long term viability of these businesses. Equally, the proposed Tourism Hub with cafe/tearoom and refreshment facilities will create local employment opportunities with the ability to serve and sell locally grown produce. Such a facility will undoubtedly attract visitors with spending power into the area and this will both help to sustain and grow a thriving local economy in accordance with DNP Policy 'OEMP1'. **Having an extensive knowledge of Oxspring, we are unaware of any site within the centre of the village where such a facility (which will also require adequate provision of visitor parking) could be accommodated. By providing our proposed 'Tourism**

Hub' facility alongside the Trans Pennine Trail it will support Oxspring whilst providing toilet and refreshment facilities for those persons travelling along the Trans Pennine Trail. This is also a far superior location for any bicycle hire and maintenance business.

We kindly request that you properly consider and reflect carefully on the full content of this letter and that a meaningful response is provided shortly.

Yours sincerely
YORKSHIRE LAND Limited

Steven Green
Managing Director

Cc	Mr Joe Jenkinson	-	Head of Planning, Barnsley Metropolitan Borough Council
	Mr Paul Butler	-	Managing Director, PB Planning Limited

Encs *Topping Engineers, Drainage and Flood Feasibility Report – Oxspring Fields*
 Topping Engineers, Drainage and Flood Feasibility Report – Roughbitchworth Lane
 Sustainability Section of the Barnsley MBC Planning Report Regarding Planning Application Reference 2014/0754
 Oxspring Windfall and Safeguarded Land Capacity and Deliverability Assessment – July 2015
 Oxspring Sustainability and Accessibility Study – January 2015

APPENDIX 3

YORKSHIRE LAND

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Our Ref YLL/OPC/2018-03.01

09 March 2018

Oxspring Parish Council

C/o Clerk to the Council – Mrs Stephanie Tolson

42 Nether Royd View

Silkstone Common

BARNSELY S75 4QQ

Sent by email to
clerk@oxspring-parish.com

Dear Councillors,

**HOUSING DEVELOPMENT FOR OXSPRING AND THE OXSPRING
NEIGHBOURHOOD DEVELOPMENT PLAN**

We have been advised that at the residents meeting, which was hosted by the Oxspring Parish Council (OPC) at St Aidan's Church on Saturday, 03 March 2018 information was given to those persons present that they are unable to support the Oxspring Fields site for development as an alternative to sites EC6 & EC7 proposed by the Barnsley Metropolitan Borough Council (BMBC) because the Oxspring Fields site is not located within the Parish of Oxspring.

We refer you to the recent letters which are attached at Appendix 1, from PB Planning and Walton and Co; leading planning experts. The letter by Walton and Co, who are ranked in the Top 25 of planning firms in the United Kingdom by Chambers UK 2018, identifies that the letter by Paul Butler not only sets out the correct legal position in relation to the options available to OPC, but also offers a practical solution to the Parish Council's dilemma.

In a recent exchange of email correspondence between ourselves and BMBC's Head of Planning, Mr Joe Jenkinson, it was confirmed to us by Mr Jenkinson that the reason the proposed Oxspring Fields site has not been considered as a resultant parcel in the 2014 Barnsley Green Belt Review is because the General Area PEN11 (within which the Oxspring Fields site is located) scored 16 points out of 25 and was therefore deemed to be **strongly fulfilling** the purposes of Green Belt, meaning that the General Area did not meet the criteria to be re-assessed for Resultant Parcels. This is unlike the General Area PEN9 in Oxspring, where sites EC6 and EC7 have been identified within Resultant Parcel PEN9a. General Area PEN9 scored 15 points out of 25 and was therefore deemed to be only

moderately fulfilling the purposes of Green Belt, which means that the General Area met the criteria for re-assessment to identify resultant parcels.

The Green Belt Review does identify in its assessment of General Area PEN11 that *The Trans Pennine Trail within a dismantled railway could form a strong internal boundary to the Green Belt should the General Area be considered for sub-division.* Therefore, had General Area PEN11 been re-assessed for resultant parcels, then the Oxspring Fields site would have been identified as such, being contained on all sides by strong durable boundaries including the Trans Pennine Trail, Blackmoor Industrial Complex, Sheffield Road and the Oxspring Parish Sports Field.

Importantly, the Oxspring Fields site will also maintain Oxspring's Historical linear pattern of development. The same cannot be said of BMBC's Site Proposals EC6 & EC7. As you will be aware, the Draft Oxspring Neighbourhood Plan (March 2016) identifies in paragraph 4.2 on page 14 that *The main village settlement is largely linear in form and lies between Sheffield Road (the B6462) and the route of the Trans Pennine Trail.*

At the Stage 3 Local Plan Examination Hearings, Mr Jenkinson informed the Local Plan Inspector that if the Blackmoor Industrial Complex was to come forward for employment development, then the Oxspring Fields site would become infill development.

Crucially, it has come to light that the Arup Barnsley Green Belt Review has incorrectly scored General Area PEN11, which includes both the Oxspring Fields site and the Blackmoor Industrial Complex. We refer you to the self explanatory letter by Smeeden Foreman attached at Appendix 2.

Notwithstanding the findings of the Barnsley Green Belt Review the Oxspring Neighbourhood Plan website identifies that one of the purposes of the Oxspring Neighbourhood Plan is to influence where development should take place to meet the needs of the Parish. The Oxspring Neighbourhood Plan website also identifies that there is a need for new homes in the Parish "but rather than having developments imposed on the Parish it would be preferable to have a say on how and where new developments can succeed."

At Appendix 3 we attach further evidence, from the OPC Parish Newsletter (Spring 2014) in which OPC acknowledge in a statement on page five, that they cannot set an agenda against development and change.

It is therefore clearly iniquitous that the OPC are informing residents they are unable to support the Oxspring Fields site as an alternative to sites EC6 & EC7. The purpose of the Neighbourhood Plan is to influence the location of new development for the Parish and as set out above, the letters from PB Planning and Leading Planning Lawyers, Walton and Co attached at Appendix 1, confirm that the Oxspring Fields proposals are both lawful and sound in Development Plan context.

It appears that because BMBC have informed the OPC that they will not allocate the Oxspring Fields site, OPC is simply refusing to support the proposals. Despite, as we are informed, the views expressed by residents at the meeting on 03 March 2018 that the Oxspring Fields site is the best development option for Oxspring.

