

Summary Proof of Evidence: Barnsley Five Year Housing Land Supply.

In Respect of Section 78 Appeal: Land north of Hemingfield Road, Hemingfield, Barnsley.

Outline planning application for demolition of existing structures and erection of residential dwellings with associated infrastructure and open space. All matters reserved apart from access into the site.

On behalf of Hargreaves Land Limited, G N Wright, M M Wood, M J Wood and J D Wood

Date: May 2025 | Pegasus Ref: P23-1714PL

LPA Ref: 2024/O122

Appeal Ref: APP/R4408/W/25/3359917

Author: Matthew Good



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1. Introduction

- 1.1. This Summary Proof of Evidence relates to Five-Year Housing Land Supply (FYHLS). My name is Matthew Good, I am a Senior Director of Planning at Pegasus Group and have over 25 years' experience in planning.
- 1.2. I have prepared this evidence on behalf of Hargreaves Land Limited, G N Wright, M M Wood, M J Wood and J D Wood ("the Appellant"). It is provided in support of a planning appeal submitted pursuant to Section 78 of the Town and Country Planning Act 1990, concerning land north of Hemingfield Road, Hemingfield, Barnsley (ref: APP/R4408/W/25/3359917).

2. Background

- 2.1. Despite paragraph 77 of the December 2023 NPPF¹, requiring local authorities to **update annually** their five-year supply the Council's most recently **published** assessment of FYHLS was published in December 2021. This identifies a 5.6-year supply, relating to the 5-year period to April 2026. To date the Council has not identified when it will formerly update its 2021 assessment. At the time of the inquiry there will only be some 10 months of that 5-year period left.
- 2.2. Due to the lack of updates since 2021, the Appellant provided an assessment of the FYHLS alongside its submission documents for the planning application on land north of Hemingfield Road, Hemingfield (CD 3.15). The assessment was based upon the best available information, including a freedom of information request to the Council.
- 2.3. The Appellant demonstrated that the Council could not demonstrate a FYHLS either on **1st April 2021 (2.9-years) or 1st April 2023 (2.5-years)**.
- 2.4. Following submission of the application but prior to its determination the Council produced an updated FYHLS to a base date of 1st April 2024 in relation to an appeal at land north of Shaw Lane, Carlton² (CD 7.1A and CD 7.1B). This assessment has not been published on the Council's website. Within this evidence the Council conceded that it could not demonstrate a FYHLS, suggesting a 3.64-year supply (paragraph 11). It also agreed that the lack of a FYHLS should carry substantial positive weight (paragraph 41).
- 2.5. Despite the evidence provided by the Appellant and the above appeal decision the Council did not engage with these conclusions on FYHLS in relation to the Appellants application. The Officers Report (CD 2.1) simply states:

"A report has been submitted with the application which suggests the Council does not have a five year housing land supply, however at present the Council is currently reviewing the five year housing land supply position and this work has not yet been completed..."
(Assessment section, unpaginated page 8).
- 2.6. Consequently, the weighing of this in the planning balance was absent.

¹ Being the relevant version at the time of submission and determination of the application.

² APP/R4408/W/24/3341097

2.7. The Council has subsequently revised its position within an appeal on land to rear of Greenland Cottage, High Hoyland Lane, High Hoyland³ (CD 7.3A and CD 7.3B). In that case the Council acknowledged the supply has deteriorated to 3.1-years due to the requirement to include a 20% buffer.

Table 1: Barnsley Council stated five-year housing land supply position

Base Date	1 st April 2021	1 st April 2024 (Carlton Appeal)	1 st April 2024 (High Hoyland Appeal)
Year's Supply (Council Position)	5.6	3.64	3.1

Base Date

2.8. My proof utilises the evidence provided by the Council alongside it's Statement of Case (SoC) (CD 9.2) in relation to this appeal as its starting point. The evidence upon FYHLS provided alongside the **Council's SoC continues to utilise a base date of 1st April 2024** and in conformity with the appeal at land to rear of Greenland Cottage, High Hoyland Lane, High Hoyland **identifies a 3.1-year supply**.

2.9. I also utilise the December 2024 version of the National Planning Policy Framework (NPPF), as amended February 2025 and the associated guidance within the Planning Practice Guidance (PPG) to assess the Council's claimed supply.

3. Housing Delivery within Barnsley

3.1. Policy H1 of the Barnsley Local Plan (BLP), adopted 3 January 2019, identifies that the Council will seek to deliver at least 21,546 net additional homes between 2014 and 2033. The BLP identifies (para 9.1) a target of **at least 1,134 dwellings per annum**.

3.2. Delivery has been less than 70% of the BLP housing requirement, leading to a substantial cumulative shortfall of 3,615 dwellings over the plan period to date.

