1.1 This Hearing Statement has been prepared on behalf of our client (Swan Homes Ltd) (ID 05291). Our client seeks to respond to Questions 5.1, 5.4, 5.6, 5.8, 5.10, 5.11 and 5.12 only.

**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?

1.2 The Site Selection Methodology and Results Report [SDEB46] includes a summary of the approach to determining which sites to include as housing allocations in the Plan in Figure 1 (on page 7). This is briefly summarised below (for sites of 5 dwellings or more):

- Stage 1: Call for Sites
- Stage 2: Housing and Economic Land Availability Assessment
- Stage 3: Local Plan Spatial Strategy
- Stage 4: Sustainability Appraisal
- Stage 5: Flood Risk Sequential and Exceptions Test and Green Belt
- Stage 6: Whole Plan Viability Testing
- Stage 7: Overall Conclusions and Decisions on Allocations and Rejected Sites

1.3 We have responded to other matters and questions expressing our client’s concern for the proportion of the housing supply which comprises sites in Flood Zones 2 and 3.

1.4 Without repeating points made in other statements, we question why the Flood Risk Sequential and Exceptions Test has been applied so late in the approach taken to site selection.

1.5 With regards to the Flood Risk Sequential Test, paragraph 7.2.4 of the Site Selection Methodology and Results Report [SDEB46] states:

“Sites that scored a neutral (FRZ2) single negative (FRZ3a) or double negative (FRZ3b) for main river flooding (criteria 11a) or a single negative (medium/high risk) for surface water flooding (criteria 11b) have been identified as failing the first sift of the sequential test.”

1.6 Paragraph 4.3.7 of Topic Paper 4: Housing (March 2020) [DMBC4] states:
“Flood zone sites, unless already granted permission, will not be allocated, even if this prevents a settlement reaching its housing target. This approach has been carefully considered, especially given the fact this may increase pressure on land in the Green Belt. This is because flood risk is a physical constraint which could potentially be a risk to property or life, and as such we will not seek to allow housing on land in such areas in the Local Plan, in line with national flood risk policy. However, whilst respecting the purposes of the Green Belt, unless areas also fall within Flood Zones, the same physical risks do not exist. Therefore, we have committed to exploring the options for releasing Green Belt where it may be necessary to do so, and where exceptional circumstances apply and suitable sites can be found.” (emphasis added)

1.7 Whilst the two extracts above are consistent with the approach, this conflicts with what has actually happened where sites in Flood Zones 2 and 3 are among the sites allocated for the delivery of new homes. Indeed, in response to the Inspector’s Preliminary Question No.11 [INSP2], the Council responded [DMBC10] with a list of seven sites which have been identified as proposed allocations for the delivery of new homes.

1.8 Whilst it is recognised that four of the seven sites now benefit from a planning permission, in most instances planning applications have been approved by the Council after the site was identified as draft allocation. This does not align with the approach and methodology set out in the Site Selection Methodology and Results Report.

1.9 In summary, we do not consider the Council’s approach to site selection gives enough weight to the seriousness of flood risk as a physical constraint. As such, the approach is neither justified nor consistent with national planning policy (including NPPF paragraphs 67, 148, 149, 155, 157, 158).

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?

1.10 For clarity it would be helpful to bring together all of the components of Doncaster’s future supply into Table 5.

**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?

1.11 As set out within our Matter 2 Statement, it is not appropriate to have a variable figure for the housing requirement or the five-year requirement. The NPPF is clear at paragraph 65 that a single housing requirement should be identified.

1.12 The five-year requirement should be calculated on an identified housing requirement figure, which as set out in our Matter 2 Statement should be at least the 920dpa identified at the top of the DLP range. However, it would be more appropriate to calculate this on the 1,073dpa identified in the ‘Economic and Housing Needs Assessment’ [SDEB44] to ensure that the economic vision can be achieved.
Identifying a variable figure in respect of the five-year housing land supply calculation is likely to cause confusion and result in difficulties in understanding whether the Plan is delivering the number of homes required across Doncaster.

**Five Year Housing Land Supply**

**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?

We have concern for the deliverability of the following sites:


The 80 dwellings relates to self-contained flats which forms the outline element of a wider hybrid application (ref. 16/01752/FULM). From a review of the application, a hotel (part of the detailed element of the application) has been implemented but to date the reserved matters for the flats has not yet been submitted. Furthermore, there has also been previous consents for a similar development in 2007 (ref. 06/03177/FULM) and 2010 (ref. 10/00662/EXTM) with the latter extend the earlier permission. Given that the flats have failed to come forward in the last 13 years, there is significant doubt about the deliverability of this part of the development.

It is considered that this site should be excluded from the housing land supply as the flats do not have detailed planning permission and there is no evidence to indicate that they will be delivered in the next 5 years.

- 081/343 Alexandra Street, Thorne (19/00099/OUTM): 70 dwellings.

Whilst the site is identified to deliver 70 dwellings within the next five years, the allocation / outline application relates to a development of 207 dwellings. We have concern for the deliverability of this site as it is 100% located within Flood Zone 3, it does not have detailed planning permission and it is also a recycled UDP housing allocation (PH1-9/21) which has failed to deliver any homes since the UDP was adopted in 1998.

Its selection as an allocation conflicts with the approach to site selection as detailed in our response to Q5.1. Indeed, the outline planning application was submitted in January 2019 after the site was selected as an allocation.

The site was also located within an area subject to a Flood Warning on 10.11.2019. In order to remove an objection from the Environment Agency (in relation to concerns about risk of flooding), the applicant has committed to raising the finished floor levels across the site by between 0.5m and 1.3m. Whilst this may provide a technical solution, there is a significant cost implication to providing this level of mitigation which perhaps provides an indication of why the site has not come forward in the last two decades.

