Hearing Statement – Matter 6

Doncaster Local Plan

On behalf of Metroland

August 2020
1. **Introduction**

1.1. This is a Hearing Statement prepared by Spawforths on behalf of Metroland in respect of:

   **Matter 6: Housing Development Requirements**

1.2. Metroland has significant land interests in the area and has made representations to earlier stages of the Local Plan process.

1.3. The Inspector’s Issues and Questions are included in for ease of reference. The following responses should be read in conjunction with Metroland comments upon the submission version of the Doncaster Local Plan, dated September 2019.

1.4. Metroland has also expressed a desire to attend and participate in Matter 6 of the Examination in Public.
2. **Matter 6 – Housing Development Requirements**

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?

2.1. Metroland are concerned that the Development Requirements established in appendix 2 of the Local Plan are not sufficiently effective or justified. For Site 115, there is a requirement for a set back from the southern boundary and a requirement to maintain ‘sufficient’ separation between new homes and the southern boundary. The extent of the setback/separation is unclear and could potentially impact on the site capacity and deliverability. To provide greater certainty the requirement should establish the extent of the set back.

2.2. The viability assessment assumes a gross to net ratio on sites of over 5 ha as 75% and an a scheme density of 35 dpa, applying these assumptions for Site 115 would result in a site capacity of circa 170 dwellings. Policy 6 indicates a capacity of 150 dwellings, therefore it is clear that the Council have applied different assumptions than those applied in the whole plan viability report. As a result there may be a requirement for site specific viability testing.

2.3. Furthermore, Metroland are concerned that the sites location is now considered to be in a Medium to high value area. It was previously identified as being within a low value area. There is therefore a requirement for 23% affordable housing. The viability report considers average sales values of £2,100 per sq.m for medium value areas, and £2,350 per sq.m high value areas. Metroland are concerned that the identification of the site within a medium to high value area does not reflect the sales values expected to be achieved at site 115. Metroland would like to highlight that sales values for Alverley Lane, Balby align with those considered in the low value areas and that this should be reflected within the evidence base and policy approaches.
2.4. New housing development will be required to deliver a mix of house size, type, price and tenure to address appropriate needs and market demand identified in the latest housing need assessment (or other robust evidence).

2.5. Metroland is supportive of the principle of providing a broad mix of housing. However as written Policy 8 Part A ‘requires’ new development to address the needs and market demand in the latest housing needs assessment. This is overly onerous. Metroland consider that the policy should be revised to provide greater flexibility supporting development that responds to locational and site specific circumstances and establish the parameters for negotiations. Metroland consider that the policy should encourage development proposals to ‘reflect’ the mix in the latest housing need assessment, Appendix 4 having regard to local assessments of housing need, local market assessments, viability and site specific considerations at the time of application. Metroland considers that the policy and explanatory text should be clear that the precise mix on the development will be determined through negotiations. This would increase the consistency between the Policy and explanatory text and provide greater clarity with regards to evidence required and the circumstances to support a deviation from the mix in Appendix 4.

2.6. Metroland has no specific comment in relation to this issue.
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. Paragraph 34 of the Framework established the importance of viability to ensure that development identified in the Plan should not be subject to such scale of obligations and policy burden that their ability to be delivered might be threatened.

2.8. Appendices 3-10 of the Viability Report 2019 [SDEB 48] demonstrated viability issues for a number of site typologies including all typologies in low value areas. Typologies in low value areas were unviable when tested against the base assumptions. The study concluded that in high and medium value areas site typologies were comfortably viable. However there are some circumstances where there are viability pressures in medium value areas, significantly the additional policy costs and sensitivities were tested against the study's base assumptions which notably included 15% affordable housing and not 23% sought by Policy 8. Further, it should be noted that this assessment did not consider the cumulative/in combination impact of all of the policy requirements.

2.9. In response to the PQ [DON INSP2 PQs], a Whole Plan Viability Testing – Addendum has been prepared [DMBC 11]. The purpose of the addendum responded to concerns that the cumulative impact of all the policies was not modelled.

