HEARING STATEMENT

MATTER 5: HOUSING SUPPLY

ON BEHALF OF METACRE LIMITED (REF: 05173 / 05174)

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TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004

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CONTENTS:

1.0 Introduction .................................................................................................................. 1
2.0 Inspectors Questions ..................................................................................................... 2
1.0  Introduction

1.1  This hearing statement is provided on behalf of our client Metacre Limited. It is made in respect of ‘Matter 5: Housing Supply. Responses are provided solely to questions which are directly relevant to our client’s site and previous submissions made on their behalf.

1.2  Metacre Limited are promoting two sites through this Local Plan. These being:

- Land at Crabgate Lane, Skellow (site reference: 186) – this is part of the proposed site allocation Land north of A1, Skellow in combination with site reference 165, and
- Land at Mill Lane, Skellow (site reference: 185)

1.3  Our Client is an important stakeholder in the plan making process and wishes to ensure that the Doncaster Local Plan is prepared in a robust manner that passes the tests of soundness contained in the National Planning Policy Framework (NPPF) (para. 35), namely that the plan is:

- Positively Prepared;
- Justified;
- Effective; and
- Consistent with national policy.

1.4  Our client supports many of the policies within the Local Plan and believes with modifications the plan should be found sound. We welcome the opportunity to comment on the Inspector’s Matters, Issues and Questions and provide the following responses to selected questions in so far as they relate to our previous representations.
2.0 Inspectors Questions

2.1 The omission of a response to a specific question should not be construed as our client having nothing further to add. Our client reserves the right to respond not only to the questions identified in this hearing statement but others as relevant and deemed necessary during the hearing session(s).

2.2 The questions are taken in order of publication within the Matters, Issues and Questions document (ref: INSP4).

Site Selection Methodology

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?

2.3 Our client is broadly supportive of the methodology outlined within the ‘Site Selection Methodology and Results Report’ (ref: SDEB46). The allocation and scoring of our client’s site Land at Crabgate Lane, Skellow (site reference: 186) which is part of the proposed site allocation Land north of A1, Skellow in combination with site reference 165 is supported. Table 6.4 of the Council report highlights that this site scores strongly across most criteria. There are no significant negative effects identified from the development of this site.

2.4 Whilst our client is broadly supportive, we do have concerns with the practical application of some aspects of the methodology.

Stage 3: Local Plan Spatial Strategy

2.5 As discussed with our matter 3 statement our client is broadly supportive of the spatial distribution of development, but we do have concern with the proportionate split applied to some elements of the hierarchy. For example, the highly sustainable settlement of Carcroft & Skellow is only identified to deliver circa 250 dwellings. Given issues in relation to viability and flood risk it is considered appropriate that greater flexibility should have been provided in the application of this stage.

Stage 5: Flood risk and Green Belt
2.6 Within our response to matter 1 (question 1.11) we highlight inconsistencies with the Council’s approach to sites within flood zones 2 and 3 and their preferable treatment to other sites. Our clients site Land at Mill Lane and Crabgate, Skellow (ref: 185) is sifted out of the methodology at this stage as it is not identified as being sequentially preferable. Whilst it is recognised that elements of this site fall within flood zone 2/3 our client has demonstrated through a site promotion document\textsuperscript{1}.

Stage 6: Viability Testing & Technical Site Access/ Highways Issues

2.7 A primary consideration of the site selection methodology must be deliverability. The Council’s ‘Whole Plan Viability Assessment’ (ref: SDEB48.1) and subsequent addendum (ref: DMBC11) identify that development is unviable in low value areas based upon the full range of policy contributions. It is, therefore, questionable whether some of these less viable sites will deliver over the plan period or if they do if they will deliver the necessary infrastructure contributions.

Overall supply for the Plan period 2015 to 2035

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?

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?

2.8 Our client can confirm that the site at Land at Crabgate Lane, Skellow (site reference: 186) which is part of the proposed site allocation Land north of A1, Skellow can deliver in full over the plan period and as such will provide a valuable source of housing supply for the plan. We are, however, concerned

\textsuperscript{1} See appendix to matter 1 statement
that some of the sites within the low value areas may struggle to deliver due to viability issues.

