HEARING STATEMENT

MATTER 6: HOUSING DEVELOPMENT REQUIREMENTS

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

Word count (excluding Inspector’s questions) – 2,207

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

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1.0 Introduction

1.1 This hearing statement is provided on behalf of our client Metacre Limited. It is made in respect of ‘Matter 6: Housing Development Requirements’. 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 specific requirements for housing allocations without planning permission

Q6.1. Are the development requirements for the housing allocations without planning permission set out in Appendix 2 to the Plan justified? Is there sufficient detail to provide clarity to developers, local communities and other interested parties about the nature and scale of development proposed? Are the Council’s suggested changes to Appendix 2 relating to sites ref 133 (Thorne) and 247 (Rossington) necessary to make the Plan sound?

2.3 Our client is promoting 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. Whilst our client does not wish to raise any specific concerns in relation to the requirements it should be clear that the purpose is to inform discussion and negotiation upon planning applications.

Housing Mix

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?

2.4 Whilst the Housing Need Assessment (ref: SDEB24.1) provides a useful starting point it inevitably provides a snapshot in time and should be recognised as such. It represents the projected district-wide need and aspiration identified in the 2018 household survey, rather than the needs at
the time of development. It does not consider completions and household change since 2018 nor could it foresee the current Covid-19 pandemic and how this may have long-term social impacts altering the way we use our homes. For example, working from home has become more commonplace.

2.5 Appendix 4 provides a potential mix which is identified as a starting point for discussion, it is considered essential that the policy is applied flexibly. On this basis it is recommended that flexibility is built into the policy wording.

**Q6.3. Is the inclusion of Appendix 4 in the Plan justified and consistent with the wording of policy 8? Will it be effective in helping to ensure that the need for different types of homes in different parts of the Borough are met throughout the Plan period?**

2.6 I refer to the points raised in question 6.2.

### Affordable Housing

**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?**

2.7 The 2019 viability report (ref: SDEB48.1) notes:

"...viability pressure was at its highest for schemes in low value areas. These schemes were shown to be unviable if a 20% (or higher) affordable housing provision was applied. However, **some schemes** did return a viable outcome if the affordable housing provision was reduced to 15%, although typically this also required a reduction in the other S106 policy contributions.” (para. 7.5 our emphasis).

2.8 This is re-iterated in the Council’s addendum to its viability evidence (ref: DMBC11) which states:

"The low value areas, where the affordable dwelling requirement is reduced to 15%, is shown to be unviable. This is the same outcome as the 'base’ appraisal modelling in our May 2019 report” (para. 2.3)
2.9 It is noted that in terms of Greenfield development a ‘low cost’ developer model returns a viable result (table at para. 2.12, DMBC11). This is, however, based upon a significant (50%) reduction in developer contributions. The justification for this reduction is not evidenced, furthermore it is unclear which obligations will be ‘sacrificed’ to ensure viability.

2.10 The policy will lead to issues with the delivery of sites in some low-value locations. The Council should, therefore, either reduce the requirement for affordable housing further in these areas or divert delivery to other more viable locations. The policy is considered unsound as it is not justified by the evidence, it is not positively prepared and will not be effective.

**Internal Space Standards**

**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?**

2.11 It is not considered that the introduction of the Nationally Described Space Standard (NDSS) has been justified by adequate evidence. In determining whether the NDSS should be introduced it is essential to recognise that these are optional standards. Footnote 46 of the 2019 NPPF advises that:

“*Policies may also make use of the nationally described space standard, where the need for an internal space standard can be justified.*”

2.12 The PPG breaks this down into three key areas; need, viability, and timing. The Council’s evidence is set out within the June 2019 Housing Design Standards Policy: Evidence Paper (ref: SDEB25), this remains the Council’s only source of evidence.

**Need**

2.13 The Council refer to national and regional evidence that on average new dwellings within the UK are smaller than their European counterparts. However, the 2020 HBF\(^1\) customer satisfaction rating the design of new builds

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\(^1\)[https://www.hbf.co.uk/policy/policy-and-wider-work-program/customer-satisfaction-]
scores highly with 93% of customers satisfied with the internal design of their home.

2.14 In relation to Doncaster the Council analysed 246 homes across 47 sites. This represents a small sample size given that it represents just 20% of the delivery in 2017/18 alone (1,208 gross new dwellings). It is also unclear when the planning applications for the dwellings sampled were submitted, be this prior or after the publication of the optional NDSS.

