

Yorkshire Land Limited  
PO Box 785  
Harrogate  
HG1 9RT

8<sup>th</sup> January 2019

Dear Steven,

**LAND AT LAIRDS WAY, PENISTONE – POTENTIAL RESIDENTIAL DEVELOPMENT -  
INDEPENDENT SUSTAINABILITY & DELIVERABILITY ASSESSMENT**

I write further to my letter dated 5<sup>th</sup> December 2016 (enclosed for ease of reference) and in response to your request for me to review its conclusions following Barnsley Metropolitan Borough Council's (BMBC's) decision to adopt the new Barnsley Local Plan on the 3<sup>rd</sup> January 2019.

Within my original letter I provided commentary on the following areas: -

- Site Description
- Planning History
- Local Planning Policy Context
- Sustainability Assessment
- Deliverability Assessment

For ease of review, this update provides commentary on the above areas once more.

For the avoidance of any doubt, in undertaking this review I have considered updated planning guidance in respect of National Planning Policy Framework 2018 (NPPF), correspondence between BMBC and the Inspector throughout the Local Plan Examination in Public process and the Inspector's Final Report (including Main Modifications).

**SITE DESCRIPTION**

The site's description in respect of existing use, existing character and surrounding uses largely remains unchanged.

The site represents a redundant, dilapidated, previously developed site located close to the centre of Penistone. The site is located in a sustainable location in respect of access to services and facilities.

Within my previous letter I identified that the planning precedent of the acceptability of the site for residential use has recently been established by Barnsley Metropolitan Borough Council (BMBC) in their approval of an application for 36 homes on land which lies adjacent to the site.

The development of this site has not been completed, thus establishing the acceptability of residential development in this location in perpetuity.

**PLANNING HISTORY SEARCH**

As you will be aware, no new planning applications have been submitted at the site. As identified previously, the planning history search of the site provides evidence of the site's former uses. With regards to the planning history on adjacent areas of land, as identified above, the precedent of residential development being suitable on a previously developed site in this location of Penistone has been established by BMBC's approval of application Ref. 2016/0954 for 36 homes in November of this year. A development that has now been completed.

## LOCAL PLANNING POLICY CONTEXT

BMBC adopted the new Local Plan on the 3<sup>rd</sup> January 2019.

Penistone is identified as a “Principal Town” and Policy LG2 of the document confirms this status. With regard to future housing development Policy H1 identifies that 21,546 net additional homes will be delivered over the period 2014 to 2033 and that the Council will maintain a minimum 5-year supply of deliverable housing sites. Policy H2 of the document identifies that Penistone will deliver 1,003 of the 21,546 homes to be built within the Borough over the identified plan period. Policy H7 identifies an affordable housing target for developments in Penistone of 30%, subject to viability testing.

The adopted Proposals Map identifies that the site is located within the defined Urban Fabric of Penistone which is identified as “Land within the Settlement with no specific allocation”. Policy H5 of the Local Plan identifies that proposals for residential development on sites above 0.4 hectares which are not shown as housing sites on the Policies Maps will be supported where they are located on previously developed land; located within a Principal Town; are accessible by public transport; and have good access to a range of shops and services.

The principle of development of homes at the proposed development site is therefore fully in compliance with the policies contained within the adopted Local Plan.

With regards to the site’s current use, this of course remains unchanged from our previous letter. The site has been available for development for the majority of the last 30 years and particularly since it was purchased by Yorkshire Land Limited (YLL) in 2007. The Penistone Railway Station Report prepared by YLL in December 2016 (Reference YLL/PS/2016) which was sent to the Leader of the Council, Sir Stephen Houghton CBE, the Council’s Head of Planning, Mr Joe Jenkinson, and the local MP and current Sheffield City Region Mayor, Mr Dan Jarvis, identifies the substantial measures that YLL have sought to take over the last 11 years to promote and facilitate the comprehensive development of the site for a Public Transport Interchange. However, at the point of writing this letter there is no immediate prospect of the delivery of the Public Transport Interchange at the site or a mixed-use development on the northern section of the site.