2.10. The results within the addendum demonstrate that there are significant viability concerns for all typologies in low value areas with the exception of low cost developer urban extension-greenfield sites. Metroland consider this will impact on deliverability of these sites and ultimately the Plan. The addendum again demonstrates that there are issues with viability on occupied brownfield sites in medium value areas. Of note 24% of sites are within low value areas [DMBC 7], and whilst a number benefit from permission we have reviewed land supply and have identified a number of sites that are stalled, and identified sites with viability issues.

2.11. Metroland review indicates that up to 859 dwellings should be discounted from the allocated sites due to deliverability issues, lapsed applications. In addition we note that sites such as Site
838 for 671 dwelling, whilst subject to recent planning applications with recommendations to
Grant subject to 106 are noted to be unviable and are reliant on grant funding from Homes
England.

2.12. Taking the latest information into account Metroland consider that there is a potential for the
requirements to undermine the delivery of the Plan. The Addendum notes that a cautious
approach has been taken to Sales values, however these have not been updated and due to
the current pandemic there is potential for viability to be negatively affected in the
short/medium term potentially impacting on deliverability of the Plan and five year supply.

2.13. Metroland consider that there will be an increased reliance on viability testing on a site by site
basis due to the policy requirements being set too high for low value and in some
circumstances medium value area. This is contrary to the approach being sought by national
policy and guidance paragraph 34 of the Framework and NPPG Paragraph: 001 Reference ID:
10-001-20190509.

Q6.5. Is the reference in paragraph 6.9 to 75% of the affordable homes being for rent and 25% for low cost home ownership justified? Is it consistent with the national policy expectation that 10% of homes on major sites should be available for affordable home ownership? If the 75%/25% split is justified and consistent with national policy, should it be referred to in policy 8 rather than the reasoned justification?

2.14. Metroland has no specific comment to make in relation to justifying the need for 75% of the
affordable homes being for rent and 25% for low cost home ownership. Metroland note that
it is not consistent with the delivery of 15 – 23% affordable housing on a site by site basis in a
context where there is an expectation to deliver 10% of homes on major sites as affordable
home ownership options.

2.15. The latest iteration of the Whole Plan Viability Testing Addendum [DMBC 11] notes in
paragraph 1.5 that ‘for the purposes of this addendum and the testing undertaken we have ensured
that this requirement [10% of homes on major sites to be affordable home ownership] has been met
(with the assumption that the remainder of the affordable dwellings i.e. above 10% are provided as affordable rented units). Thus the requirement of a 75:25 split has not assessed as part of the cumulative impact scenario within the addendum. The tenure split, in the context of the proposed affordable housing requirements, is not consistent with the frameworks expectation of at least 10% of homes being available for home ownership.

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?

2.16. Further to Metroland representations, Metroland has considered the findings of the PQ [DON INSP2 PQs] and the Whole Plan Viability Testing – Addendum [DMBC 11]. The purpose of the addendum responded to concerns that the cumulative impact of all the policies, including the requirements set out in Policy 46, had not been modelled.

2.17. The results within the addendum demonstrates that there are significant viability concerns for all typologies in low value areas with the exception of low cost developer urban extension-greenfield sites. Metroland consider this will impact on deliverability of these sites and ultimately the Plan. The addendum again demonstrates that there are issues with viability on occupied brownfield sites in medium value areas. Of note 24% of sites are within low value areas [DMBC 7], and whilst a number benefit from permission we have reviewed land supply and have identified a number of sites that are stalled, and identified sites with viability issues (Matter 1 and Matter 5).

2.18. Taking the latest information into account Metroland consider that the evidence still points potential for the requirements of Policy 46 in combination with wider plan requirements to undermine the delivery of the Plan. The Addendum notes that a cautious approach has been taken to Sales values, however these have not been updated and due to the current pandemic there is potential for viability to be negatively affected in the short/medium term potentially impacting on deliverability of the Plan and five year supply.

2.19. As the policy indicates that exemptions to these requirements will only be considered where the applicant can robustly demonstrate with appropriate evidence, or it demonstrated that it is not viable to do so. Metroland consider that there will be an increased reliance on viability
Q6.7. Is the requirement in policy 8 part C for developers to demonstrate how the provision of housing types suitable for older people can be increased, especially bungalows, extra care facilities and supported living accommodation, justified?