2.9 We consider this issue in greater detail within our response to matter 6. It is, however, notable that the Council is reliant upon 3,794 dwellings being delivered within these areas, approximately 16% of its overall supply identified in table PQ27 (ref: DMBC11). It is also noted that some sites are anticipated to deliver after 2035 (2,292 dwellings) any slippage in these sites, or others, will place delivery of the Council’s overall requirement in jeopardy.

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?

2.10 No, the NPPF (paragraph 70) states:

“Where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply…”

2.11 Within the Housing Topic Paper (ref: DMBC7) the Council clearly acknowledges that it has received a high proportion of windfalls in the past since the extant plan was adopted 20 years ago. Whilst it is likely that windfalls will continue to be delivered over the plan period the extent and scale is difficult to predict given that allocations and extant permissions will become the primary focus for delivery following adoption of the plan.

2.12 The Council notes:

“...strong evidence for a windfall allowance based on historic delivery, but very little in the way of evidencing a potential future supply from specific sites in the HELAA. It has not been possible to make an allowance from windfalls during the plan period towards the overall housing requirement due to lack of evidence to provide certainty around future supply.” (response to PQ26, ref: DMBC7).

2.13 Due to the lack of reliable evidence on future supply provided by the Council on the scale of windfall delivery the inclusion of 3,400, or some other figure,
homes from this source would be contrary to the NPPF.

**b) 290 windfalls at Defined Villages?**

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

2.14 No, whilst the plan identifies an allowance for ‘Defined Villages’ it does not identify any compelling evidence to suggest the likely scale of windfall delivery from this source, it simply places and unjustified cap on the settlement.

2.15 Similarly, we see no justification for sites on the brownfield register. In conformity with our response to part a) above we do not consider this should be identified as part of the supply.

**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?*

2.16 No, the delivery of the new homes at the airport is reliant upon jobs-related directly to airport development. If the airport jobs materialise in-line with its Growth Plan these will require additional housing growth. If these additional homes were to be included in the supply the overall housing requirement would need to increase commensurately to accommodate the additional growth in jobs.

**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?**

2.17 Yes, this would provide additional clarity.

**Five year housing land requirement**

**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?**

2.18 I refer the Inspector to our response to question 2.5 as well as the response provided below.
2.19 It is not considered that the use of a variable requirement would be effective in helping to ensure that the need for homes identified in the Plan can be met. This is because, based upon the Council’s economic ambitions, it has identified a need for 920dpa. This is the level of housing growth identified to fulfil the needs of the plan. The five-year requirement should therefore be based upon a requirement to meet at least 920dpa.

2.20 The use of a lower requirement to measure five-year supply is akin to the Council suggesting it will fail to deliver its plan in full. This does not appear a positive stance.

2.21 If the housing need associated with the plan ambition is not delivered it would either stifle economic growth or lead to significant in-commuting into the area. In addition, as discussed in our matter 2 statement, the figure created by the current standard method to calculate local housing need is likely to increase significantly. The application of the changes to the standard method identified in the Governments proposed changes suggest a figure of 961dpa. Furthermore, the 2018 sub-national household and population projections provide a strong indication that use of the current standard method would significantly under-estimate need within Doncaster, irrespective of its economic ambitions.

2.22 Whilst the figure of 961dpa is the subject of consultation it clearly demonstrates the Government’s desire to significantly boost housing supply and meet its target of 300,000 new homes per year by the mid 2020’s.

**Five year housing land supply**

**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?**

2.23 It is noted that the Council applies a 10% discount to its figures to accommodate a lapse rate. This is supported. It is, however, noted that the

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2 Note: this should not be construed as our acceptance of the 920dpa figure. It should also be noted that the current consultation on the standard method suggests a requirement of 961dpa for Doncaster – see our matter 2 statement.

3 Changes to the current planning system, August 2020
figures identified in table PQ29b of the Council’s response to the Inspectors preliminary questions (ref: DMBC7) suggest a higher rate of 3,811 dwellings from these two sources. Our client has no further comments to make upon these components of supply at this stage.

