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**Our ref.**  
**Your ref.**

22 July 2022

**PRIVATE AND CONFIDENTIAL**

Dear Mr O'Neill,

## **ASSESSMENT OF THE BARNSLEY FIVE YEAR HOUSING LAND SUPPLY**

### **1 APRIL 2022 – 31 MARCH 2027**

Johnson Mowat have been instructed by the following Consortium (see below) of Developers / Housebuilders to prepare a comprehensive assessment of the Council's current five year land supply position (1 April 2022 to 31 March 2027).

- Yorkshire Land Ltd;
- Barratt Homes;
- Bellway Homes;
- Miller Homes;
- Newett Homes;
- Persimmon Homes;
- Redrow Homes; and,
- Taylor Wimpey

For your information this letter is supported by the following document:-

- Assessment of the Barnsley Five Year Land Supply – 1 April 2022 to 31 March 2027

Our Assessment of the Barnsley Five Year Land Supply ("the Assessment") makes the following conclusions:-

- Delivery over the plan period represents just **71.3%** of the Barnsley Local Plan housing requirement;
- The accrued deficit is currently calculated at **2,601** dwellings;
- The Consortium disputes the Council's position in relation to 58 no. sites;

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- The difference between the Councils net deliverable supply and that of the Consortium is 2,322 dwellings;
- Of the **58** no. disputed sites **91%** are located in the east of the Borough with only **9%** located in Penistone and the Western Rural Community Area villages of Cawthorne, Hoylandswaine, Oxspring, Silkstone, Silkstone Common, Thurgoland, Wortley, Ingbirchworth, Tankersley and Pilley.
- The Council are clearly struggling to deliver homes in the east of the Borough, which is described in BLP Policy H8 'Housing Regeneration Areas' as *"a weak and at times failing housing market"*. The provisions of BLP Policy H8 i.e., *"encouraging sustainable housing growth to support creation of an overall balanced housing market"* are clearly failing. In this context there is a clear need for a recalibrated approach to identify further deliverable allocations in the central and western parts of the Borough, as was advocated by various parties, at the Barnsley Local Plan Examination.
- Over the proceeding five-year period (2017/18 to 2021/22) just **4,287** net completions were achieved in Borough. To reach the requisite five-year housing requirement (**7,232** homes - which includes provision for previous undersupply and the 5% buffer) identified by our analysis would require a **68.7%** increase in delivery over the five-year period. This would represent an average rate of **1,446** dpa, **395** dpa greater than the highest recorded level (**1,051** dwellings in 2019/20) of annual delivery over the plan period to date.
- The Assessment identifies a current 5 Year Housing Land Supply position of only **3.17** years (5% buffer) or **2.78** years (20% buffer). This position is contrary to the provisions Framework (Para.68).

Having regard for the bullets above, the current five-year land supply position is clearly very concerning and requires the Council to introduce a range of measures so as to ensure this continuing under delivery is addressed in the shorter term. Potential measures include: -

- Safeguarded Land; and,
- Barnsley Local Plan Review (BLP)

### **Safeguarded Land**

Paragraph 143 of the Framework advises that when defining Green Belt boundaries, local planning authorities should where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer term development needs stretching well beyond the plan period. The aim of protecting this land is to make sure that the Green Belt boundaries will remain in the long term avoiding the need to review them at the end of the plan period. The permanent development of safeguarded land will only be permitted following review of the BLP which proposes such development (Policy GB6).

The BLP identifies 28 no. Safeguarded sites. At the time of writing grave concerns are raised in respect to the deliverability of at least 15 no. of the Safeguarded sites. More specifically and based on current evidence 11 no. Safeguarded sites (92%) (there are 12 no. in total) located in the western part of the Borough are not considered to be deliverable (landlocked etc.). In short, this potential source of supply is not considered capable of addressing the entirety of the identified shortfall in the shorter ter

### **Barnsley Local Plan Review**

The Council must review its local development plan document within the following time periods— (a) in respect of the BLP, the review must be **completed** every five years, starting from the date of adoption of the local plan, in accordance with section 23 of the Act. Further the Framework is clear at Para. 33 that reviews “*should take account changing circumstances affecting the area*”.