2.15 The Council identifies that through their research only 23 (of the 246 surveyed) met the full requirements of the NDSS when using the standards required for the proposed number of bedrooms on the plan (para. 3.18). However, nearly 82% met the gross internal floor area based on their proposed number of bedrooms. This number increases to 225 (91.5%) if the gross internal floor measured was based on the number of actual bedrooms according to the measurements. This identifies that most dwellings are meeting at least some of the standards and therefore the actual need appears over-estimated.

Viability

2.16 The Council comments that in many instances the footprint of the building need not be altered and that only internal changes will be required. The Council, therefore, suggests that the impact upon affordability will be minimal. This does, however, appear to disregard the need for entry level two, three and four-bedroom homes. These properties, which may not always meet the NDSS, supply an identified need for families who require the bedrooms but cannot necessarily afford / or want to buy an NDSS compliant house.

2.17 It should also be noted that a reduction in choice may impact upon deliverability as there are likely to be fewer price points across the property range.

Timing

2.18 The Council suggests that because the NDSS is being introduced in other areas

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2 The scale of the survey, believed to be one of the most comprehensive continuous industry research exercises in the country, ensures that its results provide a robust and accurate representation of industry and builder performance.
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and has been consulted upon it can be introduced immediately upon adoption. This is a naïve statement which fails to understand that following acquisition it can take many years to get to the point of submitting a planning application. For national developers it is not simply a case, as suggested, of swapping house types. A development is submitted not only to meet needs of the area but also market conditions. For smaller, local developers, the Council suggests it will assist in relation to compliance. This will do little to appease the aborted costs due to a late change in requirements.

2.19 The PPG (ID: 56-020-20150327) expressly includes a transitional period to overcome these issues. The Council has provided no evidence to suggest why it should simply place these considerations to one-side. If, as we dispute, the introduction of the NDSS is based upon sound evidence a transition period of at least 12 months from adoption should be provided.

Housing for older people with disabilities

Q6.8. Is the requirement in policy 46 part B for at least 65% of all new homes on developments of over 0.5 hectares or 10 or more units to meet Building Regulation standard M4(2) justified by adequate, proportionate and up to date evidence about need, viability and site specific factors such as vulnerability to flooding, site topography, and other circumstances?

2.20 The current Building Regulations require all new dwellings to be built to M4(1). This standard requires a good level of access for most people, including wheelchair users, to the property and all habitable rooms and sanitary facilities. The requirement for 65% of all new homes to comply with optional standard M4(2) inevitably has viability implications. As discussed previously and within our client’s comments upon the ‘Publication Version’ of the plan viability is already compromised in the low value areas.

2.21 The Council’s response to the Inspector’s Preliminary Questions (DMBC7, response to PQ35) and Housing Design Standards Policy: Evidence Paper (ref: SDEB25) are clear that the requirement is built upon the increase in older person’s aged 65+ and those with a Long Term Health Problem or Disability (LTHPD). This appears to assume that all those 65+ or with a LTHPD will move to a new dwelling and require a dwelling with enhanced accessibility. This
clearly will not be the case. The 2019 Housing Needs Study (ref: SDEB24.1, para. 6.23) identifies 83.7% of those 65 and over surveyed were planning to continue to live in their current home with support when needed.

2.22 Taking this into account and applying it to the Council’s data reduces net annual need for such accommodation in new dwellings from the 65 and over from 8,550\(^3\) over the 15 years of the plan to just under 1,400 or less than 95 dwellings per year. The Council’s response to the Inspector’s Preliminary Questions (DMBC7, response to PQ35) does acknowledge that some 65+ will seek to stay within their own home but does not take this or the fact that not all 65+ residents will require such properties into account in the percentage requirement.

2.23 Comparison of the Doncaster policy requirements for M4(2) dwellings to other recently adopted plans across the north indicates the requirements are high. For example, the 2019 Leeds Core Strategy Selective Review, Policy H4, requires just 30% of dwellings to meet M4(2). The 2020 Sunderland Core Strategy and Development Plan (Policy H1) requires 10% of dwellings to be M4(2) from 1\(^{st}\) April 2021. In comparison to these and numerous other local authorities the requirement in Doncaster appears unjustified.

