

Examination of the Bassetlaw Local Plan 2020 – 2038.

Matter 7 – Housing Land Supply.

On behalf of Barratt Homes & David Wilson Homes (Yorkshire West)

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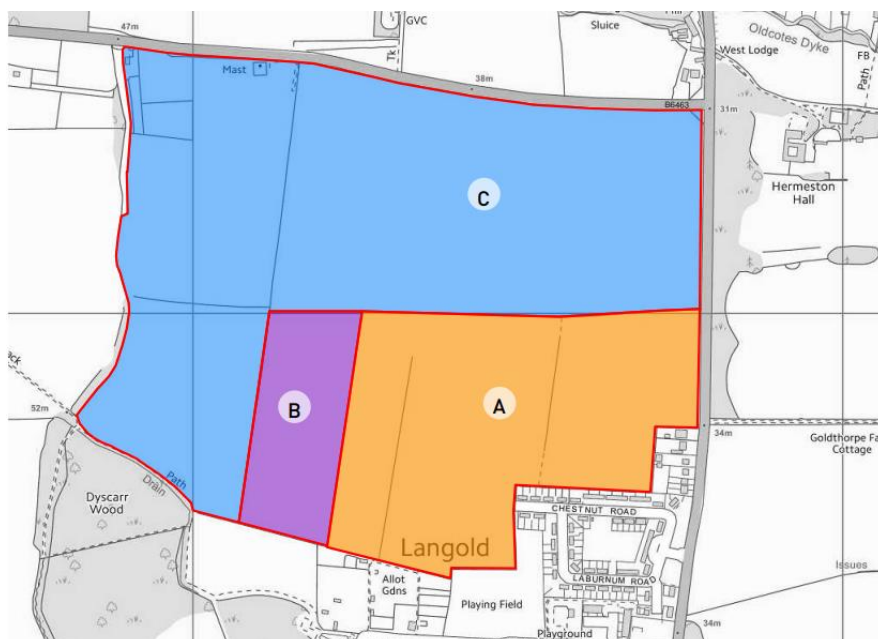
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1. Introduction

- 1.1. This Hearing Statement has been produced by Pegasus Group on behalf of our client, Barratt Homes and David Wilson Homes. It focuses upon the Inspectors Matters, Issues and Questions which relate our previous representations.
- 1.2. Our client wishes to ensure that the Bassetlaw Local Plan 2020–2038 (BLP) is prepared in a robust manner that passes the tests of soundness contained in paragraph 35 of the 2021 NPPF, namely that the plan is:
 - Positively Prepared;
 - Justified;
 - Effective; and
 - Consistent with national policy.
- 1.3. The BLP also needs to be legally compliant and adhere to the Duty to Cooperate.
- 1.4. Our client submitted representations to the various stages of plan production including the Publication Version and its associated addendums.
- 1.5. In order to provide context and assist the Inspectors our clients have land interests at Land West of Doncaster Road / North of Langold, as identified by parcels A, B and C (figure 1). These sites are identified in the SHLAA under references LAA209 and LAA312.
- 1.6. Parcel A benefits from an outline consent for 300 dwellings (ref: 15/01605/OUT) and a reserved matters application for 300 dwellings (ref: 21/01730/RES) approved 19th May 2022. Parcels B and C would make natural extensions to the existing approvals.

Figure 1: Site Location





17. Whilst Parcel C is included in its entirety, our client has consistently identified they are willing to discuss potential development opportunities across smaller elements of this parcel.

2. Response to the Inspector's Matter 7 Issues and Questions

2.1. We welcome the opportunity to comment on the Inspector's Matters, Issues and Questions (MIQs) and provide the following responses to selected questions. Our client reserves the right to respond to specific issues raised by the council and other parties within the hearing session in so far as they relate to our previous representations.

Question 7.1: Are the assumptions that have been made to inform the trajectory justified in relation to the delivery of housing sites, in particular in relation to:

a) lead in times for grant of full permissions, outline and reserved matters and conditions discharge?

2.2. No further comments at this stage, although please note our response to question 7.4 below.

b) site opening up and preparation; and dwelling build out rates?

