Representations to the
Doncaster Council Local Plan

Matters, Issues and questions

Prepared on behalf of Barratt and David Wilson Homes (Yorkshire East)

August 2020
Representations relating to the Examination of Doncaster Local Plan; Inspector’s matters, issues and questions

Prepared on behalf of Barratt and David Wilson Homes (Yorkshire East)

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1.0 INTRODUCTION

1.1 These representations have been prepared by Barton Willmore on behalf of Barratt and David Wilson Homes (Yorkshire East) (hereafter referred to as the ‘Client’).

1.2 Our Client has a keen interest in the future development of Doncaster and is grateful for this opportunity to engage in the examination hearing sessions. In preparation for those hearing sessions we have prepared, on behalf of our Client, a number of written statements in response to the Inspector’s matters, issues and questions set out within Note 4.

1.3 Our Client is pleased to have the opportunity to positively engage with the Inspector and with Doncaster Council (hereafter referred to as the ‘Council’) to help achieve a robust Local Plan.

About Barratt and David Wilson Homes

1.4 Barratt and David Wilson Homes is Britain’s best-known house builder and has built over 300,000 new homes around the country, including 17,579 homes last year. Our Client is leading in the field of low carbon design, urban regeneration, social housing and innovation.

1.5 Barratt and David Wilson Homes is one of the largest residential developers in the UK, helping to meet housing demands in a range of towns, cities and rural areas. Our Client builds a variety of housing from first-time buyers apartments to family houses, plus many for social rent and shared ownership.
2.0 INSPECTOR’S NOTE: MATTERS, ISSUES AND QUESTIONS

2.1 These representations respond to the Inspector’s matters, issues and questions opening dialogue and debate to allow an informed decision to be made as to whether the Plan is sound and legally compliant and, if not, how it could be modified to ensure that it is.

2.2 Our responses within this statement respond directly to the questions raised by the ‘Inspector’s Note No. 4: Matters, Issues and Questions document’. The matters considered relevant to our Client in this instance are:

Matter 2 - Quantity of Development needed in the Borough
Matter 5 - Housing Supply
Matter 6 - Housing Development Requirements
Matter 7 - Specific Types of Housing

2.3 We comment on the above matters alongside Bellway Homes (Group).

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1 Doncaster Local Plan Examination - IN No. 4 – Matters, Issues and Questions, June 2020.
M2. Quantity of Development needed in the Borough

Q2.4. Does the Plan clearly establish a housing requirement figure for the Borough for the Plan period as required by national policy?

Q2.5. Is expressing the housing requirement as a range consistent with national policy or otherwise justified? If so, what should the bottom of the range be (assuming that it must be a fixed figure)?

2.1 We have serious concerns regarding the Council’s methodology which has been used to calculate the housing target of 920 dwellings per annum over the plan period 2015 – 2035.

2.2 Policy 3 explains that, using the Government’s Standard Housing Methodology as a starting point, national projections identify a housing need in the Borough for 585 homes per year (baseline growth) over the plan period (8,775 homes). In addition, to meet planned economic growth over the plan period, an additional 327 homes per year (economic growth) is identified. This gives a total objectively assessed housing need (OAHN) of 912 new homes (net) per year for the Borough once economic growth is taken into account.

2.3 The Council’s evidence has shown that an uplift is required in order to meet the economic aspirations, therefore without the top end of the range being met, these jobs will not be delivered. The inclusion of a range does not provide a clear requirement figure, it adds confusion to matters such as five year land supply and housing delivery test.

2.4 The plan does not clearly establish a housing requirement figure for the Plan period. Furthermore, whilst expressing the housing requirement figure as a range, the growth figure is not fixed, it remains an aspirational figure that is not accurate or decisive; there is nothing in planning policy that advocates that approach.

2.5 In summary, Policy 3 which sets the housing figures, is unsound and does not meet the tests of soundness set out in paragraph 35 of the Revised Framework. The policy is not justified, effective or positively planned and should be revised.