BMBC previously informed OPC that there would not be any large scale housing in Oxspring during the Local Plan Period, yet two large housing site proposals (EC6 & EC7)

have now been identified in the village by BMBC. On the one hand OPC are prepared to contest BMBC's position in respect of sites EC6 and EC7 by objecting to their development, yet are willing to respect BMBC's advice on the other by refusing to support the Oxspring Fields proposals as an alternative site (a site many parishioners view as the best option for development) this is a glaring inconsistency in the approach of OPC which leads us to reflect upon the motive of OPC and those leading on the production of the Oxspring Neighbourhood Plan; *just where are they proposing to locate the housing development which is required to meet the identified housing needs of Oxspring?*

In an article on the Oxspring Neighbourhood Plan Website posted on 23 December 2015 and entitled 'Response to Barnsley Chronicle Article' it is stated that:

"The good news for Oxspring, resulting from this document (Draft Barnsley Local Plan), is that there are no sites listed for development in Oxspring during the Local Plan period, ie up to 2033. In summary, the policies proposed in BMBC's Local Plan endorse that large housing developments should take place in towns such as Penistone and Barnsley, not in rural areas and settlements west of the borough, such as Oxspring, which do not have the infrastructure and services to enable sustainable growth. The original focus of the Neighbourhood Plan, to limit the size, scale and type of any development in Oxspring, has now been altered somewhat by the changes proposed in BMBC's Local Plan. An independent survey carried out on behalf of the Oxspring Parish Council identified a potential increased housing need in the village in the future of approximately 60 plus houses. Yorkshire Land Ltd is using this information as evidence to support their proposal for their "Oxpring Fields" development. However, as there are no plans to release large areas of land in Oxspring for development during the Local Plan period this perceived future need would be met by new development in the wider Penistone area."

We question why those persons preparing the Oxspring Neighbourhood Plan would view no development for the village as good news for Oxspring; particularly as members are aware of the housing needs of the village, identified in the Oxspring Housing Needs and Capacity Assessment undertaken on behalf of OPC. Indeed, no development for the village is frankly bad news, particularly for those residents that have grown up and wish to remain in the village and can only afford to do so through the delivery of new affordable homes for the village. Certainly the celebration of no housing is against the spirit of Plan making and the comment is entirely at odds with the statement in the Parish Newsletter, attached at Appendix 3.

The Local Plan Inspector's Interim Findings report dated 15 August 2017 sets out that based on what the Inspector has read and heard to date, it is the Inspector's view that if the Barnsley Local Plan is to be found sound it should have a more positive approach to the future of the Borough's villages. This has ultimately led BMBC to identify housing allocations in the Borough's villages, guided by the results of a Settlement Assessment undertaken at the request of the Barnsley Local Plan Inspector, which identifies Oxspring as

the joint highest scoring western village, confirming the sustainability and suitability of Oxspring to accommodate housing development.

Attached at Appendix 4 is a comprehensive list of services, clubs and facilities available in Oxspring. Furthermore, The Travel and Transport Page of the Oxspring Parish website identifies that:

- Oxspring is well connected with good links to both public transport and the national road network;
- Oxspring is well served by local bus services with direct services to Penistone, Barnsley and Sheffield running on a regular basis; and
- Oxspring is close to the motorway network with the M1 being only 10 minutes drive away. For those going Westward then the start of the Woodhead Pass (A628 is only 10 minutes away).

Paragraph 6.13 of the Draft Oxspring Neighbourhood Plan (March 2016) identifies that Oxspring is considered to be an unsustainable location for large housing developments because it lacks services and facilities and has limited transport accessibility. Clearly this is incorrect in consideration of the evidence demonstrated above and not least in light of the results of BMBC's Settlement Assessment in respect of Oxspring.

The Barnsley Unitary Development Plan, which was adopted following comprehensive public inquiry under the direction of two planning inspectors appointed by the Planning Inspectorate, identifies in paragraph 4.12 of the Western Rural Area UDP (VOL 13) that:

"Oxspring is one of the locations within 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."

The statement within the Neighbourhood Plan Article dated 23 December 2015 that Oxspring does not have the infrastructure and services to enable sustainable growth is therefore **clearly at odds with an abundant catalogue of sound evidence to the contrary.**

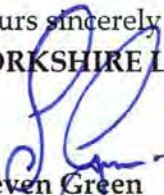
Considering the identified housing needs of Oxspring and that Housing and Safeguarded land proposals have now been identified on Green Belt land in Oxspring on the basis that housing needs cannot be met without the release of land from the Green Belt and also that the Barnsley Green Belt Review will have to be amended to consider General Area PEN11 for resultant parcels, the proposed Oxspring Fields development represents a viable and wholly suitable alternative development site for Oxspring which will not only deliver

market and affordable homes to meet local needs, but will also deliver many of the aspirations of the Draft Oxspring Neighbourhood Plan; aspirations which are otherwise unlikely to materialise due to lack of required funding.

The information provided to those present at the residents meeting on 03 March 2018 by members of the OPC is, once again, incorrect.

Yours sincerely

YORKSHIRE LAND Limited



Steven Green
Managing Director

Encs	Appendix 1	-	Letter by PB Planning and Walton and Co (Planning Lawyers)
	Appendix 2	-	Letter by Smeeden Foreman regarding Barnsley Green Belt Review
	Appendix 3	-	Extract from Oxspring Parish Newsletter (Spring 2014)
	Appendix 4	-	List of Services, Clubs and Facilities available in Oxspring

APPENDIX 1

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

19th February 2018

Dear Mrs Tolson,

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

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

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

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

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

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

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

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

Fortunately, this is simply not the case.

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

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

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

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

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

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

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

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

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

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

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

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

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

Kind regards,

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

PAUL BUTLER
Director

Our ref: DRW.ET

Your ref:

Date: 20 February 2018

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

Dear Steven,

Proposed Oxspring Fields Development

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

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

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

Kind regards

Yours sincerely

PP. E. Thompson

David R Walton

APPENDIX 2



Mr Paul Butler
P B Planning
PO BOX 827
YORK
YO31 6EE

20th February 2018

BARNSELY GREEN BELT REVIEW – SUMMARY

Barnsley Metropolitan Borough Council (the Council) has confirmed that it cannot meet its housing and employment needs within the Local Plan period 2014-2033 without the requirement to release land from the Green Belt.

During 2012 the Council opened a Call for Sites as part of the development plan preparation process. The Development Sites and Places Consultation Draft 2012 identified at page 86 a number of criteria for Green Belt sites that would be considered most favourably for low density housing, including that sites on the edge of settlement were likely to be preferred.

Following the Call for Site process the Council instructed Peter Brett Associates to undertake the 2013 Strategic Housing Land Availability Assessment (SHLAA) which considered the suitability of sites submitted through the Call for Sites Process against a range of factors.

Our client's Oxspring Fields site was assessed as a Category 1 Deliverable development site in the 2013 SHLAA, identified with SHLAA Site Reference 681. This is the highest score achievable through that process.