Indeed, the potential delivery of the Public Transport Interchange by YLL was originally proposed alongside the development of their two sites at Wellhouse Lane, Penistone and Sheffield Road, Oxspring. The adopted Local Plan does not provide any site specific policy linkages to the Penistone site and the Oxspring site has not been allocated. The site was also promoted for interchange use by YLL throughout the Local Plan Examination in Public, but this was not supported by the Council. As a result, no site specific policy identifying the land for interchange use has been cited in the adopted Local Plan and as set out above, the land is simply defined as Urban Fabric.

We note the comment in your instruction letter, that having had considerable financial outlay in the land since the time of your purchase some 12 years ago, you now need to progress with a development to realise a return on your expenditure.

Consequently, given the site’s previously developed nature, we believe that it is now prudent to consider an appropriate, viable, alternative use for the site. Especially given that the site is currently an eyesore situated in a prominent location in Penistone. It is our view that residential development would be an appropriate alternative use for the site.

It is therefore clear to us that the site’s redevelopment for residential use would be entirely compliant with current local planning policy guidance for the following reasons: -

- It is located within the defined settlement limits and built up area of the Principle Town of Penistone;
- It could make a positive contribution to delivering Penistone’s proposed 1,003 housing requirement;
- It is located on previously developed land;

- It is highly accessible by public transport;
- It is located within 480m of Penistone Town Centre and thus accessible on foot or bicycle to a range of shops and services;
- It is located adjacent to an Important recreational and Tourism asset; the Trans Pennine Trail; and
- It is located adjacent to a newly completed residential development site.

## SUSTAINABILITY ASSESSMENT

With regards to the economic and social role of sustainable development, the original conclusions we reached in our letter dated 5<sup>th</sup> December 2016 remain unchanged. The site represents a previously developed site, located in a highly sustainable location, which can meet the identified housing needs of Penistone. The adoption of the Local Plan, confirming the site as “Urban Fabric” and the recent completion of the residential development adjacent to the site, only aid in confirming this position. The site is currently an eyesore situated in a prominent location in Penistone. It is our view that residential development would be an appropriate use for the site.

With regards to the environmental role of sustainable development, again our position remains unchanged. The site’s historic use as railway sidings renders it as having no current environmental value. There are no other environmental concerns associated with the development of the site. The redevelopment of the site would also remove an existing eyesore situated in a prominent location in Penistone.

Overall there are no adverse environmental impacts that would significantly and demonstrably outweigh the identified benefits of the proposed development.

## DELIVERABILITY ASSESSMENT

Following the undertaking of an up to date assessment of the site, it remains our view that the development of new homes at the site would be deliverable as the site is situated in a **suitable** and highly sustainable location in respect of existing settlement form and there are no technical or environmental (built and natural) constraints that would preclude the development of the site. The site is **available** now as it is under the control of a developer who has a successful track record of delivery and who are actively seeking the development of the site. The site can also be considered **achievable** as we are aware of strong developer interest from parties who can deliver new homes on the site within the next 5 years. The completion of the adjacent residential development site confirms this position also.

## CONCLUSION

It remains our professional and independent view that the redevelopment of the Lairds Way, Penistone site for residential development would be entirely in accordance with national and local planning guidance.

The site is located within the defined settlement limits and built up area of the Principle Town of Penistone. The site is located on previously developed land and its redevelopment would remove an existing eyesore situated in a prominent location in Penistone.

The site’s redevelopment for residential use could make a positive contribution to delivering Penistone’s and the Borough’s identified housing needs. The site is located in a highly sustainable location, within 480m of Penistone Town Centre and within walking distance of existing bus stops and Penistone Train Station.

The site can be considered a deliverable residential development site. The site's development would create a sustainable, high quality and accessible residential development which will provide significant social, economic and environmental benefits to the local area and the wider Borough.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'P. Butler', with a long horizontal flourish extending to the right.

**PAUL BUTLER**  
Director