Q2.6. Is the strategic aim in policy 3 to facilitate the delivery of 18,400 new homes in the period 2015 to 2035 (920 dwellings per year) justified and positively prepared? In particular:

a) Is it appropriate to plan for a higher figure than the standard method indicates (585 homes per year)?

2.6 The implementation of the standard method resulted in significantly reduced levels of housing delivery across the north of England, particularly in Yorkshire, which had negative
impacts upon the wider economy. This significant reduction in homes was further increased by 2016 population projections, to a point that they were omitted form use in the standard method. Given the significant negative impacts that this has had for the north of England a number of authorities have sought to increase the level of homes in order to meet economic aspirations.

2.7 In the case of Doncaster, the Council is preparing an ambitious Local Plan to meet economic requirements, which show a need for over 1000 homes per annum, significantly above that in the standard method, albeit it justified in accordance with the PPG.

b) Are the economic growth assumptions upon which the strategic aim of 18,400 new homes is based aspirational but deliverable between 2015 and 2035?

2.8 Our Client supports the growth aspirations and the evidence provided by the Council.

c) If such economic growth were to materialise, would it be likely to affect demographic behaviour to the extent that an additional 335 homes are needed every year between 2015 and 2035 (on top of the 585 per year that the standard method indicates are needed)?

2.9 The standard method reduces the level of home sin the regions significantly below both previously delivered levels of homes and previous plan requirements. The amendments currently being consulted on show a reversal of this in Doncaster with a 75% increase to almost 950 homes per annum.

2.10 The starting point of 585 homes is somewhat misleading in this respect and the Councils uplift is not as significant as it appears when considering previous levels of delivery and the revised standard method figure. Given the difference follows past trends and delivery it is not unreasonable to suggest the requirement will not be met.

d) Do previous levels of housing delivery in the Borough indicate a need for more than 585 homes per year?

2.11 The Council have delivered an average of 829 homes per annum over the last 10 years, with the previous four years all delivering over 1000 homes and the last two years delivering an average of over 1250 homes per annum. These figures, without an up-to-date plan show that the 585 homes figure is significantly constrained and support the need for a significant increase.

e) Should the Plan aim to deliver more than 585 homes per year in order to help meet the need for affordable homes?
2.12 The Councils 2019 Housing Needs study shows a requirement for 209 affordable homes per annum. Whilst these can come forward from a variety of sources, a significant proportion will be delivered as part of market housing schemes. The Councils evidence on past delivery shows that this figure has only been met twice in the last ten years with an average over that period of 157 homes.

2.13 Should the plan only seek to deliver 585 homes this would require approximately 40% of them to be affordable to meet the need, with only 23/15% or market homes required to deliver affordable homes this simply will not be met.
M5. Housing Supply

Q5.1. Was the approach to determining which sites to include as housing allocations in the Plan described in the Site Selection Methodology and Results Report justified and consistent with national policy and guidance?

Our Client does not wish to comment on this question.

Q5.2. Assuming it is modified to include the figures in CSD6, does the Plan identify sufficient land to ensure that the strategic aim of delivering 18,400 new homes in the Plan period 2015 to 2035 can be achieved? In particular, is there a reasonable prospect of:

a) 9,289 new homes being built on allocations with planning permission at 2018?

2.14 Whilst these sites are allocated, and planning permission is in place it is a significant time since some were approved. The sites with outline consent should only be included if there is evidence that they will be delivered and also sites that have been implemented for some time should be excluded. We reserve the right to comment further in person once the Council's response is received.

b) 585 new homes being built on other commitments at 2018?

c) 6,630 new homes being built on allocations without planning permission at 2018?

2.15 Our Client questions why planning applications have not been forthcoming on land allocated for housing. The NPPF and PPG stipulate that a site is considered to be deliverable when it is available, suitable and achievable at the time of the assessment. The PPG states:

"Assessing the suitability, availability and achievability of sites including whether the site is economically viable will provide the information on which the judgement can be made in the plan-making context as to whether a site can be considered deliverable over the plan period."