Following the SHLAA process, the Council appointed Arup during 2014 to undertake the Barnsley Green Belt Review. In this process land within the Borough is divided into General Areas, which vary in size. Some are very large Green Belt parcels, each containing hundreds of hectares of land. The General Areas are then assessed against the nationally defined purposes of Green Belt to identify the extent to which land parcels are fulfilling the five purposes of Green Belt.

Those General Areas which are deemed to be moderately or weakly fulfilling the purposes of Green Belt were then reassessed for Resultant Parcels, in an attempt to identify potential housing and employment sites. Conversely, the General Areas which were deemed to be strongly fulfilling the purposes are not reassessed. The scoring criteria are as follows:

9 or Less	-	Weak or Very Weak
10-12	-	Relatively Weak
13-15	-	Moderate
16-17	-	Relatively Strong
18 & above	-	Very Strong

Landscape Architects ■ Urban Designers ■ Ecologists ■ Horticulturists

Page 1 of 6

Somerset House, Low Moor Lane, Scotton, Knaresborough, North Yorkshire HG5 9JB
Tel: 01423 863369 Fax: 01423 313107 Email: office@smeedenforeman.co.uk www.smeedenforeman.co.uk

Land in Oxspring is divided into four General Areas; PEN2, PEN9, PEN10 and PEN11. Only one General Area, PEN9, was re-assessed for Resultant Parcels. Our client's Oxspring Fields site is contained within General Area PEN11.

GENERAL AREA PEN9

General Area PEN9 achieved a total score of 15 points out of 25 and was therefore deemed to be only moderately fulfilling the purposes of the Green Belt.

At page 3 of the General Area PEN9 assessment, the Green Belt Review states that:

"The River Corridor dissects the perceived level of openness which the General Area provides. To the north of PEN9, the Green Belt has a more rural feel which is complemented by a falling topography to the south."

"The area to the south of the River Corridor has a weaker rural feel, as a result of a strong tree buffer which follows the course of the river."

As General Area PEN9 was deemed to be only moderately fulfilling the purposes of Green Belt, the General Area was reassessed and a Resultant Parcel identified, PEN9a, which is located between the River Don and the Sheffield Road. Contrary to the Green Belt Review statement above (falling topography to the south) this land (PEN9a), rises sharply from the River Don corridor in the north to the Sheffield Road boundary in the south.

I note the site formed by the Resultant Parcel PEN9a, was not submitted to the Call for Sites process during 2012 and as such, has never been considered for its suitability for housing development through the Council's 2013 SHLAA process.

GENERAL AREA PEN11

General Area PEN11 is identified to score a total of 16 points out of 25 in the assessment within the Green Belt Review. However, this is a calculation error as we have added the five individual scores awarded in respect of the performance of the General Area against each of the five purposes of the Green Belt and it is apparent that the General Area achieved a total score of only 15 points (the same score achieved by General Area PEN9) which results in the General Area only moderately fulfilling the purposes of Green Belt, rather than strongly fulfilling the purposes.

Accordingly, PEN11 should have been re-assessed for Resultant Parcels.

Within the assessment of General Area PEN11, the Green Belt Review states that:

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

The land to the north of the Trans Pennine Trail incorporates our client's Oxspring Fields site. Further defensible boundaries to this land parcel include the Blackmoor industrial complex in the east (also contained within the General Area PEN11) the B6462 Sheffield Road in the north and the Oxspring Sports Field, Waggon and Horses Public House and existing built form of Oxspring in the west.

This parcel of land to the north of the Trans Pennine Trail, bound to the north by Sheffield Road has a weaker rural feel than the remainder of PEN11, which is made up of large open fields stretching to Snowden Hill. In comparison, the land north of the Trans Pennine Trail includes development in the form of the Blackmoor industrial complex and the Cheese Bottom Sewage Works, which are identified as a Depot on the Map used in the Green Belt Review. The three Photographs attached at Appendix A illustrate these features in the landscape.

Whilst the industrial complex and sewage works are not identified in the Green Belt Review as a further boundary which could be considered for sub-division of the General Area PEN11, the Green Belt Review does identify that:

"In the east (of General Area PEN11) large wooded areas reduce the level of openness and the large sewage works at Cheese Bottom reduces the rural character."

It would appear from this text that the Green Belt Review incorrectly considers the Blackmoor industrial complex to be a part of the Cheese Bottom Sewage Works site. Whilst the two sites border each other, they are separate.

The Green Belt Review assessment for PEN11 identifies that the General Area has a strong role in supporting the openness of the countryside of Oxspring. However, it is clear that the extent to which this is applicable varies in the different parts of the General Area. We have already identified above how the Green Belt Review confirms that the level of openness is reduced in the area of the Blackmoor industrial complex and the large sewage works at Cheese Bottom and we contend that this also applies to the remainder of the land to the north of the Trans Pennine Trail, including the Oxspring sports field and car park. This land is less open than the circa 360 acres (146 Hectares) of land located to the south of the Trans Pennine Trail in General Area PEN11, stretching to Snowden Hill.

The Green Belt Review includes the statement that:

"Whilst the Green Belt boundary is slightly irregular to the north and south of the Trans Pennine Trail and produced land which is partially contained within the built form, the resulting development is unlikely to have a strong functional relationship with the existing built form of Oxspring. Therefore, there is little opportunity for consolidation in this area."

We dispute this assumption. Having established that the Green Belt Review identifies that the Trans Pennine Trail could form a strong internal boundary to the Green Belt in PEN11 should the area be considered for subdivision and that the land in the area of the Blackmoor industrial complex in the east is less open with a reduced rural character, we consider that the land contained between these strong and durable features has a strong functional relationship with the existing built form of Oxspring, particularly as the development would re-balance the village (which has in recent years grown, from a historic core, in a linear form toward Penistone and Springvale) returning the Waggon and Horses Public House and Oxspring sports fields to the centre.

The Waggon and Horses Public House forms the historical centre of Oxspring and is situated only 150 metres from the western boundary of our client's Oxspring Fields site. Furthermore, the Oxspring sports field, adjoining the public house to the east, is currently Green Belt and contained within the General Area PEN11. This sports field forms the western boundary of the Oxspring Fields site and the proposed development between these features and the existing Blackmoor industrial complex would become infill development, which will maintain the historical linear pattern of development in Oxspring.

The historic pattern of development in Oxspring is recognised within the Draft Oxspring Neighbourhood Plan (March 2016) which recognises at paragraph 4.2 on page 14 that:

"The main village settlement is largely linear in form and lies between Sheffield Road (the B6462) and the route of the Trans Pennine Trail."