2.20. Metroland has no specific comment in relation to this issue.

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?

2.21. Please see response to question 6.6 we consider the findings of the PQ [DON INS P2 PQs], a Whole Plan Viability Testing – Addendum has been prepared [DMBC 11]. We conclude that there will be an increased reliance on viability testing on a site by site basis due to the policy requirements being set too high for low value and in some circumstances medium value area. This is contrary to the approach being sought by national policy and guidance paragraph 34 of the Framework and NPPG Paragraph: 001 Reference ID: 10-001-20190509. Metroland consider that a more flexible approach should be taken.

2.22. In addition Metroland reiterates that NPPG which is clear that where a authority adopts a policy to provide enhanced accessibility or adaptability they should do so only by reference to requirement M4(2) and /or M3 (3) of the optional requirements in the Building regulations and should not seek to impose any additional information requirements (for instance provision of furnished layouts) or seek to determine compliance with these requirements, which is the role of the Building Control Body. ID: 56-008-20160519. The requirements of Paragraph 12.29
of the submission Plan are not consistent with national guidance in this regard and are not justified.

**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?

2.23. Please refer to our response to Q6.8.

**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.

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.

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.

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

2.24. Metroland support the principles of Policy 42, however having reviewed DMBC 11 it remains unclear how the whole plan viability has taken into the requirements of this policy. Metroland consider that the requirements will lead to increases in professional fees, and build costs,
associated with the use of high quality materials. Metroland consider that additional sensitivity testing is required to consider the impacts of this policy.

Q6.11. Is the approach to backland and tandem development set out in policy 45 part C justified? Are the Council’s suggested changes to the policy and the Policies Map necessary to make the Plan sound and would they be effective in so doing?

2.25. Metroland has no specific comments on this issue.
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 ten 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?

b) The requirement in policy 29 for development to address open space deficiencies. If it is not sound, would the Council’s suggested change ensure that it is?

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?

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?

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 suggested change ensure that it is?

f) The requirement in policy 29 part D for 16 square metres of open space per person in retirement living schemes and/or aftercare facilities.

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.
2.26. Metroland consider that the requirement for a Green Infrastructure Masterplan on schemes of this scale is unnecessarily onerous. The requirement to provide a masterplan on schemes of this scale is unnecessarily onerous. The requirement to provide a masterplan will add to cost and impact on timescales for delivery potentially adding up to a year to the planning process. Further flexibility should be incorporated into the policy so that it encourages rather than requires the provision of a masterplan for schemes of over 30 family or 1 hectare [CSD 5] dwellings or the threshold should be increased.

2.27. In addition to the suggested amendments in response to PQ41, Metroland consider that additional flexibility is required within the policy to ensure that the policy is consistent with policy 66 and 67, which state that the council will take a pragmatic and flexible approach to planning obligations. This is particularly important in the light of evidence within DMBC 11 which demonstrates that the cumulative impact of the Plan requirements creates viability issues in Low and in some circumstances medium value areas.

**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?**

2.28. Metroland has no specific comment on this issue.

**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?**

2.29. Metroland has no specific comment on this issue.
Q6.15. Are the requirements in policy 55 for mitigation measures relating to noise, air quality, water and artificial lighting justified in so far as they relate to residential development? In particular, are the noise standards in appendix 11 justified, and is the change suggested by the Council needed to ensure that the Plan is clear about how they are intended to be taken into account by decision makers?

2.30. Metroland has no specific comments on this issue.

Q6.16. Are the requirements in policy 22 for telecommunications and utilities infrastructure provision in housing developments justified and consistent with national policy? In particular, the requirement for connectivity to the fastest technically available broadband network unless this is not possible.

2.31. Metroland has no specific comments on this issue.

 Proposed Change

2.32. To overcome the objection and address soundness matters, the following changes are proposed:

- Identify Site 115 within a low value area, as part earlier evidence and consultation draft.

- Site 115: Clarify the extent of set back and site capacity, review the affordable housing requirement.

- Introduce greater flexibility into Policy 8 Part A.

- Review the affordable housing requirements for Low and medium value areas in the light of updated evidence.

- Introduce additional flexibility into policy 46, 42, 27 and 29 in the light of updated evidence on whole plan viability.