2.24 Due to the lack of compelling evidence for the scale of the requirement, the impact upon viability, deliverability and affordability we remain firmly of the opinion this requirement is unjustified and as such is unsound.

Q6.9. Is the requirement in policy 46 part C for at least 5% of all new homes on developments of over 0.5 hectares or 10 or more units to meet Building Regulation standard M4(3) justified by adequate, proportionate and up to date evidence about need, viability and site specific factors such as vulnerability to flooding, site topography, and other circumstances?

2.25 I refer to the response provided above.

**Design of housing developments**

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\(^{3}\) This calculation does not include those with a LTHPD.
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.

2.26 No, this is not justified. A house type should not be subject to additional scrutiny simply because it has been used elsewhere. The policy should focus upon ensuring designs respect the character of the area in which they are set.

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.

2.27 This is unjustified and will have the effect of slowing the process and hence delivery. This should be encouraged rather than required.

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

2.28 Our client has no further comments at this stage.

d) The requirement in policy 42 part D for the provision of public art in all major urban extensions and high profile and prominent developments, particularly in the key priority areas listed and shown on the Policies Map.

2.29 This is not compliant with national policy. The NPPF, paragraph 56, is clear that planning obligations should:

a) necessary to make the development acceptable in planning terms;

b) directly related to the development; and

c) fairly and reasonably related in scale and kind to the development.

The requirement for public art fulfils none of these requirements.

e) The requirements in policy 44 part C relating to all edge of settlement developments.

2.30 Part C places strict requirements on all edge of settlement proposals. This is
an overly blunt tool which is not appropriate or required for all edge of settlement developments. It is recommended that where appropriate screening, planting and views are informed by a site-specific landscape and visual impact assessment at the time of application.

**Green infrastructure, open space and landscaping in housing developments**

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:

c) The requirement in policy 29 part A for developments of 20 or more family dwellings to provide 10% or 15% of the site as on site open space. If it is not sound, would the Council’s suggested change ensure that it is?

2.31 The amendment states 15%, this will place a greater burden upon development and threaten the viability of sites. The calculation also lacks transparency and will require land transactions to be made public to justify the contribution requested. Furthermore, to fulfil the policy requirement may require a greater contribution than is necessary to meet the needs of the development, this would clearly be unjustified and contrary to the NPPF (para. 56). A clear mechanism for the calculation of off-site contributions which is based upon the Council’s evidence of need is recommended.

d) The requirement in policy 29 part B for developments of 20 or more family dwellings close to a large open space to provide a commuted sum of 10% or 15% of the residential land value of the development site. If it is not sound, would the Council’s suggested change ensure that it is?

2.32 I refer the Inspector to the response above.

e) The requirement in policy 29 part C for developments of between 10 and 20 family dwellings to provide for a commuted sum of 10% or 15% of the residential land value of the development site to improve
existing open spaces within the vicinity of the site. If it is not sound, would the Council’s suggested change ensure that it is?

2.33 I refer the Inspector to the response above.

g) The requirement in policy 49 part C for generous tree, shrub and hedgerow planting and the reference in paragraph 12.38 to a minimum of one tree per dwelling.

2.34 There is no justification for the requirement set out within paragraph 12.38 or recognition that individual sites will have differing characteristics and existing tree cover. For example, the indicative masterplan for the Crabgate Lane allocation (included within our comments upon the Publication Version of the plan) seeks to retain existing trees along the southern boundary of the site and re-instate hedgerows where possible. A one-size fits all approach is not considered appropriate.

Health and education facilities in association with housing developments

Q6.13. Are the development requirements set out in policy 51 aimed at improving and promoting strong, vibrant and healthy communities justified and will they be effective? In particular, is the meaning of the requirement in part D for relevant development proposals to consider and assess healthcare infrastructure implications clear?

2.35 No, the requirement for relevant development proposals to assess healthcare infrastructure implications is poorly defined and open to wide interpretation. Any obligation must be viable and meet the requirements set out within the NPPF (para. 56). This policy has not been tested as part of the plan-wide viability assessment (ref: SDEB48.1) and hence the viability implications are unknown.

Q6.14. Is the approach to the provision of education facilities in association with residential development set out in policy 53 part B clear, such that it will be effective?

2.36 No, the policy lacks clarity and could lead to unjustified requests for on-site
provision. A clear mechanism should be set out within the policy to allow prospective developers to assess contributions both on and off-site. The lack of transparency could have significant implications for delivery.