Development along the south of Sheffield Road in the east of the General Area PEN 11 would therefore continue this linear pattern of development and both reflect and respect the historical growth of the village. This matter is identified in further detail within my letter to the Councils Head of Planning dated 13 February 2018, attached at Appendix B.

At page 93 of the PEN 11 Assessment, Arup identify that:

"Thurgoland exists approximately 1.5km to the north east of Oxspring. Ribbon development along Sheffield Road could reduce this largely essential gap to 1.1km."

Site assessment confirms our view that development of land along Sheffield Road in the eastern part of the General Area would have little effect on the Green Belt objectives with respect to the perception of Thurgoland as a distinct settlement. This perception is as a result of the topography, which rises sharply from Blackmoor from where the village of Thurgoland is situated out of sight. Therefore, whilst development along Sheffield Road in Oxspring would technically reduce the distance between the edges of the settlement at Oxspring and Thurgoland, this would have little significance as the perception of the landscape would not be altered.

A 'gap' between settlements would still be experienced between the Blackmoor industrial complex / Cheese Bottom Sewage Works and Thurgoland. Sharply rising topography and associated wooded areas comprise a distinct landscape which separates these two settlements. This is demonstrated by the photographs attached at Appendix A.

Secondly, the reference within the Green Belt Review to "ribbon development" is misleading. Any new development at the Oxspring Fields site would conform to the development pattern of Oxspring. This should not be confused with roadside development of single rows of houses. I refer you to my letter attached at Appendix B, which addresses the mis-application of the term ribbon development.

Finally, at Page 94 of the PEN 11 assessment, in the context of 'assisting urban regeneration by encouraging the recycling of derelict and other urban land', the Green Belt Review identifies that General Area PEN 11 achieves a score of 3 out of 5. In their assessment of the same criteria for General Area PEN9, the Green Belt Review identifies that this General Area also achieves a score of 3 out of 5.

In respect to scoring this fifth Green Belt purpose, the Barnsley Green Belt Review Approach and Method Report, at page 21, states that:

"Where there is significant new development or large previously developed sites within the Green Belt, it could be considered that the Green Belt designation at this location has not strongly assisted in Urban Regeneration. A General Area possessing these characteristics will attain a lower score of 2. It is however, less straightforward to appraise where land with a Green Belt designation is supporting urban regeneration more than a comparative area of Green Belt. For this reason, no General Area will be awarded more than a total of 3 out of 5."
(Our Emphasis)

Blackmoor industrial complex represents a large previously developed site within PEN11. However, the Green Belt Review allocates a score of 3 to this General Area in respect of its performance against the fifth purposes of Green Belt which appears to be contrary to the above statement. If considered in accordance with the above statement the score for PEN11 would have been 2.

Notwithstanding the above scoring inconsistency, the calculation error alone for PEN11 indicates that the General Area is only deemed to be 'moderately' fulfilling the purposes of the Green Belt and therefore the General Area qualifies to be reassessed for resultant parcels.

For the reasons set out above, if a re-assessment of General Area PEN11 was undertaken, then the land to the north of the Trans Pennine Trail would be the only contender for identification as a Resultant Parcel in this General Area.

With regards to future development in this part of General Area PEN11, it is clear that the land parcel (which incorporates our client's proposed Oxspring Fields site) is well defined by existing, physically expressed, long-term features, such as the Trans Pennine Trail, the Blackmoor Industrial Complex, Sheffield Road and the existing developed area of Oxspring Village. These durable features are ideal Green Belt boundaries.

PEN9a CONSTRAINTS

With regards to Resultant Parcel PEN9a, the boundaries of this site are also well defined. However, this site has a number of constraints which do not apply to the area of land within General Area PEN11 formed of the proposed Oxspring Fields site, such as:

- Development of proposed site within PEN9a could significantly compromise important views of the Oxspring Viaduct. In doing so this would contravene Draft Policy OEN4 of the Oxspring Draft Neighbourhood Plan
- Development would encroach upon the tree lined River Don corridor, an important ecological feature locally and one that the Council have previously identified that they wish to remain open and undeveloped.
- Resultant Parcel PEN9a lies alongside the Oxspring Rocher Valley. Barnsley Unitary Development Plan Policy WR2/7 identifies the Oxspring Rocher as a pleasant river valley of the River Don, which locally, is an important landscape and ecological feature. The policy acknowledges the presence of a waterside meadow and disused mill race and that the Rocher is located in a very sensitive area.
- Resultant Parcel PEN9a forms the southern flank of the Oxspring Rocher Valley.
- Further to the above, the Barnsley Landscape Character Assessment indicates that landscape type BI: Upland Don River Valley has (amongst others), a *'largely undeveloped character with pasture occurring on the valley sides and floor up to the water's edge'*. Management issues and opportunities include: *conserve the intimate, rural and undeveloped quality of the valley; Resist the introduction of temporary 'suburban' style boundaries; and Resist development on the floodplain and maintain the rural, undeveloped character of the valley.* Development within PEN9a would be entirely out of character for the landscape of the Upland Don River Valley and be in conflict with appropriate management of this landscape type.

- Should resultant parcel PEN9a be developed, the Council has indicated that there should be an 8m buffer between the river and development. This, coupled with the steeply sloping topography of the resultant parcel, suggests that the relatively high housing yields identified for the site will be extremely difficult to achieve.
- Development of the resultant parcel PEN9a would be in conflict with the landscape and development patterns of Oxspring, resulting in development that was not in keeping with existing landscape character. Amenity and recreational value of the open footpath and rural setting of the riverside and listed packhorse bridge (Willow Bridge) would be compromised.
- In a recorded interview with members of the Oxspring Neighbourhood Plan Steering Group on 25 November 2014, a senior Policy Officer of the Council commented *"we'll be looking at the historical development and form of Oxspring and how to support that, and how not to change it, change the character so that it loses what's important about Oxspring."*
- Paragraph 4.2 of the Draft Oxspring Neighbourhood Plan (March 2016) confirms "The main village settlement is largely linear in form and lies between Sheffield Road (the B6462) and the route of the Trans Pennine Trail"

In summary, if Resultant Parcel PEN9a is removed from the Green Belt and developed with housing, this would be contrary to the historical linear form of development in Oxspring, the draft Oxspring Neighbourhood Plan Policy OEN4 and the comments of the Council's Policy Officer.

As set out above, our client's Oxspring Fields site will maintain Oxspring's linear pattern of development on an area of land which does not fulfil a strong Green Belt purpose within General Area PEN11.