2.16 There is no evidence that the 6,630 new homes to be built on allocations without planning permission will actually come forward and be made available within the plan period.

2.17 The sites that do not have planning permission in place are clearly not available immediately for development and the Council cannot provide evidence to demonstrate that those sites are viable.
2.18 These sites should all be excluded unless there is specific evidence that they will be delivered. We reserve the right to comment further at the examination once the Councils response is received.

Q5.3. Should Table 5 of the Plan be modified to include the following, having regard to policies 2, 3 and 11 relating to development on unallocated sites and policy 7 relating to Doncaster Sheffield Airport:

a) a windfall allowance of 3,400 new homes, or some other figure?

b) 290 windfalls at Defined Villages?

c) 197 new homes on windfalls on sites identified in the brownfield register 2019?

d) New homes at Doncaster Sheffield Airport?

Should any such housing completions count towards achieving the aim of delivering 18,400 new homes in the Plan period?

2.19 The Framework states that the preparation and review of all policies should be underpinned by relevant and up-to-date evidence that takes into account relevant market signals. The Council are required to provide evidence to demonstrate that the level of windfall development has previously been delivered within the district.

2.20 These figures are very explicit and without clear evidence that they can be provided they should be excluded from the figure.

Q5.4. To be effective, should Table 5 of the Plan and/or other parts of the reasoned justification for policy 6 be modified to set out explicitly what the total housing supply is for the Plan period 2015 to 2035?

2.21 Yes, the table includes the various contributing factors to the supply but does not include the overall figure. It is very difficult to easily see what the impact a reduction in any of the categories has to overall supply given the lack of a total.

Q5.6. Is the proposal in policy 3 to have a variable figure for the five year requirement consistent with national policy? Would it be effective in helping to ensure that the need for homes identified in the Plan can be met? If not, how should the five year requirement be calculated?

2.22 No the plan should not have a variable figure for the purposes of calculating a five year supply of housing. The housing requirement is based on evidence and set at a figure of 920 homes, the five year position is effectively a calculation based on that. There is no justified
reason to use the standard method figure of 545 other than to artificially reduce the level of homes needing to be shown to calculate a five year supply.

2.23 Should however it be considered suitable, there should be no cap based on the upper level, therefore in the future should the standard method exceed the 920 homes per annum, that figure would be used.

Q5.7. Is there clear evidence that any of the 3,685 dwellings on sites with planning permission in categories A and B on 1 April 2019 will not be completed by 31 March 2024?

2.24 Our Client does not wish to comment on this question.

Q5.8. Has the Council provided clear evidence that a total of 2,833 dwellings will be completed on sites of 10 or more dwellings with outline planning permission, sites with a grant of planning permission in principle, and allocations without planning permission by 31 March 2024?

2.25 It is not considered that the Council have provided clear evidence on the deliverability of these sites from that which is available, further comments will be made at the examination when we have seen the Councils response.

2.26 Q5.9. Is the inclusion of a windfall allowance of 1,000 dwellings in the five year supply from 1 April 2019 justified? Would there be “double counting” with some of the 4,886 dwellings on sites with full or outline planning permission on 1 April 2019?

2.27 No. The five years supply should show specific deliverable sites, including a set figure for sites that at this time or unknown and uncertain does not meet this definition and should be excluded. Any windfall sites to be delivered in the first one or two years of the plan are likely to already have planning permission and therefore are likely to be double counted.

Q5.10. Does Figure 3 in the Plan set out a justified and effective housing trajectory?

2.28 No, the first year of the trajectory shows 1700 homes, whilst the actual figure in 2018/19 was 1327 homes. The trajectory also shows a significant reduction in delivery by the middle of the plan period with no five year land supply existing from 2025/26. The trajectory is not effective as it shows that the supply of existing permissions starts to reduce significantly and there are insufficient new sites coming forward to support this.
Q5.11. Does the trajectory demonstrate that the Plan will be effective in ensuring that there will be a supply of specific deliverable sites sufficient to meet an appropriately calculated five year requirement when the Plan is adopted and thereafter?