Table 2: Dwelling completions - Barnsley

Year	Requirement	Net Completions	Surplus / Deficit	Accrued Plan Period Surplus / Deficit
2014/15	1,134	622	-512	-512
2015/16	1,134	706	-428	-940
2016/17	1,134	856	-278	-1,218
2017/18	1,134	1,008	-126	-1,344

³ APP/R4408/W/24/3347461

2018/19	1,134	988	-146	-1,490
2019/20	1,134	1,051	-83	-1,573
2020/21	1,134	588	-546	-2,119
2021/22	1,134	589	-545	-2,664
2022/23	1,134	681	-453	-3,117
2023/24	1,134	636	-498	-3,615

Source: Summary of the Council's five year land supply position, submitted alongside its SoC (CD 9.2)

- 3.3. The Council has also only achieved 84% against the housing needs under the Housing Delivery Test (HDT)⁴. The Council's HDT result is identified as amounting to 'significant under delivery' (NPPF, paragraph 78 (b)). The consequences are a requirement for a 20% buffer to be applied when calculating the FYHLS and the need to prepare an 'Action Plan' to assess the causes of under-delivery and identify actions to increase delivery in future years.

Affordable Housing

- 3.4. Within appendix 6 of my proof, I identify the worsening issues in relation to delivery and access to affordable housing within Barnsley, illustrating a pressing need for a substantial increase in affordable housing provision across the district.
- 3.5. The Barnsley Local Plan housing requirement and affordable housing policy was supported by the 2017 Barnsley Strategic Housing Market Assessment (SHMA) (CD 5.5B). This document informed the Barnsley Local Plan examination. The 2017 SHMA identifies a net affordable housing need of 292 dwellings per annum. This figure was agreed by the Inspector conducting Local Plan examination (paragraph. 49, CD 5.1B).
- 3.6. A subsequent update to the SHMA was provided in 2021 to inform the Local Plan Review (CD 5.5C). This unexamined report identifies a net annual affordable housing need of 190dpa. The area with the greatest need is identified as being the Hoyland, Wombwell and Darfield sub-area with a total net need of 314 affordable dwellings per annum. The Proposed Development is sited within this area of greatest need.
- 3.7. My analysis clearly indicates that since the Council began to present monitoring data for affordable housing delivery, through its Authority Monitoring Report (AMR) in 2019/20, delivery have fallen significantly short of the identified need established by either the 2021 or 2017 SHMA. Accruing a shortfall of 883 affordable dwellings against the 2017 SHMA need and 373 affordable dwellings against the 2021 SHMA need figure of 190 affordable dwellings per annum.

⁴ Measured against local housing need.

- 3.8. However, this only provides part of the story. This is because it does not take any account of stock losses due to Right to Buy (RtB). Once losses through RtB sales are considered the affordable housing stock within Barnsley has only increased by 35 dwellings, since 2019/20.
- 3.9. My evidence (appendix 6, section 6) also considers future supply. Taking an extremely optimistic view of future affordable housing supply a maximum of 453 affordable dwellings are identified for potential delivery in the five-year period 2024 to 2029. This falls substantially short of a net need of between 1,620 (2021 SHMA) to 2,436 (2017 SHMA) affordable dwellings over the next five-years taking account of accrued backlog.

4. Five-Year Housing Land Requirement

- 4.1. The housing requirement for the purpose of demonstrating a five-year supply of deliverable housing is set out in table 3 below. This is based upon the under-supply identified in table 2 being spread over the remainder of the plan period. This demonstrates that on 1st April 2024 it was 9,215 dwellings. This is agreed with the Council.

Table 3: Barnsley Five-year housing land supply requirement 1st April 2024

Step	2024 (Dwellings)
1. Annual Plan Housing Requirement (Policy H1)	1,134
2. Annual Under-supply	402
3. Annual Buffer (20% of step 1 + step 2) (from HDT test)	307
4. Annual Total (step 1 + step 2 + step 3)	1,843
5. Five-Year Requirement Total (step 4*5)	9,215

5. Supply

- 5.1. The Council's 2024 FYHLS document identifies a total supply of 5,753 dwellings over the 5-year period. This supply is identified from four key sources:
1. Non allocated planning permissions >10 dwellings (217 dwellings);
 2. Non allocated planning permissions <10 dwellings (310 dwellings);
 3. Local Plan allocations and planning permissions on Local Plan allocations (4,595 dwellings); and,
 4. Allowance for 'windfall' development (631 dwellings).
- 5.2. In addition, predicted losses of 45 dwellings have also been identified. This leaves a net supply of **5,708 dwellings**. Each of these sources are discussed in greater detail within section 7 and appendix 1 of my proof. Within my evidence I **do not dispute** the following:
- Non allocated planning permissions <10 dwellings (310 dwellings);

- Losses (45 dwellings)
- Sites which meet the Part A of the NPPF Annex definition of a 'Deliverable' site.