Yours sincerely



MARK SMEEDEN
Chartered landscape architect
BA DipHort DipLA MCIHort CMLI

APPENDIX 3

OXSPRING PARISH COUNCIL

PARISH NEWSLETTER

Spring 2014

Festive Thank you

The Parish Council would like to thank Mrs Gladys Wood for providing the electricity to light the Christmas Tree – upon which new brighter lights were installed this year. We also thank those who help every year in putting up the tree. Thank you.

Oxspring Titivators

We are a community group of eight Oxspring residents doing regular voluntary work around the village under the direction of and with the full approval of Oxspring Parish Council.

We do weekly litter picks on the Oxspring Section of the TPT and throughout the village, assist with the cultivation of the Parish owned public open areas, clear vegetation around seating areas, maintain flower beds, remove graffiti and do general repairs. Additionally we are involved in improvement and conservation works around the village such as in Bower Dell, the Pinfold and Willow Bridge and recently we have been clearing out the Rookery in the centre of the village. The next litter pick is scheduled for the 25th May, meeting at 10am outside the post office. Please come along and help if you are able.

Bower Dell is looking really nice. We have cleared out some major sections to give better access and are in the process of planting some traditional English wild flowers. A section of layered hedging has been completed and OPC have provided and installed two large picnic tables. Hopefully many people will take advantage of Bower Dell this summer.

The aim of the group is solely to maintain the quality of the public spaces, improve and enhance our village by doing any jobs the Parish Council may not be able to do because of the current cuts and financial restraints.

Anyone wishing to join the group would be made most welcome

Please contact Alan Walker on 01226 379895

Historical Photos of Oxspring

Do you have any old photographs or other material which records the historical past of the Parish of Oxspring?

If so, and you are willing to share the material, I would be very pleased hear from you. The intention is to put together an electronic Archive of material (for local use) such that the history of our neighbourhood may be retained.

All photographs would be collected, scanned and returned to their owners without undue delay.

*I can be contacted by telephone on 01226 764350 or by Email at graham.sedgwick@talktalk.net
Many thanks in anticipation of your cooperation.*

Graham Sedgwick, Mayfield Oxspring

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Unit b Zenith Park, Whaley Rd, BARNSELEY, S75 1HT. 01226 733383. steve@osi.uk.com**

OXSPRING PARISH COUNCIL

surveys that we will be undertaking through the NP process in the coming months.

There are further basic conditions the Plan is required to meet. These include:

- Contributing to the achievement of 'sustainable development'
- Having regards to the National Policies
- Being compatible with the EU obligations and EU convention of Human Rights

Question: Can the Neighbourhood Plan Steering Committee complete a Neighbourhood Plan without appropriate consultation with village residents?

Answer: The consultation and engagement process for the Plan preparation is at the very early stages. A draft community consultation, and engagement documents for the NP can be downloaded from the NP site on www.oxspringplan.org.uk. The NP will be the subject of a local Referendum and an independent examination and, as already indicated, the external examiner reviewing the draft NP will have to be satisfied that the NP process has met the required and appropriate levels of consultation with residents and key stakeholders for the Parish. We would welcome all residents and local groups to contact the Parish Council and the Steering Committee with their suggestions and support to secure maximum community involvement and representation. The Referendum will take place at the end of the Plan preparation and will require 50% + 1 of the residents who turn up to vote, to be in favour of the NP. All residents who are registered on the Parish's electoral role will be eligible to vote.

Question: Have the Steering Committee already identified pieces of land that could be used for development?

Answer: We are at the very early stage of the Plan preparation which requires us to gather baseline information. A starting point therefore has been to identify, i.e. to mark on a plan, the land available (not developed) in the village and the Parish. The second task will involve the evaluation of the potential of all sites and their viability against set criteria. This criteria is drawn from BMBC's planning department and best planning guidance on land assessment. Running alongside this, our first objective is to identify the type of housing and or other amenities and developments which will be required for the Parish for the next 15 to 20 years and then to set those needs against the best, and more viable land for development. So for example, it would not be best practice or sustainable to allocate land that is within a flood zone or land that might have, or create, problems with access for future development.

The plans showing land availability were used to support two training sessions. The first was led by Planning Aid England and attended by the Parish Council, the Steering Group and volunteer members from the 'specialist groups'. The second workshop was held at the community event on March 1st and members of the community were asked to comment on, and to consider, the various sites and also to identify any other sites that might be available. No decisions have been made, nor can they be made about any preferred sites, prior to classifying and establishing future needs for the Parish.

A NP cannot set an agenda against development and change. There is a housing crisis across the Country, let's not turn it into a crisis for our village or for our Parish. We will not turn the tide against housing growth set by Central and Local Governments, but if we work together we can find a solution that could improve all of our lives young and old, now and in years to come. The challenge is for us all to create our NP.

We need your support and we need you to talk to us. You can contact us with questions as follows:

Parish Council meetings - there is a session at the beginning of each Parish Council meeting where you can ask questions that hopefully the Parish Council members will be able to answer. If they can't they will make a note of your question and get back to you.

Twitter: Oxspring Village

Facebook: Oxspring Neighbourhood Plan

Web page: www.oxspringplan.co.uk - There is a question and answer facility

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APPENDIX 4

OXSPRING VILLAGE

SERVICES & FACILITIES ANALYSIS

LOCAL FACILITY & AMENITY
<p><u>Bus Stops</u></p> <p>There are several bus stops situated throughout the village providing frequent services to Penistone, Barnsley and Sheffield (via the Northern General Hospital) and other surrounding villages.</p>
<p><u>Trans Pennine Trail</u></p> <p>The Trans Pennine Trail traverses Oxspring and provides direct access to Penistone and the Railway Station. Access is currently gained from Roughbitchworth Lane close to the centre of the village.</p> <p>Additional details regarding the Trans Pennine Trail are set out in a further section below.</p>
<p><u>Travellers Inn Public House and Restaurant</u></p> <p>This one of two Public House/Restaurants within Oxspring. The Travellers Inn is located at the top of Bower Hill road adjacent the A629</p>
<p><u>Waggon & Horses Public House and Restaurant</u></p> <p>The main PH/Restaurant situated within the Historical Centre and Heart of the village. The adjoining Barn which forms part of the Premises is available for meetings, parties and gatherings.</p>
<p><u>Railway Station</u></p> <p>The nearest Railway Station is located in Penistone. Access is available for walkers and cyclists directly from the Trans Pennine Trail. The station is just 7 minutes away from Oxspring along the Trans Pennine Trail by bicycle.</p>
<p><u>Oxspring Primary School</u></p> <p>Oxspring Primary school is rated Good via Ofsted. It is located at the junction of Sheffield Road and Roughbitchworth Lane.</p> <p>http://oxspringprimary.co.uk/</p>

Oxspring Post Office/Convenience Store

The Post office is located on the main Sheffield Road, close to the centre of the village. This also incorporates a small convenience store.

