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Our Ref YLL/DW/2016-11.01

06 December 2016

Mr David Walton

Walton & Co (Planning Lawyers)

2 Queen Street

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Dear David,

LAND ADJACENT TO PENISTONE RAILWAY STATION, PENISTONE, SOUTH YORKSHIRE

You will no doubt recall your involvement with our proposals for the development of a Transport Interchange on the land in our ownership adjacent to Penistone Railway Station and in particular the various meetings which were held between ourselves, representatives of South Yorkshire Passenger Transport Executive (SYPTe) and Senior Officers at Barnsley Metropolitan Borough Council (BMBC/the Council) during 2013/2014. You are therefore more than well aware of our commitment and enthusiasm to deliver the Transport Interchange project and we can inform you that our commitment and enthusiasm is shared equally by SYPTe, which has independently identified the need for such a facility, in its role as the driving force behind the development of public transport in South Yorkshire.

We very recently obtained a copy of a draft report in a series of 24 undertaken on behalf of SYPTe by WSP Parsons Brinckerhoff which identifies that:

"Stations are the public gateway to the rail network. Passenger perception of rail travel begins as passengers approach rail stations, so whilst in the past there has been a focus on service frequency and rolling stock quality, the rail industry is growing more aware that stations deserve and need investment as part of the drive towards increasing demand for rail travel and modal shift. When new passengers cannot find parking spaces or know which platform their train will depart from and when it is due, they are less likely to come back to travel by rail again. The objective of this project is to identify the improvements that need to be made at stations in South Yorkshire to change these perceptions and provide a consistency of facilities across all stations. The wider objective for the project is aligned with the Sheffield City Region Transport Strategy to promote economic growth through improved connectivity and transport provision in the region."

It is without doubt that **our proposals**, which also include for the delivery of ancillary tourism related

facilities, which would complement the proposed Transport Interchange (including public toilets, tourist information centre and a cafe/tearoom providing warm waiting facilities for the travelling public) are long past overdue. At present, there are no public toilet facilities available at Penistone Railway Station, surely a 21st century necessity, and this has unfortunately been the case for at least three decades.

Development of the Transport Interchange and ancillary Tourism facilities would likely represent the most important infrastructure project in Penistone for many years, instigating the creation of many jobs both during and after construction. These facilities can be made viable by new housing development at the two housing sites we have proposed alongside Halifax Road (A629) in Penistone and Sheffield Road (B6462) in Oxspring (known as 'Oxspring Fields') which will enable provision of the land adjacent to Penistone Railway Station (presently in our ownership) and the funding required.

Both of our sites are identified as 'Suitable' and 'Deliverable' Housing sites within the Councils Strategic Housing Land Availability Assessment (SHLAA) which is a key evidence base document underpinning the emerging Barnsley Local Plan (emerging Local Plan) commissioned by the Council and undertaken by an independent planning consultancy, Peter Brett Associates.

We can confirm that our Halifax Road Site in Penistone has been identified as a Housing Allocation within the Council's Publication Draft Local Plan (Site Reference: H82) and we fully support the site's allocation by the Council on account of its robust sustainability and deliverability credentials. The Council has failed however to allocate any housing sites in Oxspring within its emerging Local Plan, with the reason being that the Council is seeking to focus housing development in the Principal Towns, which includes Penistone.

The Councils position regarding the distribution of development only to the Principal Town's is wholly at odds with firm evidence highlighting the need for new housing development in the village of Oxspring. Unlike any other villages within the Western part of the Borough, Planning Aid England instructed specialist consultants URS on behalf of **Oxspring Parish Council** to undertake a **Housing Needs and Capacity Assessment** during 2014 as part of its Neighbourhood Plan preparation process. This Housing Needs Assessment concludes a need for 68 new homes in Oxspring during the period 2008-2026, Although as the emerging Barnsley Local Plan seeks to identify local planning policies for the Borough for a further seven years up to the year 2033, there is reasonable justification for the housing need to be increased accordingly to a level closer to 100 new homes.