2.3. No further comments at this stage.

Question 7.2: Is there a reasonable prospect that a total of 5,995 new dwellings will be provided by 31/03/38 on sites that had planning permission at 31/03/22?

2.4. Our client is committed to the delivery of its commitment for 300 dwellings in Langold. This site benefits from Reserved Matters consent (ref: 21/O1730/RES) approved 19th May 2022. Despite our clients' commitment to the delivery of their site we do have some concerns in relation to this source of supply.

2.5. Table 2 of the May 2022 'Housing Land Supply Position, Housing Trajectory and Windfall Allowance' background paper (SS-026) identifies the delivery of the 5,995 dwellings from sites with planning permission at 31/03/22. This represents 47.8% of the total plan period housing supply (12,551 dwellings¹) as identified within SS-026 and 57.2% of the proposed plan period housing requirement (10,476 dwellings).

2.6. The Council is, therefore, heavily reliant upon delivery from this source of supply. As such it is imperative that the Council provide a positive framework to ensure the delivery of this source of supply.

2.7. It is, however, notable that there is no supportive framework should the permission on any of these commitments lapse. There is little reference to individual sites within the BLP or its previous iteration save a listing within the appendices. The situation with regards to commitments is further exacerbated by the fact that several commitments remain outside of development boundaries (also see our Matter 2 response). Given that commitments are an intrinsic and important element of the Council's housing land supply this is not only unjustified but would also render any development on identified commitments with a

¹ It should be noted that in the response to the Inspectors Initial Questions (ref: BDC-01), the supply is identified as 12,323 dwellings (page 71).

lapsed application to be contrary to several Local Plan policies, such as 'ST2: Residential Growth in Rural Bassetlaw'.

- 2.8. This approach is considered unsound and provides no certainty that the commitments which contribute circa 50% of the housing supply will be delivered.
- 2.9. Furthermore, cursory analysis of several sites within the Council's identified commitments suggests some of the permissions have already lapsed. The table in the appendix identifies several small sites within Appendix 2 of the Council's response to the Inspectors Initial Questions (IIQs) (ref: BDC-01) where the site is not identified as under construction, but the permission appears to have lapsed prior to 31st March 2022.
- 2.10. Whilst in terms of the overall plan requirement this is not significant it does suggest that extant permissions do lapse and that the Council's commitment figures are not robustly constructed.

Question 7.3: Is there a reasonable prospect that a total of 438 new dwellings will be provided by 31/03/38 on sites allocated in made Neighbourhood Plans?

- 2.11. No comment, at this stage.

Question 7.4: Is there a reasonable prospect that a total of a further 635 new dwellings will be provided by 31/03/38 on sites in the Worksop Central DPD area?

- 2.12. Whilst this document was the subject of consultation in June / July 2021 it is still at least two-years away from adoption and as such delivery from this source is not yet certain. The current timeline, identified on the Council's website suggests the following:
- Publication version – December 2022
 - Submission – August 2023
 - Examination – December 2023
 - Adoption – 2024
- 2.13. Given this document is currently at an early stage of development there remains significant degree of uncertainty regarding quantum of housing which will be delivered from this source of supply. In addition, the viability of the proposed sites is as yet unknown.
- 2.14. The Council's response to the IIQs (ref: BDC-01) provides a useful trajectory (pages 70 and 71) that suggest a total of 649 dwellings will be delivered from this source by 31/03/38. It is notable that none of these sites currently benefit from any form of permission. Whilst the levels of delivery are small it is anticipated that some sites will commence delivery in 2024/25. This appears ambitious given the lack of any valid planning application and the likely adoption of the DPD in 2024.
- 2.15. The Council's assumptions in some instances also appear to be based on conjecture rather than clear evidence. For example, the site at Worksop Fire Station (ref: DPDO05) identifies a start in 2024/25 based upon the landowner's engagement with the DPD. However, the pro-forma within IIQs response (page 59/60) identifies that no developer is on-board at this stage.