Village Green/Children's Play Area

The village Green is located off Roughbitchworth Lane. A large and well equipped children's play is situated alongside this area with a variety of apparatus available.

Bower Dell

Bower Dell is a green space within the village reserved for recreation and as a picnic area. The village Duck Race is currently held here annually. Oxspring Parish Council is currently in the process of purchasing trim trail apparatus to be erected in this area.

Allotments

The Council operates three allotments sites in the Parish. These are located at Clays Green, Roughbitchworth Lane and West Crescent.

There is a waiting list in operation for these allotments as they are very popular.

Contact: clerk@oxspring-parish.com

The Anthills

This is a further area of Greenspace in the village, incorporating the allotments at West Crescent. It provides a natural landscape and a footpath to the Trans Pennine Trail.

Recreation Ground

This area is predominantly used for ball games and is the home ground for Oxspring United Football Club. The village fete is also hosted annually from this Recreation Ground.

St Aidan's Church and Village Hall

Services are held at the Church on the first and third Sunday's of each month. The church also doubles as the village hall, which is utilised by Oxspring Parish Council and by many of the local Groups and clubs listed in the section below (e.g. Girl Guides, Brownies, Pilates, Oxspring Friends and Pop-in club e.t.c).

Marrtree Business Park

The Marrtree Business Park is situated on the South side of the B6462 'Sheffield Road' to the West of the village and provides several units between 3000 and 4000 sqft in size. Current tenants include: Quest Taekwondo, Tec Electrical Motors, Huttenes-Albertus (UK), Rush (UK) and Valmech Welding Services.

Wintwire Business Park

The Wintwire Business Park is situated within the River Don Valley on the north western edge of Oxspring on the site of the Oxspring Wire Mill operated by D R. Baling Wire.

There are currently ten units at the site with tenants including a car service garage, roofing contractor, lighting engineer, plant hire company and an Information Technology company

Argo Feeds

Argo Feeds Country Store and Pet Food Warehouse is located to the west of the village off of the B6462 'Sheffield Road' and opens between 08:00 and 17:30 Monday to Friday and 08:00 and 12:00 on Saturday. Argo offer a vast and ever increasing range of country clothing and pet hardware.

Penney's Petrol Station and Car Wash, Service Centre, MOT Station and Convenience Store

These facilities are located just 150 metres to the west of the village boundary off of the B6462 'Sheffield Road'.

Junction 37 of the M1 Motorway

Junction 37 of the M1 Motorway at Dodworth is located just 10 minutes away by car from the village of Oxspring.

Penistone Principal Town

Penistone is the major local service centre and provides a range of Services and facilities including:

- Tesco, Co-op and Spar supermarkets
- Several Cafe's
- Bakery
- Card Shops

- Newsagents/convenience store
- Post Office
- Butchers
- Fish & Chip Shops
- Public Houses
- Indian Restaurant
- Print shop
- Doctors Surgery
- Dentist
- Undertakers
- Community Centre/buildings
- Library
- Pharmacy
- Hairdressers & Barbers Shops
- Beauticians
- Cinema
- Car Service& MOT Centre
- Tyre centre
- Lingerie shop
- Florist
- Cycle store & service centre
- Pet shop
- Dry cleaners
- Hardware store
- Carpet & Bed Shop

Hourly Bus Services to Penistone are available from Oxspring, with a journey time of 5 minutes. Penistone is just 7 minutes away from Oxspring by bicycle along the Trans Pennine Trail.

RECORD OF LOCAL GROUPS AND CLUBS

<http://www.oxspring-parish.com/?q=content/local-groups>

There are a variety of clubs and groups active within Oxspring.

1. Girl Guiding, Rainbows & Brownies

A good, solid start to Guiding in a friendly atmosphere following our 8 point programme.

Rainbows (5-7 years) meets weekly in term time at St Aidan's on Wednesdays 6:00 to 7:00pm

Brownies (7-10 years) meets weekly in term time at St Aidan's on Tuesdays 6:15 to 7:45pm

Penistone Rangers Guides (14 and over) meets monthly at St Aidans

Mrs Jocelyn Sanderson, 49 Wentworth Road Penistone: 01226 763514

2. Slimming World

Every Thursday at 7:00pm at St Aidan's Church, Sheffield Road, Oxspring

Call Lynsey on 07852186799

3. Pilates

Every Monday and Wednesday between 9:30-10:30am at St Aidan's Church

4. Indoor Bowling Club

Every Monday in the winter months between 1:00-4:00pm at St Aidan's Church

5. Children's Dance Club

Every Monday between 4:00-6:00pm at St Aidan's Church

6. Busy Bees (Pre-school)

Every Tuesday between 9:30-11:30am at St Aidan's Church

7. Zumba

Every Friday between 6:15-7:15pm at St Aidan's Church

8. Oxspring Basketball

Basketball facilities are available to all on the playing field.
These include marked hard court with board and nets

9. Oxspring Open Gardens

Since 2004 gardens in Fields End, Tolbar Close and Brookfield have opened to visitors to raise money for macmillan Cancer Support.

10. Oxspring Parish Fishery

Anyone interested in fishing in the Don, in Oxspring, should contact Andrew.

Andrew Marsh: 01226 790126

11. Oxspring Trunce Runners

The Trunce is a 4.5 miles cross-country race held every 3 weeks in the summer months.

It starts and finishes at Oxspring playing field, by the Waggon and Horses pub.

The Trunce has been an annual event since 1968 and was started by Gordon Davies, as a training run for Stocksbridge Steel football team. It regularly attracts runners from a wide area bounded by Doncaster, Huddersfield and Barnsley.

For more details contact:

Mr Andrew Plummer, 2 stottercliffe Road, Penistone, S36 6EB: 01226 761469

12. Oxspring United Football Club

Established around 1890 and operating two senior teams and a junior team in local weekend leagues from Oxspring Playing field, by the Waggon and Horses, Oxspring.

Mr G Clamp

C/o The Waggon and Horses, Sheffield Road, Oxspring: 07595 261624

13. St Aidan's Church

St Aidan's Church is situated on Sheffield Road in the heart of the village. Holy Communion Services are held on the first and third Sunday's of each month at 9:00am

It is part of the Penistone and Thurlstone Team Ministry.

Team Vicar, Rev. David Hopkin: 01226 370954

Parish Office (Tues, Wed & Thurs: 01226 370954

14. Oxspring Friends

A fund-raising organisation for the benefit of the village.