2.29 The trajectory clearly demonstrates a five year Housing Land Supply deficit in the latter years of the plan. Given the deficit, it is clear that not enough land has been allocated for housing. Our Clients have sites that are suitable, available and achievable for residential development and there are no major constraints which would preclude development from coming forward.

Q5.12. Is the approach set out in policy 2 part 5 to allowing development adjacent to the Development Limits of the Main Urban Area, Main Towns, and Service Towns and Villages if a five year borough-wide supply of housing land cannot be demonstrated justified and consistent with national policy?

2.30 The Framework is not explicit in that development cannot take place in the open countryside. Policy 2 part 5 allows 'residential development' in the Countryside if adjacent to a Development Limit of a settlement in levels 1-3 above.

2.31 The policy goes on to state that "in exceptional circumstances, and subject to the demonstration of clear local community support, residential development in appropriate locations may also be supported in the Countryside on land adjacent to the development limit of a Defined Village".

2.32 Our Client has significant concerns with this policy, the introduction of exceptional circumstances and a public vote, neither of which are included in national policy. It may therefore be simpler to simply replace this with a policy test that the policy comes into effect in the event of not having a five year land supply.
M6. Housing Development Requirements

Q6.2. Is the requirement in policy 8 part A for development to deliver a mix of house size, type, price and tenure to address the needs and market demand in the latest Housing Need Assessment or other robust evidence justified?

2.33 Our Client believes that part a) of the policy should remain flexible, allow new evidence to be presented as things change over time. Our Client is committed to identifying the appropriate mix for each location to ensure that demand is accurately reflected. Housing mix requirements are site specific and will inevitably change over time.

Q6.4. Are the requirements of policy 8 part B for housing sites of 15 or more homes (or 0.5 hectares or above) to normally include 23% affordable homes in high value housing market areas or 15% elsewhere justified by adequate, proportionate and up to date evidence about need and viability?

2.34 Part b) of the policy provides guidance on the level of affordable housing that will be required, with developments of 15 homes or more having to provide 23% affordable housing in the Borough’s high value housing market areas or a lower requirement of 15% elsewhere in the Borough. The higher/lower value areas should be defined using a map within the policy for clarity.

2.35 The figure of 23% affordable housing in the Borough’s high value housing market areas creates issues when calculating the requirement; we propose the figure is rounded down to 20% to simplify calculations and ensure that sites are viable.

Q6.6. Is the requirement in policy 46 part A for all new housing to meet the Nationally Described Space Standard as a minimum justified by adequate, proportionate and up to date evidence about need, viability and timing?

2.36 The Council’s Housing Design Standards Policy Evidence Paper 2019 sets out the main evidence for the requirement in policy 46 part A for all new housing to meet the Nationally Described Space Standard as a minimum. This includes a finding that the majority of recently built homes in Doncaster failed to meet those standards in terms of bedroom sizes and storage space.

2.37 We support the Council’s assessment but recommend that such standards should be subject to site specific viability assessments.

Q6.10. Are the requirements in policies 42 to 45 relating to the design of housing developments justified? In particular:
a) The approach to “standardised or off the shelf” designs in policy 42 part B.

2.38 Part b) of the policy states 'Where an applicant wishes to utilise standardised, or 'off the shelf’ designs which have been used previously, unless these designs are rigorously justified under the requirements of part E of this policy, the designs must be adapted to complement or re-interpret local character, or make them more distinctive by developing an appropriate locally inspired new identity and appearance for the development’

2.39 Whilst the wording of part b) has changed slightly the restrictive still results in a negative presumption towards the use of major housebuilders standard house types. This is unfair and is not based on any evidence which justifies its inclusion within the policy, for these reasons our Client objects to this part of the policy.

2.40 It is however accepted that in some cases revisions may be required to the detailing of certain house types, however, the policy enables the Council free reign to request revisions to house types.