We do find it most perplexing that no housing development has been allocated in Oxspring, not only to satisfy the need identified (which includes affordable homes) but because paragraph 4.12 of the Councils adopted Unitary Development Plan (which was assessed and considered Sound at examination by a Senior Planning Inspector) identifies that:

"Oxspring is one of the locations in the Western Community Area for additional development because of its physical relationship to the Penistone Urban area and because it has the infrastructure capacity to accommodate some further development without serious detriment to the quality and character of the Green Belt." (Our Emphasis)

The Senior (UDP) Planning Inspector again reiterates **Oxspring's suitability for additional housing development** at paragraph 13.4.219 of his Inspectors report:

*"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...**" (*Our Emphasis*)*

As you are aware, unlike any other villages within the Western part of the Barnsley Borough, Oxspring is unique in its position adjoining the Principal Town of Penistone, with which it is intrinsically linked. This relationship is reinforced as the years pass and in fact, the only land presently allocated for employment purposes within the emerging Local Plan to meet the needs of the Principal Town of Penistone is located within the village boundary of Oxspring.

The same scenario occurred during the UDP plan period where, as set out above, the UDP Inspector considered Oxspring for additional housing development particularly in light of its relationship to the proposed allocation of land for employment development at that time, which has now been developed and is located directly adjacent (on the opposite side of the B6462 'Sheffield Road' in Oxspring) to the land which is now allocated for employment development purposes (Site reference: P2) within the emerging Local Plan.

We have identified in our voluminous representations submitted to the Council why our proposed Oxspring Fields site represents the only Suitable and Deliverable site in Oxspring (a conclusion reliably informed by professional evidence based reports we have commissioned) capable of accommodating the housing need expressly identified by a Housing Needs and Capacity Assessment commissioned by an independent public body (Planning Aid England) on behalf of Oxspring Parish Council.

Importantly, the allocation of the Oxspring Fields site alongside our Penistone Site would enable the provision of the land (in our ownership) which is required for the Transport Interchange at Penistone Station (which is just a seven minute cycle ride along the Transpennine Trail from the Oxspring Fields Site) alongside a myriad of other long desired community benefits and facility improvements in Oxspring which are otherwise undeliverable. Overall, we consider that the quantity of benefits proposed as part of the Oxspring Fields development is unsurpassed by any other scheme within other areas of the Barnsley Borough. Detailed information in respect of this site can be found online at: www.oxspring-fields.com

In addition to enabling provision of the land required to deliver the Public Transport Interchange adjacent to Penistone Railway Station, both of our proposed housing developments in Penistone and Oxspring would importantly deliver 30% of the number of new Homes achievable on site as Affordable; amounting in total to approximately 165 new Affordable homes. At present however, we reiterate that only our proposed site alongside Halifax Road in Penistone has been allocated for development within the emerging Local Plan (site reference: H82).

Our proposals concur with the Councils recognition to work with the **Private Sector** to deliver much

needed investment into the economy. Indeed, the Council's Adopted Core and Economic Strategies identify that:

"The Council will be maximising opportunities to lever in investment to support growth, delivering infrastructure in tandem with new development."

"Barnsley still has an undersized economy with the Council recognising the need to do more in supporting the transition to a more private sector led economy and accommodate a step change in delivery, capitalizing on all opportunities to ensure the Borough is in the strongest position possible to fulfil the economic ambition."

Notwithstanding the above, despite all of our strenuous efforts in promoting the proposals for the Station over several years and the substantial costs we have incurred to date, we find it most disappointing that they are not being supported by the Council, especially considering SYPTE's independent recognition of the need for a Transport Interchange on our land, which is most galling when we consider that the Council expressly identify within paragraph 9.131 of their own adopted Core Strategy that they will **explore the potential for developing local public transport interchanges in the Principal Towns in partnership with SYPTE.**

Our proposals would not have any financial cost to taxpayers, being financed via the Community Infrastructure Levy (CIL) collected by the Council from our housing developments in Penistone and Oxspring, which combine not only to enable significant infrastructure improvements at Penistone Railway Station (of much benefit to the Local Community) but also to provide a significant contribution towards the supply of new homes required in Barnsley (at least 20,900 new homes) which the Council has identified are required to be delivered over the 17 year Local Plan Period to 2033.

We are advised that the Publication Draft Local Plan will be submitted to the Secretary of State by 16 December 2016 (in advance of its Examination in Public during April/May 2017) without the identification or safeguarding of our land adjacent to Penistone Railway Station for Transport Interchange use. Frustratingly, it now seems a foregone conclusion that the Council has no intention of reconsidering its position to enable the delivery of our proposals at Penistone Railway Station.