At the very least a review of the BLP (the plan was adopted 3 January 2019 – 3.5 years old) is expected to be commenced and be completed within the next 18 months. This would align with the provisions set out at BLP Para. 26.12, in which the Council is clear that individual policies should be monitored against a range of measures (the measures under Local Plan Objective 3 are particularly relevant) so as to ensure their effectiveness.

Local Plan Objective 3 specifically refers to Policies H1, H2 and H3; the provisions of which are failing to significantly boost the supply of homes and subsequently provide the size, type and tenure of housing required by different groups in the local community. The Council should be looking at an alternative approach to delivery of much needed market and affordable homes. In this context and in order address identified shortfalls the Council are now required to apply the ‘tilted balance’ and consider the delivery of additional dwellings on any deliverable Safeguarded Land sites.

Of equal importance, considering Barnsley is a Green Belt authority and the majority of the identified Safeguarded Land sites are undeliverable, will be the consideration of new deliverable green belt sites in the Central and Western Parts of the Borough, which are outwith the “*weak and at times failing housing market*” in the East of the Borough. To once more overload the weak and failing market areas with additional allocations would simply compound the current position and serve to ensure the plan remains ineffective in perpetuity. This approach would be clearly go against the purpose of continued monitoring and reporting.

On behalf of the consortium, we respectfully request a formal response from the Council by 31 August 2022, outlining how the Council intends to address this report and move forward with the Local Plan Review, including associated timescales.

Please feel free to give me a call if you wish to discuss anything further.

Yours sincerely,



**Richard Mowat**  
Director



**JohnsonMowat**  
Planning & Development Consultants

## Assessment of the Barnsley Five Year Housing Land Supply

1 April 2022 to 31 March 2027



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## Barnsley Five Year Housing Land Supply Assessment

Date: 22 July 2022

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## **LIMITATIONS**

The assessments and interpretation have been made in line with legislation and guidelines in force at the time of writing, representing best practice at that time.

All of the comments and opinions contained in this report, including any conclusions, are based on the information obtained by Johnson Mowat Planning Ltd during our investigations.

Except as otherwise requested by the Client, Johnson Mowat Planning Ltd is not obliged and disclaims any obligation to update the report for events taking place after:

- a) the date on which this assessment was undertaken; and
- b) the date on which the final report is delivered.

Johnson Mowat Planning Ltd makes no representation whatsoever concerning the legal significance of its findings or to other legal matters referred to in the following report.

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## 1.0 INTRODUCTION

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- 1.1 The purpose of the planning system is to positively promote the spatial organisation of land in order to achieve long-term sustainable development. In the Planning Acts, 'sustainable development' means managing the use, development and protection of land, the built environment and natural resources in a way, or at a rate, which enables people and communities to provide their social, economic and cultural wellbeing while sustaining the potential of future generations.
- 1.2 Planning is a vital means of securing the long-term wellbeing of our communities. It enables the efficient use of resources and infrastructure, with multiple benefits to society, the environment and the economy. England is a geographically small, densely populated nation, with multiple demands on land and built environment.
- 1.3 Johnson Mowat (JM) is instructed by a consortium of Developers / Housebuilders to provide an assessment of the five-year housing land supply position of Barnsley Metropolitan Borough Council ("the Council").
- 1.4 The consortium is made up of the following Developers / Housebuilders: -
- Yorkshire Land Ltd;
  - Barratt Homes;
  - Bellway Homes;
  - Miller Homes;
  - Newett Homes;
  - Persimmon;
  - Redrow; and,
  - Taylor Wimpey.
- 1.5 This assessment utilises the Council's Five-Year Deliverable Housing Land Supply Report (December 2021) (2021 FYHLS) as its basis. This assessment represents the Council's most up-to-date assessment at the time of writing.
- 1.6 The 2021 FYHLS identifies that the Council considers it has a 5.6-year supply of deliverable housing land for the period 1 April 2021 to 31 March 2026. Our analysis disputes this assertion;





further our assessment provides a Five Year Housing Land Supply (FYHLS) position for the period **1 April 2022 to 31 March 2027**.