2.41 Our Client will also identify the most appropriately designed houses for each location to ensure that the character and appearance of the area is maintained and not adversely affected. Part b) of the policy is not effective, justified, positively planned or in accordance with national planning policy and is therefore unsound and should be deleted.

b) The requirement in policy 43 for all major developments to make use of pre application engagement with the Council, Design Review and urban design tools including masterplans, design guides, and design codes.

c) The requirement in policy 45 part D for all major developments to utilise Building for Life throughout the design process.

2.42 Our Client is generally supportive of policies 43 and 45, which seek to ensure that high quality designs and development is brought forward.

2.43 However, the policies should include a caveat which states that the provisions within the policy are subject appropriate timeframes and ultimately viability.

Q6.12. Are the requirements in policies 27, 29 and 49 relating to the provision of green infrastructure and open space and the landscaping of housing developments justified and would they be effective? In particular:

a) The requirement in policy 27 part A for all major developments of 30 or more family dwellings to provide a green infrastructure masterplan which demonstrates how the specified criteria will be met. Is the Council’s suggested change to apply
the requirement to all sites of one hectare or more necessary to make the Plan sound and, if so, is it justified?

2.44 Our Client agrees that a policy should be included within the plan regarding green infrastructure, however they object to the contents of the policy as currently worded.

2.45 The requirement for a specific document should be dealt with via the Council’s local validation checklist, rather than being applied through a planning policy. As such, the requirement for the green infrastructure plan should be removed from the policy.

2.46 In addition to the above, our Client questions the need for a green infrastructure plan and what it will ultimately achieve. Most developments will include a landscape masterplan and a biodiversity management plan and it is contended that such documents will provide the Council with sufficient comfort that green infrastructure will be addressed through proposed development. To request that this information is then drawn together into another separate document is unnecessary and overly onerous.

2.47 In summary, the policy is not justified, effective or in accordance with national planning guidance and as such is unsound, failing to meet the tests of paragraph 35 of the Framework.
M7. Specific Types of Housing

Q7.1. Is the approach to housing development in the Countryside set out in policies 2, 3 and 26 justified and consistent with national policy? In particular:

Are the size limits for an individual scheme/site and cumulative growth limits over the Plan period for residential development adjacent to the 14 Defined Villages set out in policy 3 justified?

2.48 Our Client supports the principle of development being allowed outside of development limits as windfall housing provided it is appropriate. Given the level of development approved in similar circumstances through the lack of five year land supply or an out-of-date plan in recent years, more local authorities are starting to include policies to allow this in certain circumstances.

2.49 Policy 3 has three tests, firstly the site must be adjacent to a settlement in tiers 1-3, secondly the scheme must show exceptional circumstances, community support and be in an appropriate location and finally the scale of the development and cumulative growth cannot be met. Whilst our client supports a policy being included, they object to the soundness of these restrictions and tests.

2.50 Firstly the limitation to tier 1-3 settlements has no policy basis. If a smaller settlement has an appropriate site, no harm to the settlement character, landscape character or sustainability to the settlement it should not be dismissed simply because it is outside of the settlement limits. Similarly to deliver the level of homes (10%) in these settlements a significant windfall allowance, including land outside the settlements will be required.

2.51 In terms of the next stage in the policy, we have no objections to the definition of an ‘appropriate location’ as any scheme that does not harm these should be supported. However to require ‘exceptional circumstances’ and ‘community support’ adds in a level of policy that is contrary to national policy.

2.52 Exceptional circumstances are only required for releasing Green Belt land in the plan process and should not be extended to applications simply in the open countryside. Similarly, there is no requirement for community support in national policy. Applications should be considered on their merits and determined as such, if the scheme is shown to have no technical constraints and have no adverse impacts on the character of the area it should not be refused because of a local vote.
2.53 Finally, the limitations on size are considered inappropriate and contrary to policy. Applications should be considered on their merits, again if there are no technical issues and no harm to character from a scheme that exceeds the limits, why should it be refused?

2.54 Overall, the general aims of the policy are supported, however the detailed policy requirements are considered unsound and should be removed.