5.3. Those which **I do dispute** fall within under part b of the NPPF Annex definition and the windfall allowance.

5.4. Part b sites are those which benefit from outline planning permission for major development, are allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register. The NPPF is clear such sites should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years. In most cases the Council has failed to provide such evidence. My analysis identifies two key reasons for removing dwellings from the Council's claimed supply. These are set out below.

No evidence for deliverability at the base date

5.5. In considering Part B sites I reference several appeal decisions which provide clarity upon what constitutes 'clear evidence'. Given the lack of evidence from the Council I have considered other potential sources of evidence not currently signposted by the Council. This has included:

- Consideration of the current planning status,
- Other sources of Council evidence, including the SHLAA and Masterplan Framework documents, and
- Review of developer and land promoter websites.

5.6. My analysis of each site considering these additional evidence sources is contained within **section 7 and Appendix 1** of my proof.

5.7. Due to a lack of clear evidence, as required by the NPPF Annex definition, the following dwellings are removed:

- Source 1: Non allocated planning permissions >10 dwellings – **39 dwellings** from two sites, and
- Source 3: Local Plan allocations and planning permissions on Local Plan allocations – **1,322 dwellings** from 24 sites.

Lower overall delivery in the five-year period

5.8. My reasons for the reductions on each site relate to over-optimistic delivery from a single outlet. I provide greater detail on this within section 6 of my proof. Where available, documents upon the Council's 'Planning Explorer' which relate to delivery rates have also been considered. This includes site MU1 which is discussed in greater detail within my proof.

- HS3 Former William Freeman Site, Wakefield Road – delivery reduced from 57 to 52 dwellings, **(-5)**
- HS5 Land south of West Street, Worsbrough – delivery reduced from 55 to 50 dwellings, **(-5)**

- HS9 Site east of Smithy Wood Lane – delivery reduced from 130 to 120 dwellings, (-10) and
- MU1 South of Barugh Green Road – delivery reduced from 662 to 266 dwellings.(-396)

5.9. Delivery has been increased on one site, HS47 land to the north of Dearne ALC, from 86 to 100 dwellings in the five-year period. This is due to the identified capacity for the site.

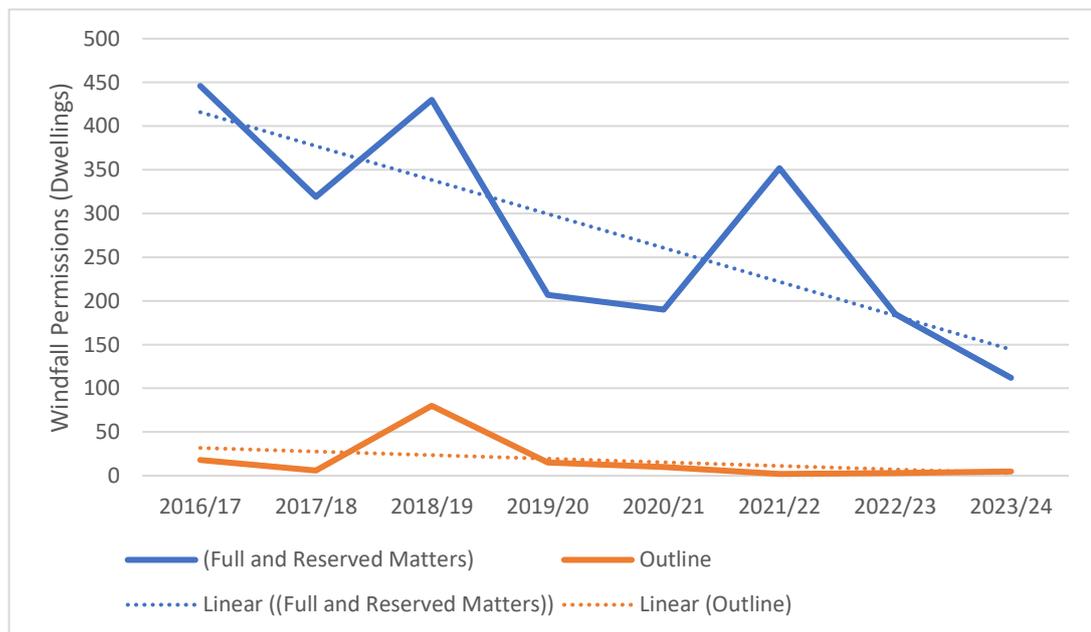
5.10. The net reduction due to lower overall delivery is, therefore, **402 dwellings**.

Source 4: Windfall Allowance

5.11. While delivery from windfalls is not disputed in principle, the NPPF (para. 72) states clearly that any windfall allowance must be founded upon compelling evidence which demonstrates that windfall completions will provide a reliable and realistic source of supply. This should have regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends.