- 1.7 It is cautioned that the calculation of any FYHLS is not an exact science and JM reserve the right to revise the assessment when and should new information come to light.

## 2.0 PLANNING POLICY CONTEXT

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2.1 The duty in Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA) enshrines in statute the primacy of the Development Plan.

2.2 Section 38(6) of the PCPA 2004 states:

*“If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts the determination must be in accordance with the plan unless material considerations indicate otherwise.”*

2.3 Paragraph 2 of the National Planning Policy Framework (“the Framework”) recognises the provisions of Section 38(6) stating: -

*“planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account when preparing the development plan, and is material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements”.*

2.4 The Development Plan comprises solely of the adopted Barnsley Local Plan (BLP) (January 2019).

2.5 The BLP was adopted by Full Council on 3 January 2019. The BLP replaced the Barnsley Core Strategy and Unitary Development Plan.

2.6 The BLP, Section 2 Vision and Objectives sets out that to meet its objectives it will enable the delivery of at least 21,546

2.7 BLP Policy H1 sets out that the Council will seek to achieve the completion of at least 21,546 net additional homes between 2014 and 2033. Para 9.1 sets out a target of 1,134 dwellings per annum. A significant proportion of housing delivery is focused within Urban Barnsley area as detailed in Policy H2 where a total of 9,070 new homes are proposed between 2014 and 2033 which is 43% of the overall supply for the district.

## 3.0 HOUSING REQUIREMENT

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- 3.1 In accordance with Para. 73 of the Framework, the Councils five-year housing requirement should therefore be assessed against Policy H1.
- 3.2 Since the BLP was adopted in the last five-years, in accordance with the Para. 33 of the Framework, the housing requirement contained within Policy H1 of the plan is considered up-to-date.
- 3.3 The baseline requirement is therefore **1,134 dwellings per annum**.

### Performance against Trajectory

- 3.4 Table 3.1 below identifies that delivery over the BLP period to date has failed to keep pace with the housing requirement. The housing requirement has not been met on any occasion during the last 8 years with a total shortfall of 2,601 homes being accrued. Indeed, delivery over the plan period represents just 71.3% of the BLP housing requirement to date.

**Table 3.1 Net Housing Completions Against Requirement (1st April 2014 – 31st March 2021)**

Reporting Year	Requirement	Net Completions	Deficit
2014/15	1,134	622	-512
2015/16	1,134	706	-428
2016/17	1,134	856	-278
2017/18	1,134	1,008	-126
2018/19	1,134	988	-146
2019/20	1,134	1,051	-83
2020/21	1,134	588	-546
2021/22	1,134	652	-482
		Accrued Deficit	-2,601

- 3.5 Whilst affordability is not as significant an issue as in other parts of the country it is notable that there has been a gradual worsening over the last 20 years. Furthermore, affordable housing need is significant. Clearly, an increase in housing delivery would assist in addressing these issues.
- 3.6 Accordingly, an allowance of **236 dwellings per annum** (2,601 dwellings / 11 years) is to be applied throughout the plan period to address the shortfall in delivery of new homes achieved in the last eight years.

### **Housing Delivery Test**

- 3.7 The Framework, Para. 73, requires a buffer to be applied to the supply of specific deliverable sites to ensure choice and competition in the market. The scale of the buffer should be 5%, 10% or 20%. A 10% buffer is required for all authorities who wish to demonstrate a five-year supply of deliverable sites through an annual position statement or recently adopted plan.
- 3.8 In the absence of an annual position statement a 5% or 20% buffer is required. The latter is required where there has been significant under delivery. This is measured via the Housing Delivery Test (HDT). The 2020 HDT identifies that Barnsley has delivered its requirement over the previous three years and, as such, a **5% buffer is applied**.
- 3.9 The residual requirement for the period 1 April 2022 to 31 March 2027 is therefore **6,850 dwellings + 5% = 7,193 dwellings**. This equates to **1,439 dwellings per annum**.
- 3.10 The outcome of the 2021 HDT is awaited at the time of writing.