Main events include Senior Citizen's Tea (at St Aidan's), Social events (e.g. New Year's Eve Dance) and Car Boot Sales.

Secretary – Val Shale. Contact webmaster@oxspring-parish.com for details.

15. Pop In Club

Pop in Club in Oxspring is open to everyone on Wednesday afternoon at St Aidan's (Sheffield Road) 2:00 till 4:00

We have Pool & Table Tennis, Games, Quiz, Raffle and Guest Speakers

Admission £1.20 includes tea & cake.

ROAD CONNECTIVITY

Oxspring is served by the B6462 'Sheffield Road' which leads to Penistone in the West. The B6462 connects to the A628 'Manchester Road' in Penistone and the A629 in the East, which ultimately lead to Manchester and Sheffield respectively.

The A629 also provides access to the A616 'Stocksbridge bypass' which leads to the Fox Valley Shopping Complex in Deepcar, just 4 miles away from Oxspring. Further details in respect of the Fox Valley complex are set out in the section below.

The Oxspring Parish Website confirms within the section 'Travel & Transport' that Oxspring is well connected with good links to both public transport and the national road network, with the M1 being only 10 minutes drive away, and that for those going westward, then the start of the Woodhead pass (A628) is again only 10 minutes away.

PUBLIC TRANSPORT

The Oxspring Parish website also confirms within the section 'Travel and Transport' that the nearest rail station is only a couple of miles away at Penistone. From here direct services are available to Huddersfield, Barnsley, Meadowhall and Sheffield.

Mr Gavin Bland, Principal Project Planner at South Yorkshire Passenger Transport Executive (SYLTE) the driving force behind the development of public transport in South Yorkshire, has confirmed that it is an aspiration to increase train service frequency on the Penistone Line from hourly to half hourly. We are also informed by Mr Bland that the current pacer trains utilised on the Arriva Northern franchise are due to be replaced by 2019 with a new fleet of multiple units, with other existing units likely to replace the outdated pacer trains on the Penistone Line.

Oxspring is also well served by local bus services with direct services to Penistone, Barnsley and Sheffield running on a regular basis.

Bus numbers 21, 408, 409 and 422 provide daily services from Oxspring to Penistone Grammar School Advanced Learning Centre and return. See Timetable attached.

TRANS PENNINE TRAIL

The Trans Pennine Trail (TPT) traverses the village of Oxspring from East to West and provides a safe and flat route segregated from motor vehicles, for walking and cycling. This route also provides a direct link for walkers and cyclists to the Principal Town of Penistone and its Railway Station. Access to the Station platforms is directly available from the TPT.

The TPT also forms part of the wider National Cycle Network.

The entire route is very easy to follow, being essentially one track. In Oxspring users of the trail have a choice of two routes, one leading directly east along the Dove Valley Trail to Silkstone Common, Stainbrough and Worsbrough, with links to Wakefield and Leeds. The other continues south through the Thurgoland Tunnel to Finkle Street, where again there is a choice of two routes. One goes via the Timberland Trail to Wortley, Tankersley and Elsecar before joining the Dove Valley Trail again, and the other travels south through Wharnccliffe Woods to Sheffield.

For further information see:

www.visitpenistone.co.uk/walks/tpt_penistone.html

www.transpenninetrail.org.uk

The Publication Version Barnsley Local Plan sets out within Policies E7 & E8 the need to maximise use of key assets in the Borough, such as the Trans Pennine Trail.

FOX VALLEY SHOPPING COMPLEX

Fox Valley is a unique town centre shopping destination in Deepcar with direct access from the A616 Sheffield to Manchester Road (Stocksbridge Bypass). The complex, which is based on a 28 acre former steel works site, was officially opened in June 2016.

Tenants include:

- Aldi
- Blakes Tea Room
- Cafe Gen
- Card Factory
- Central Bean Coffee House
- Champley Shoes
- Costa Coffee
- Domino's Pizza
- Fit 20 gym
- Foxy Nails
- Greggs
- Holland & Barrett
- Home Bargains
- John Crawshaw Butchers
- JoJo Maman Bebe
- M&Co
- Martyn Kemp Opticians
- Next
- NYC Bar & Grill
- Paperchase
- Pets at Home
- Ponti's Italian Kitchen
- Poundworld
- Regatta
- Sandersons Boutique department store
- Seasalt Homeware
- Simon Blyth Estate Agents
- Snap Fitness Gym
- Sorelle Jewellery
- Sports Direct
- The Edinburgh Woollen Mill
- The Old Rolling Pin Diner
- The Works-Hers& Sirs Hair Salon & Barber shop
- Timbuktu
- Timpsons
- Trek Bikes
- Vape HQ

Fox Valley also hosts a Friday, Saturday and Farmers Market. The Friday and Saturday markets run from 10:00am to 4:00pm and there are typically 15-20 stalls providing a variety

of goods from a host of local producers of meat, fish, fruit & vegetables, bread, speciality cheese, handmade gifts and much more.

The farmers market takes place on the first Saturday of every month from 9am until 3pm. The market offers a variety of high quality, locally sourced goods including fresh fruit & vegetables, homemade breads and pastries, gluten and cruelty free sweet and savoury treats, artisan chutneys and preserves, tasty cheeses, beautiful fresh flowers and much more.

The Fox Valley Farmers Market is located primarily around the piazza/fountain area within the centre and also runs along the independent quarter.

Fox Valley also offer 60,000 sqft of high quality office space, which benefits from high speed fibre optic broadband and dedicated parking. Suites range from 600 sqft.

For further information visit: www.foxvalleysheffield.co.uk

VILLAGE HIERARCHY

Oxspring is identified as a selected village within the Barnsley Unitary Development Plan (Adopted December 2000).

Paragraph 2.166 at page 7 of the Volume 13 Western Rural Community Area UDP identifies the role of Selected Villages:

“These selected villages are where the majority of housing developments in the Community Area will be located; mainly on sites exceeding 0.4 hectare. Generally, these are the larger villages which have the range of services and facilities considered sufficient to accommodate a modest level of housing development and where it is not considered that the level of development proposed would adversely affect their character. They are excluded from the Green Belt.”

UDP Policy WR1 identified that the Majority of new housing development would be located on sites allocated for housing in Policy WR2 and within the Housing Policy Areas of the following selected villages:

- 1) Cawthorne
- 2) Hoylandswaine
- 3) Oxspring
- 4) Silkstone
- 5) Silkstone Common
- 6) Thurgoland
- 7) Wortley
- 8) Ingbirchworth

Paragraph 4.12 of Volume 13 (Western Rural Community Area UDP) sets out that:

*“Oxpring 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.” (Our Emphasis)*

“If in the long term, there is a need to release further land for housing then there is the scope to accommodate additional development, provided it is consistent with Green Belt objectives...”