5.12. In terms of past permissions, the Council’s 2024 FYHLS identifies permissions from this source over the preceding five-year period is variable, see figure 1 below. The linear trendlines clearly illustrate a downward trend in detailed windfall permissions and outline windfall permissions. My analysis demonstrates that the Council’s assessment is unrealistically high.

Figure 1: Windfall Permissions within Barnsley



Source: BMBC 2021 and 2024 FYHLS

5.13. The Council already includes a supply from sites not allocated within sources 1 and 2 above. These sites by their very nature comprise previously unknown, or windfall sites. Indeed, the Council acknowledges it does not actively monitor sites of less than 10 dwellings. It is demonstrably clear that the Council’s windfall allowance includes a significant element of double counting with sources 1 and 2, particularly in years 1 and 2, when the majority of the

development which is unallocated, but which benefits from an implementable planning permission, will occur.

- 5.14. Furthermore, the Council’s 2016 SHELAA at section 5.5 concludes that an allowance of 142dpa to be appropriate. This quantum of windfalls within the SHELAA was also considered by the Inspector of the BLP in her report (CD 5.1B).
- 5.15. Given the Inspector’s findings, and the potential for double-counting, I apply a 142dpa windfall allowance to years 3, 4 and 5. This gives a revised total windfall figure of **426 dwellings** over the supply period.

Overall Supply

- 5.16. My analysis identifies a **reduction in the overall net supply of 1,982 dwellings** from **5,708 to 3,726 dwellings**.

Table 4: Respective Housing Land Supply Positions

Source	Pegasus (dwellings)	Barnsley (Dwellings)
Non allocated planning permissions >10 dwellings	178	217
Non allocated planning permissions <10 dwellings	310	310
Local Plan allocations and planning permissions on Local Plan allocations	2,857	4,595
Windfall Allowance	426	631
Predicted Losses	-45	-45
Total	3,726	5,708

6. Conclusions

- 6.1. There has been an acute and chronic under-delivery of housing within Barnsley over many years. The Council has failed to deliver against its adopted housing requirement in every year of the plan period to date. This has led to an accrued shortfall of 3,615 dwellings on 1st April 2024, representing approximately 30% of the identified housing need over the same period.
- 6.2. The Council has also failed to provide an appropriate monitoring framework for the delivery of housing since the publication of its 2021 FYHLS. This is despite the requirements of the NPPF, at paragraph 78. There is no indication when this situation will be rectified.
- 6.3. To fill the clear evidential gap the Council did undertake an assessment of its supply in relation to the appeal at land north of Shaw Lane, Carlton. A subsequent update was provided for the appeal at Greenland Cottage, High Hoyland Lane, High Hoyland. The latter claimed a supply of 3.1-years on 1st April 2024. The Council relies on the same supply side evidence at this appeal.
- 6.4. My analysis disputes the Council's position. The Council has perpetually sought to include major sites within its supply which fail to meet the criteria of a deliverable site. It has also promoted levels of delivery which exceed industry norms and direct evidence from the developer of a site. My analysis clearly concludes that 1,982 dwellings should be removed from the Council's supply.
- 6.5. **The overall deliverable housing land supply is reduced to just 2.02-years, a deficit of 5,489 dwellings against the Council's five year requirement.**
- 6.6. The five-year supply position at the 1st April 2024 base dates is set out below.

Table 5: Barnsley Housing Land Supply Position (1st April 2024)

	Dwellings
Five-year requirement	9,215
Supply	3,726
Surplus / Deficit	-5,489
Years Supply	2.02

- 6.7. The 2.02-year supply must also be viewed in the context of a worsening FYHLS position within Barnsley. My assessment identified the following positions, indicating an acute and chronic lack of supply over many years:
- 1st April 2021 – 2.9-years
 - 1st April 2023 – 2.5-years
 - 1st April 2024 – 2.02-years



Weight to be attributed to a lack of a five-year housing land supply

- 6.8. Within its submissions to the appeal at land north of Shaw Lane, Carlton the **Council agreed with the Appellant of that appeal that substantial positive weight should be attributed** to the delivery of housing in the context of a claimed 3.64 year supply. My evidence clearly demonstrates that the housing land supply position is substantially worse than 3.64-years.
- 6.9. Within section 8 of my proof, I refer to several Secretary of State decisions which has consistently found that where an LPA is able to demonstrate less than a 4.5-years supply the provision of housing should be afforded either significant, substantial, very significant or very substantial weight. Given the above evidence and the deteriorating housing land supply position within Barnsley, **now just 2.02-years**, I conclude that **very substantial positive weight** should be applied to the delivery of housing in the determination of this appeal.



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

Leeds

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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