1.1 This Hearing Statement has been prepared on behalf of our client (Theakston Estates Limited) (ID 01937). Our client responds to Questions Q5.1, Q5.2, Q5.3, Q5.4, Q5.6, Q5.7, Q5.8 and Q5.10 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 andRejected Sites

1.3 We have responded to other matters and questions expressing our client’s concern for the approach to selecting sites in areas which are at risk of flooding, on top of the large proportion of the housing supply which comprises sites in Flood Zones 2 and 3 with planning permission which have been approved by the Council. Notably, we set out concerns relating to the Sustainability Appraisal (which clearly forms part of the site selection process) in the response to Q1.5.

1.4 Without repeating points made in other statements, and in the context of the Council’s commitment to treating the issue of flood risk seriously¹, we question why the Flood Risk Sequential and Exceptions Test has been applied relatively 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:

¹ Housing Topic Paper [DMBC4] (paragraph 3.13.3)
“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 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 to give 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)

**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?

1.10 Housing Topic Paper (DMBC4) sets out that there are enough sites identified to deliver 18,211 new homes between 2018 and 2033, which does not to take into account supply from 2015 to 2018. Once built out rates and ‘caps’ are factored in the 15 year allocated supply is 13,236. This

2 ‘Caps’ are explained to be when a settlement delivers more housing than its allocated target the number is then ‘capped’ and anything above that is set aside as supply for years 2033 to 2035
is based on the annual supply being based a housing requirement figure of 882 dpa (920dpa less the supply factored in from between 2015 and 2018).

1.11 As detailed further in our response to Q3.2, we do not think the Plan identifies enough land within the MUA to deliver at least 50% of the required amount of new homes for the plan period as a whole (2015-2035).

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?

1.12 For clarity it would be beneficial for Table 5 of the Plan to be updated to include supply components identified above.

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?

1.13 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?

1.14 The position adopted by the Council in respect of opting for a variable figure for the 5 year housing requirement is not consistent with national policy. NPPF is clear at paragraph 73 that sufficient deliverable sites should be identified to provide a minimum of five years’ worth of housing against their housing requirement or against the local housing need where the strategic policies are more than five years old. Therefore, the housing requirement of 18,400 (920 per annum) should be used as the basis of the five year housing land requirement consistent with Policy 3 of the Plan.

1.15 The varying nature of the starting point for the standard method calculation needs to be acknowledged, as it has been by the Council. However, it is not appropriate to base a five-year housing requirement on this, particularly when the Plan is clearly based on a more aspirational level of growth and a recognition that if Doncaster is to contribute to the wider economic ambition of the City Region then the level of housing which needs to be delivered will be c.
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

Q5.7. 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?

1.16 As set in our response to Q5.10, our concern is mainly focussed on the potential housing supply within the medium and longer term given that the housing trajectory appears to drop off towards the end of the plan period.

1.17 There is evidently a healthy source of housing land supply in the short term (notwithstanding our concern for the Council’s approach to approving applications in areas at risk flooding) and we have therefore not sought to review the list of permissions.

1.18 We also have concerns that the Local Plan builds in no flexibility in respect of lapse rates in terms of future delivery. It is recognised across the planning and development industry that a lapse rate is required to ensure sufficient flexibility in relation to future supply. A lapse rate of 10% is recognised in the development industry as a reasonable level of lapse rate where there is no locally specific data available.

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?

1.19 We have concern for the deliverability of the following sites:

• 980 Doncaster Racecourse, Leger Way, Intake, Doncaster (16/01752/FULM): 80 dwellings.

1.20 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 to extend the earlier permission. Given that the flats have failed to come forward in the last 13 years, there is doubt about the deliverability of this part of this development.

1.21 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.

1.22 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 Q5.1.
The site was also located within an area subject to a Flood Warning on 10.11.2019. From a brief review of the application, 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 indicates 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.

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.

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?**

The Housing Trajectory set out in Figure 3 confirms that the requirement of 920dpa will not be reached in the final 9 years of the plan period and 550dpa (standard method requirement) will not be achieved for 7 years of the plan period. Indeed, the trajectory drops off to approximately 100 dwellings in the final year. This approach would have the following significant and fundamental harmful issues:

- Failure to meet annual housing requirement – the annual requirement should be a 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 920dpa, in accordance with the Council’s own evidence contained within the PBA report. The Council should therefore be making provision for the delivery of 1,073 dwellings each year throughout the plan period. The Council’s proposal to exceed 1,000dpa 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.

---

3 Please see our response to Matter 1, Q1.12
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 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, for the reasons provided elsewhere in Theakston Estates’ representation, and that the housing trajectory should be amended to show the delivery of more new homes from 2026/27 onwards.

1.29 Furthermore, we have concern for some of the sites identified to deliver in the medium to longer. In our response to Q1.5 and Q1.12, we have raised concern for site ref. 255 (Hungerhill, Edenthorpe) which is allocated for 542 dwellings – a relatively large site in the Main Urban Area. Table H2(A) in the Plan indicates that 350 dwellings will be delivered in years 6-10 with 192 dwellings in years 11-15.

1.30 89% of the site is located within Flood Zone 3 (with 10% in Flood Zone 2) and it is located in an area which was subject to a Severe Flood Warning on 10.11.2019. The site is owned by the Council and appears to be a recycled employment allocation from the UDP. It has now been included as an allocation for new homes on the basis of no demand for its current allocation in the UDP. Whilst it is acknowledged that the site has outline planning permission for 542 dwellings, the applicant was the Council so it is unclear whether there is any demand from the market. This also once again highlights our concern for the Council’s approach to site selection.

1.31 In line with the NPPF we do not consider that clear evidence has been provided to demonstrate that this site is deliverable. Therefore, we have concerns about reliance on this site to deliver over 500 homes in the MUA.

1.32 We have observed an updated trajectory has been included in the Housing Topic Paper (DMBC4). Further clarification is required by the Council in respect of this trajectory. However, it would seem that each bar on the trajectory is cumulative delivery and as such does not consider whether for each year of the Plan delivery of at least 920 dpa each year can be achieved not just cumulatively over the course of the Plan.

1.33 Based on the position as outlined above, the strategy for delivery of housing in Doncaster is not positively prepared and fails to support growth, and hence the Plan is not sound. It is clear therefore that the delivery strategy must be revised and the Council must allocate additional sites for housing, in addition to those currently proposed.

Word Count: 2,442

4 Please refer to our Matter 1 Statement.