PENISTONE & SPRINGVALE

The role of the Penistone as Principal Town has only strengthened since the adoption of the UDP. This is attributable to new commercial and retail developments in the Town Centre, including the redevelopment of the former farmer's market site with a Tesco supermarket and new Market Barn.

Springvale, which forms a part of the Penistone Principal Town and borders the western boundary of Oxspring, also provides a significant employment area with an array of local businesses including: construction, motor vehicle, storage, and engineering companies.

INTERNET CONNECTIVITY

Much of Oxspring now benefits from high speed fibre optic broadband and work is underway by Openreach to install the remaining fibre cabinets and cables to complete full fibre optic connectivity throughout the village.

For further information visit:

<https://www.homeandbusiness.openreach.co.uk/fibre-broadband/when-can-i-get-fibre>

APPENDIX 4

IN THE MATTER OF THE BARNSELEY LOCAL PLAN EXAMINATION

OPINION

Introduction

1. We are instructed by Yorkshire Land Limited (“YLL”) to give our advice concerning the ongoing examination of the Barnsley Local Plan (“BLP”).
2. In particular, advice is sought as to whether, if the BLP is amended and adopted on the basis of examining inspector’s (“**the Inspector**”) letter dated 24 May 2018, there will be scope to challenge the adoption of the BLP. Such a challenge would be brought pursuant to section 113 of the Planning and Compulsory Purchase Act 2004 (“PCPA”).

Background

3. After the Stage 1 and Stage 2 hearings, the Inspector published Interim Findings on 15 August 2017. These findings expressed concern about the approach in the BLP to housing development in villages, and also about the lack of alignment between the jobs target and the housing requirement.
4. In advance of the Stage 4 hearings, the Council responded by increasing the housing requirement and proposing a number of draft housing allocations in villages.
5. Before the hearings commenced, the Council decided to withdraw proposals for a housing allocation on site EC6 (land east of Sheffield Road, Oxspring – 60 dwellings, 3.4 ha) and safeguarded land on site EC7 (land east of Sheffield Road, Oxspring – 86 dwellings, 4.5 ha), having regard to representations made by Historic England during the consultation period concerning these proposed modifications.

6. The Stage 4 hearings of the examination have concluded, and the Inspector's letter sets out her observations on the plan post-Stage 4. Among other points made, the Inspector has concluded that a number of other proposed housing allocations / safeguarded land would not be sound:
 - (1) Site EC9 - Land north of Darton Road, Cawthorne (86 dwellings, 4.2 ha);
 - (2) Site CA2a - Land at Cawthorne, Cawthorne (36 dwellings, 1.7 ha);
 - (3) Site EC11 - Land at Silkstone Common (50 dwellings, 4.2 ha);
 - (4) Site EC1 - Land to the north of Staincross Common (669 dwellings, 23.4 ha);
 - (5) Site EC2 - Land to the north of Staincross Common (675 dwellings, 23.6 ha).
7. The total number of dwellings (albeit indicative only) and the total quantum of land now either withdrawn or rejected is 1662 dwellings and 65 hectares. This is a significant reduction in housing allocations / safeguarded land in the BLP. 5 of the 7 sites are in villages.

Analysis

8. The Inspector has rightly invited comments on the omission of these sites as part of the consultation on main modifications. However, it is not clear from her letter what approach the Council and the Inspector will take to comments aimed at addressing this significant reduction. The clear gap created means that the solution offered by the Council to address the Inspector's interim findings will not at present be sufficient.
9. To ensure that the BLP is sound and the significant reduction in housing allocations and safeguarded land is remedied, in our view it is necessary for the Council and the Inspector to actively identify substitute sites, whether through written representations, or through a further hearing specifically aimed at addressing this issue. Otherwise, the Inspector's initial concerns about soundness will go unaddressed.

10. Throughout the examination process, YLL have proposed potential sites which would address this issue, and have also criticised a number of other housing allocations. Without prejudice to other concerns raised by YLL regarding (1) the sufficiency of the housing requirement, (2) the sufficiency of the allocated sites to meet that requirement, and (3) inadequacies in the assessment and selection of sites for development (all of which may be separate grounds of challenge if not properly addressed), it seems to us that the present predicament can be readily resolved by actively considering alternative sites proposed by YLL.
11. This is a convenient and available solution to the problem, and will have the double benefit of mitigating the serious errors YLL allege to have occurred in ARUP's Green Belt review and the site selection process (which we note have not been responded to by either the Council or the Inspector in her letter dated 24 May 2018). For example, we note the evidence that Hunningley Lane, Worsbrough Dale is a deliverable site, with developer interest. This is a site that could assist in meeting the deficit of housing supply caused by the removal of the proposed allocations. For reasons set out in previous representation by YLL to the examination, the site has also been incorrectly assessed within the Council's Green Belt assessment.
12. The need to find replacement sites is particularly acute in Oxspring, given the findings of the 2014 Housing Needs and Capacity Study for Oxspring, which was undertaken by independent consultants 'URS', instructed by Planning Aid England on behalf of Oxspring Parish Council/Neighbourhood Plan Steering Committee.
13. In a related issue concerning Oxspring, we further note and endorse the representations made by YLL concerning the Blackmoor Business Park. In summary, the site is located in the same parcel of Green Belt that was wrongly assessed. We are instructed that it is a deliverable brownfield site that would meet the employment needs of Penistone (this is particularly important given that Site P2 is recognised as not being developable until the latter stages of the plan). It would also help the vitality of a number of villages, which again is something to

which weight should be given in light of the Council's decision not to identify any rural business parks. If it came forward for employment development, it would appear to render the Oxspring Fields site an infill site. This would only serve to strengthen the case for the release of the Oxspring Fields site as the only deliverable site in the village following the removal of the previously proposed allocations.

14. There is still a full opportunity for a constructive approach to be taken to addressing the loss of sites. If this opportunity is not taken, and the BLP is adopted without filling the gap left by the above sites, then the BLP will be at serious risk of a challenge under section 113 of the PCPA.

Conclusion

15. We suggest that the Inspector and the Council make it clear that it is either inviting written representations, or an additional hearing, to consider alternative sites to replace those either withdrawn by the Council or rejected by the Inspector at Stage 4.
16. If this approach is not taken, then it is not clear how the Inspector can reasonably conclude that her interim concerns about the approach to housing in villages have been addressed.

**SASHA WHITE Q.C.
MATTHEW FRASER
Landmark Chambers
180 Fleet Street
London
10 July 2018**