We do not consider there to be enough evidence to allow confidence that the site will deliver units within the next 5 years.

- 396 North Eastern Road, Thorne: 53 dwellings.

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1 Please see our response to Matter 1, Q1.12
1.21 This site forms part of the same recycled UDP allocation as the site above which has failed to come forward to date. The site does not benefit from planning permission nor has an application been submitted.

1.22 The site is partially located within Flood Zone 3 (38%) and it is unclear whether 53 dwellings can be delivered whilst avoiding this constraint. In the context that the site has not come forward in the last two decades, we do not consider there to be enough evidence to allow confidence that the site will deliver units within the next 5 years.

Housing trajectory

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

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?

1.23 Question 5.10 and 5.11 are answered together below.

1.24 No. The NPPF is explicit that Local Planning Authorities should have a Local Plan with strategic policies that look ahead over a minimum of 15 years from the date of adoption.

1.25 If the plan is adopted in 2021 this requires the Council to plan for their development needs to at least 2036. The DLP has identified a range of between 585-920 dpa. As set out in our Matter 2 Statement, and in answer to question 5.6 of this Statement, the 920dpa figure should be set as the minimum requirement, albeit the figure of 1,073 dpa is justified. However, Figure 3 is explicit that from 2026/27, only five years from the Plan’s potential adoption, the supply from planning permission sites and allocations will be insufficient to meet the requirement of 920dpa. Indeed, from 2028/29 the lowest requirement of 520dpa on the trajectory (which is already lower than the 585dpa identified in the DLP) cannot even be achieved.

1.26 This is clearly not a sound approach and reiterates that the Plan is one of limiting housing development rather than seeking to boost significantly the supply of housing to meet current and future needs and includes no room for a buffer to ensure choice and competition in the market from 2026/27.

1.27 This approach would have the following significant and fundamental harmful issues:

- Failure to meet the annual housing requirement – the annual requirement should be a single minimum figure to be achieved on an annual basis – this is acknowledged within Appendix 12 of the draft Local Plan which confirms that net dwelling completions will be monitored each year against a target of 920dpa – although as advised in response to Policy 3, the annual requirement should be 1,073 dpa rather than 920pda, in accordance with the Council’s own evidence contained within the PBA report. The Council should therefore be making provision for the delivery of at least 1,073 dwellings each year throughout the plan period. The Council’s proposal to exceed 1,000 dpa in the earlier years of the plan does not justify the significant decline in delivery proposed in later years.

- Significant Adverse Practical/Economic Effects – the differentiation between the levels of growth sought at the start of the plan period and those in the later years will have significant adverse economic impacts for Doncaster. The dramatic shift from higher levels of provision to under-provision will lead to a significant drop in job availability within the
construction industry and a significant decline in economic input from the house building
industry in Doncaster in the later years of the plan. The housing delivery strategy must
therefore be revised to ensure it sustains growth across the plan period and does not lead to
a decline in Doncaster’s economy in the later years of the plan.

1.28 It would be inappropriate for the Council to simply redistribute the housing delivery across the
trajectory because this would affect delivery and artificially suppress demand, which would be
an unsound approach. Importantly, sites already with planning permission have a combined
capacity of 9,318 dwellings (draft Plan para. 4.73) and hence it would now be impossible for the
council to redistribute and control when these sites are delivered. It is contended that additional
sites should be allocated, such as our client’s site at Finningley, and that the housing trajectory
should be amended to show the delivery of more new homes from 2026/27 onwards.

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?

1.29 Criterion 5 of Policy 2 sets out that residential development will be supported in the Countryside
if adjacent to a Development Limit of a settlement in the Main Urban Area, Main Towns or
Service Towns/Villages but excludes development within Defined Villages. This is contrary to
the NPPF which supports sustainable development in suitable locations. Whilst Defined Villages
are positioned at the bottom of the defined settlement hierarchy this should not inhibit
development within the Countryside if adjacent to a Development Limit. This criterion should
therefore be reworded as follows:

1.30 “Residential development will also be supported in the Countryside if adjacent to a
Development Limit of a settlement as outlined above in levels 1-34 above, where…”

(Strikethrough = suggested text deletion. Underlined = suggested text addition/amendment.)

1.31 Criterion 5E notes that residential development in the Countryside will only be supported where
a five-year borough-wide supply of housing land cannot be demonstrated and the development
would make a significant contribution to housing land supply. The NPPF supports sustainable
development and whilst housing land supply may be a factor which weighs into this
consideration, there is no justification or requirement for demonstration of a lack of a 5YHLS
before development within the Countryside to be acceptable. NPPF paragraph 73 requires LPAs
to be able to demonstrate a 5YHLS at all times as a minimum therefore waiting until an
adequate supply cannot be demonstrated before releasing sustainable sites that would comply
with the other criteria of part 5 is not positive and would be contrary to the NPPF. Sustainable
sites that comply with part 5 should be released to ensure that housing land supply remains at
least at a 5-year supply. This is particularly important in Doncaster given the position regarding
an inadequately low housing requirement and insufficient supply of permissions and
allocations. Even if the requirement is increased, the supply of housing from sustainable sites on
the edge of settlements that meet all of the other criteria of policy 2 will be crucial to ensure that
a degree of flexibility and therefore more certainty is provided that the requirement will be met
as a minimum, affordable housing targets are achieved (particularly in lower order
settlements where there are typically far fewer opportunities within settlements) and the
economic and social benefits of additional housing supply can be enjoyed. Criterion 5E
should therefore be deleted in its entirety.