**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?**

2.24 No, it is not considered that the Council has provided sufficient evidence that all of these sites will deliver in the first five years. The NPPF definition of ‘deliverable’ places emphasis upon the need for the Council to provide robust evidence regarding housing delivery from these sources. The PPG (ID 68-007-20190722) provides guidance upon what may constitute clear evidence. In addition there are numerous appeal and secretary of state decisions which provide further insight. The appeal decisions highlight the need for the ‘clear evidence’ to be site specific, certain in terms of housing numbers and clear on issues such as start dates and application submission.

2.25 The Council’s response to the Inspectors preliminary questions (ref: DMBC7), identifies 2,707 dwellings will be delivered from these sources over the five-year period 1st April 2019 to 31st March 2024. Appendices A to D of the Council’s 'Doncaster 5-Year Deliverable Housing Land Supply Statement’ (ref: SDEB27) provides the Council’s justification for the inclusion of sites without detailed permission within the five-year period. The evidence provided does not include sufficient detail to enable deliverability within the five-year period to be ascertained.

2.26 It is recognised that the Council’s HELAA methodology (SDEB45) sets out assumptions around lead-in times from outline permission to reserved matters and commencement, as well as build-out rates depending on site size and number of developers on site, and so forth. Whilst this is useful context it does not provide the site-specific information required to ascertain build out rates and lead-in times for specific sites. The Council confirms the generic lead-in

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4 For example APP/P4605/W/18/3192918 and APP/Y0435/W/18/3214365
times and build out rates have been applied to many sites within this category (response to PQ30, ref: DMBC7).

2.27 It is also noted that similar to Q5.7 there is a discrepancy between the figures quoted by the Inspector and those identified in table PQ29b of the Council’s response to the Inspectors preliminary questions (ref: DMBC7), this appears to relate to category E ‘Allocations without planning permission’.

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?

2.28 It is not considered that a windfall allowance is justified and we do consider there would be some double counting between the windfall allowance and sites with full or outline permission.

2.29 The Council, quite rightly notes, that it cannot adequately evidence a future supply of windfall sites, this is discussed in our response to Q5.3a above. Given this stance it is strange that the Council seeks to apply a windfall allowance to its five-year supply of housing land particularly given that in response to the same question the Council also notes:

"...the supply from windfalls post-adoption of the local plan is likely to see a reduction in windfall supply for at least the early years/phases of the plan period."

2.30 It is recognised that delivery from windfalls has been strong in the past and has rarely dipped below 200dpa from this source. However, this is not surprising given the aged nature of the extant plan. The justification for 1,000 dwellings from this source of supply over the five-year period is not clearly evidenced and is contradictory to the Council’s own stance upon windfalls. Indeed, as discussed earlier the Council appears to suggest that a windfall allowance cannot be justified.

2.31 In terms of double-counting it is noted that the Council suggests that 200 per annum includes discounting to avoid double counting with extant small permissions and exclude residential garden land. There are, however, a
significant number of sites in the supply which were not allocated or otherwise identified prior to permission being sought and as such are ‘windfalls’. This includes all Prior Approvals (119 dwellings), sites below 5 dwellings which are not identified either through the plan or HELAA due to their size (502 dwellings) and numerous sites above 5 dwellings.

Housing trajectory

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

2.32 Our client has no further comments at this stage.

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?

2.33 No, based upon the requirement to deliver 920dpa the trajectory suggests this will not be delivered from 2025/26. The Council has only presented the figures diagrammatically and hence the exact figures for each year are difficult to determine. But if this trajectory at figure 3 is correct and the Council’s supply is assessed against 920dpa this would suggest a failure to meet a five-year housing land supply by 2023/24. If the lower local housing need figure is utilised the five-year supply would be compromised by 2025/26. However, as previously discussed the Government’s proposed changes to the standard method suggest that instead of being a lower threshold it will be higher than 920dpa.

Policy 2 part 5: if a five year supply cannot be demonstrated

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?
2.34 This is supported and is considered a pragmatic approach to dealing with housing land supply issues. The NPPF (para. 59) is clear that plans should seek to significantly boost supply and that plans should be flexible and able to deal with changing circumstances (para. 11).