- 2.16. Most of the supply from this source is loaded to the latter years of the plan period. Given the lack of adopted DPD and the inevitable complexity of bringing forward sites within Central Worksop this is considered appropriate. It must, however, be recognised that any slippage within the timetable either for the adoption of the DPD, or submission of applications or commencement will mean a significant proportion of this supply may not materialise within the plan period. This is distinctly possible as several of these sites require the removal and relocation of other uses.
- 2.17. Given the complexity in the delivery of these sites, the early stage of production of the DPD and the lack of valid planning applications it is considered that this source is unlikely to deliver the quantum of housing proposed over the plan period.

Question 7.5: Is there a reasonable prospect that the total of 2742 new dwellings to be delivered through local plan allocations?

- 2.18. The IIQs response provides a trajectory for these sites (pages 67/68) this identifies the delivery of 2,742 dwellings by the end of the plan period. These sites are suggested to commence delivery in 2025/26. It is notable that despite this plan being at examination, this is a year later than the Central Worksop DPD sites discussed at question 7.4.
- 2.19. If the plan is adopted in a timely manner the proposed trajectory for these sites generally appears reasonable. However, any delay either in the delivery of infrastructure or submission of applications at the strategic sites of Peaks Hill Farm (Local Plan Ref: HS1) or Ordsall South (Local Plan Ref: HS13) could have implications for delivery from this source.

Question 7.6: Is there compelling evidence to justify a windfall allowance of 1200 over the plan period and to demonstrate that they will provide a reliable source of supply?

- 2.20. The BLP identifies that 1,200 dwellings over the plan period will be delivered as windfalls. This equates to 100 per year from 2026/27 onwards. The non-inclusion of windfalls in the first five-years of the plan is supported. This should ensure duplication does not occur.
- 2.21. The May 2022 update to the 'Housing Land Supply Position, Housing Trajectory and Windfall Allowance' background paper (SS-026) identifies that this level of windfall delivery is built upon past trends. Whilst this is not disputed it is far from certain that it will continue over the plan period. To achieve such levels of delivery requires the plan to provide a degree of flexibility. The NPPF, paragraph 74, is clear that if windfall sites are to be included as part of the supply there must be compelling evidence not only of past trends but also likelihood of future supply.
- 2.22. The BLP as currently drafted will limit the ability of the plan to achieve such levels in the future. This is because the development boundaries around settlements such as Langold are tightly drawn. To provide greater certainty that higher levels of delivery from this source can be maintained the plan requires greater flexibility in this regard.

Question 7.7: Has appropriate consideration been given to non-implementation lapse rates?

- 2.23. The May 2022 'Housing Land Supply Position, Housing Trajectory and Windfall Allowance' background paper (SS-026) identifies that no lapse rate is provided for non-implementation (paragraph 1.6). It is, however, clear that lapses do occur as demonstrated by our analysis of small sites, see appendix.

2.24. It is understood that instead of a lapse rate the Council is reliant upon a buffer in the supply. According to the Council's response to the IIQs the overall supply is identified as 12,323 dwellings, 1,847 greater than the proposed housing requirement. This provides a buffer of circa 17%.

2.25. It is, however, notable that this buffer has reduced by 615 dwellings, since the BLP Addendum was published in January 2022. Whilst this is partially due to the withdrawal of the Garden Village proposals it is noted in the May 2022 'Housing Land Supply Position, Housing Trajectory and Windfall Allowance' background paper (SS-026) this buffer was 2,075 dwellings. This represents a reduction of 11% in just a few months.

2.26. This added to our concerns regarding other elements of the supply suggest a buffer in excess of 20% should be provided.

Question 7.8: Overall, is there convincing evidence that:

a) Having regard to assumptions about commitments, allocations and windfalls the housing requirement across Bassetlaw between 2021 and 2038 is likely to be met?

2.27. No, I refer the Inspector to the comments provided above.

b) A 5 year supply of deliverable housing land will exist on adoption?

2.28. No. Based upon the proposed housing requirement of a minimum 582dpa and a 5% buffer, the five-year housing requirement is 3,056 dwellings. The Council's five-year supply summary is set out in Appendix 2 of its response to the IIQs (BDC-01). This suggests an overall five-year supply of 3,254 dwellings. This is equivalent to 5.3-years supply.