We have produced and attach for your perusal a factual report entitled a ***"Timeline of Events Regarding the Needs and Desire for a Strategic Transport Interchange on Land Adjacent to Penistone Railway Station"*** (Reference: YLL/PS/2016, dated December 2016) which is self explanatory. We have also attached recent correspondence between ourselves and our planning consultant, Mr Paul Butler of PB Planning, highlighting the possibility of a housing development on the land, if the Transport Interchange scheme is not required by the Council.

It is without doubt that our proposals for the development of a Transport Interchange would be of immense benefit to the Community, helping to assist in a wider take-up of public transport and thus the reduction of vehicular traffic congestion on the road network, both locally in Penistone and throughout South Yorkshire, as many local residents commute to work outside of Penistone. We are equally confident that if clean and reliable and coordinated public transport, coupled with good

quality supporting infrastructure (i.e. car parking, public toilets, and cafe/tearooms) is readily available, then commuters will be encouraged to travel by the use of public transport, helping to improve the disappointing statistic quoted within paragraph 4.21 (page 22) of the Councils adopted Core Strategy that only 1% of Barnsley's workforce travel to work by rail compares with 4% nationally.

The fact cannot be ignored however that we are unable deliver these facilities without appropriate financial gain elsewhere to offset the significant financial assistance involved in the development of a Transport Interchange. As the considerable financial outlay that we have in the site (in excess of seven hundred and fifty thousand pounds) is going nowhere at present and as the Council are not showing support for such a fantastic opportunity to enable the delivery of the Transport Interchange scheme, then we have to find an alternative use to obtain a fair return on our capital Investment.

Considering the urgent need the Council has identified for new homes in the Borough (it does not have a 5 year land supply) and the fact that this land, adjacent to Penistone Railway Station, is Brownfield and situated within Penistone Principal Town Boundary in a highly sustainable location adjoining public transport, housing does seem the next most logical use. Indeed, the current site value would increase substantially with the benefit of residential consent and thus provide us with a fair financial return considering the length of time we have had our money invested (almost 10 years) coupled with all of our efforts and financial outlay incurred to date in promoting the site for a Transport Interchange, for the public benefit. However, before we pursue this route, will you please write to the Chief Executive of the Council (Mrs Diana Terris) including copies of the correspondence enclosed with this letter, to clarify the Councils position regarding its requirement for our land; we are conscious of the fact that once our land adjacent to the Railway Station is developed with housing, there are no other sites suitable to accommodate a comprehensive Transport Interchange in future at the existing Penistone Railway Station.

We were recently advised by SYPTE's Principal Project Manager, Mr Gavin Bland, that during a meeting with BMBC in October this year, the Councils Head of Planning informed him that he felt a new Transport Interchange and car parking was not required (despite a collective informed opinion to the contrary) and this is obviously reflected in the fact that the Publication Draft Barnsley Local Plan, which is to be submitted to the Secretary of State by 16 December 2016, does not identify or safeguard our land adjacent to Penistone Railway Station in any way for Transport Interchange purposes.

We do find the Head of Planning's position very disappointing and most baffling considering that it contradicts the stated position of both SYPTE and the Leader of the Council (Councillor Sir Stephen Houghton CBE) who has confirmed his support for infrastructure Improvements in Penistone (including at Penistone Railway Station) within a written letter to a local resident dated 22 October 2013 (referenced within and attached at Appendix 21 of our Report) which he copied to SYPTE and separately to the Councils Planning, Transportation and Environmental Services departments.

Please will you forward your letter to the Councils Chief Executive along with this letter and all enclosures to our Local Member of Parliament, Mr Andrew Jones MP (who is a Government Minister within the Department for Transport) and separately to the Member of Parliament for Penistone

and Stocksbridge (Mrs Angela Smith MP) whose ward our proposals would benefit.

We spoke briefly with Mr Jones MP a few weeks ago, when he suggested that we provide him with the details of our proposals and this seems a suitable opportunity to do so.

This impasse has now gone on for far too long and with a New Year looming, it would be greatly appreciated if you can act on this matter before Christmas.

Yours sincerely

YORKSHIRE LAND Limited



Steven Green
Managing Director

Encs: Yorkshire Land Limited Report Reference YLL/PS/2016 – December 2016

Letter to PB Planning Reference YLL/PBP/2016-11.01

Sustainability and Deliverability Assessment (Including PAN 30 Assessment) undertaken by PB Planning