2.29. The Council's five-year supply includes 386 dwellings from major sites with outline permission. In accordance with the NPPF Annex 2 definition of a deliverable site, such sites should only be included where there is clear evidence that housing completions will begin on site within five years. A review of the site proformas for sites benefitting from outline permission only included within the Council's response to the IIQs (BDC-01) identifies a lack of such evidence on many sites. For example: Land adj. to Yew Tree Road, Elkesley (page 36) provides no evidence that delivery will commence in 2024/25. In accordance with Annex 2 of the NPPF this site should not be included in the five-year supply.

2.30. If the 386 dwellings with outline consent are removed from the five-year supply the Council would immediately fall short of the five-year requirement. Furthermore, if the 69 dwellings from small sites (see appendix) are removed this leads to a reduction in the identified five-year supply of 455 dwellings (2,799 dwellings), leading to an under-delivery of the five-year requirement by 257 dwellings. This is equivalent to 4.6-years supply.

c) An ongoing 5 year supply of deliverable or developable housing land is likely to exist throughout the plan period?

2.31. The overall plan trajectory (page 70, Council's response to the IIQs (BDC-01)) suggests a slowing of delivery below the minimum 582dpa requirement by 2029/30. If this trajectory is correct the Council will be unable to demonstrate a five-year housing land supply at this time.

Appendix: Lapsed Small Permissions

Table 1: Lapsed Small Permissions – not started

Site Name	Application Number	Date Granted	Date Lapsed	Total Dwellings
Railway Works	16/00524/RSB	16/06/2016	16/06/2019	1
High Road	18/00496/RES	29/06/2018	29/06/2021	3
Field House Farm	18/00538/FUL	10/07/2018	10/07/2021	3
North House Farm (Plot 3)	18/00572/FUL	10/07/2018	10/07/2021	1
North House Farm (Farmhouse)	18/00634/FUL	17/07/2018	17/07/2021	2
The Old Vicarage	17/00811/RSB	10/08/2017	10/08/2020	1
Home Farm (Durham on Trent)	18/00072/FUL	21/06/2018	21/06/2021	1
Land Opposite Holly House	16/00557/RSB	13/07/2016	13/07/2019	9
Stonegate Farm	18/00632/FUL	19/07/2018	19/07/2021	7
Home Farm (Grove)	16/01267/FUL	17/11/2016	17/11/2019	1
The Grange	17/00721/FUL	13/12/2017	13/12/2020	5
Land north Fledborough Road	18/00366/RSB	18/07/2018	18/07/2021	1
South of The Grange	18/00662/FUL	18/07/2018	18/07/2021	1



Rear of the Old Plough	17/01152/FUL	25/01/2018	25/01/2021	3
Rear of 106 Bigsby Road	17/01541/FUL	21/02/2018	1/02/2021	1
Rear of The Chase	17/01542/FUL	08/03/2018	08/03/2021	4
Willow Cottage Farm	17/01551/FUL	13/03/2018	13/03/2021	1
Northern Inn	18/0558/COU	15/08/2018	15/08/2021	3
Land at 56 Ordsall Park Road	18/00907/RSB	13/09/2018	13/09/2021	1
Land at Ordsall House	18/01051/FUL	24/10/2018	24/10/2021	1
South of 63 Mary Street	17/00506/FUL	21/12/2017	21/12/2020	9
Littlewood House	17/01673/FUL	29/03/2018	29/03/2021	1
Barns at Grange Farm	16/01331/COU	06/12/2016	06/12/2019	1
Land west 124 Bridge Street	13/00115/RES	21/05/2016	21/05/2021	2
Former Garage Site Marlowe Gardens	14/01506/RSB	30/01/2015	30/01/2018	1
Rear 10 Carlton Avenue	17/00794/RSB	28/07/2017	28/07/2020	1
Ranby Cottage Farm	17/01751/PDN	01/03/2018	01/03/2021	2
Park Farm	18/00760/PDN	14/09/2018	14/09/2021	2



Total	69
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Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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Pavilion Court, Green Lane, Garforth,
Leeds, LS25 2AF
T 0113 2878200
E Leeds@pegasusgroup.co.uk
Offices throughout the UK & Ireland

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