## 4.0 HOUSING LAND SUPPLY

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- 4.1 Para. 73 of the Framework is clear that Local Planning Authorities are required to identify and update annually a specific supply of deliverable sites sufficient to provide a minimum of five-years' worth of deliverable housing. This supply should be measured against the housing requirement as set out in adopted strategic policies or, where such policies are more than five years old, the Local Housing Need figure.

### Definition of Deliverable

- 4.2 The Framework now provides further detail in relation to one of the most disputed aspects of the supply side consideration: what constitutes "deliverable" supply. Annex 2: Glossary the Framework included a definition of deliverable. There is now no presumption of deliverability<sup>1</sup>
- 4.3 The definition of a 'deliverable' site is set out as follows: -

***"Deliverable:** To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:*

*a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*

*b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years."*

- 4.4 The first sentence of the Framework Glossary definition sets out an 'overarching' test for the approach to establishing whether a site can be "considered deliverable". This is:-

*"Sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years."*

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<sup>1</sup> APP/C1950/W/17/3190821 – Entech House, London Road, Woolmer Green – Para. 30

- 4.5 The language makes clear timing points about availability and suitability have to be judged “now” and achievability is judged through delivery being realistic within the next 5 years. The definition then goes on to provide further prescription for specific categories of sites; setting out how they would satisfy the above realistic prospect test. In essence, satisfaction of the more detailed test for the site category provides the basis for concluding whether there is a realistic prospect.
- 4.6 The first specific (**Category A**) deals with: -
- "sites which do not involve major development and have planning permission, and all sites with detailed planning permission".*
- 4.7 The test here is that both of these: -
- "should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans)".*
- 4.8 The above test applies a presumption that a site within this category is deliverable "until" permission expires "unless" there is clear evidence of non-delivery.
- 4.9 For sites in this category that are considered deliverable there is still a need to make a judgement based on the available evidence as to how many units will be likely to deliver in the 5-year period. This will involve a judgement about the start date and the rate of completions after that in the 5-year period. From the language of the Framework there is no burden or threshold of proof on these matters.
- 4.10 The second specific (**Category B**) is:-
- "[if a] site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register".*
- 4.11 The relevant test here is that these sites
- "should only be considered **deliverable where there is clear evidence that housing completions will begin on site within five years**" (underling emphasis).*
- 4.12 The above test applies a presumption that a site within category B is not deliverable "unless" there is "clear evidence that housing completions will begin" on site within five years. To rebut the presumption, the burden is to positively demonstrate clear evidence of delivery. Recent

appeal decisions have rightly placed this onus of proof at the feet of the Council. Again, for sites in this category to be considered deliverable there is still a need to make a judgement based on the available evidence as to how many units will be likely to deliver in the 5-year period. This will involve a judgement about the start date and the rate of completions after that in the 5-year period. From the language of Framework there is no burden or threshold of proof on these matters.

- 4.13 The Framework definition places sites allocated in the Development Plan on the same footing as sites with Outline planning permission, in terms of the need for clear evidence of likely completions.
- 4.14 It should be noted that progress towards a planning application does not itself imply that houses will be delivered within five-years. The clear evidence required is to how and when a site start will be made and how dwellings will be completed.
- 4.15 Recent appeal decisions have provided further clarity on the matter, applying the new definition to the consideration of housing supply. The Woolpit<sup>2</sup> decision Inspector here is firm in reiterating that: -

*“65. ... Sites with outline permission, or those that have been allocated, should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years. **The onus is on the LPA to provide that clear evidence for outline planning permissions and allocated sites**” (underlining emphasis).*

- 4.16 At Stanion<sup>3</sup> the Inspector states:

*“the evidential burden on the Council is now increased significantly from the requirement in the previous 2012 Framework which required there to be a realistic prospect and for there to be clear evidence the development would not be implemented”*

- 4.17 The Framework Glossary definition does not make express reference to the category of sites, where no planning permission is in existence/they are unallocated etc. It seems reasonable however to conclude that in the absence of these attributes (outline permission/allocation etc.) it is even less likely that there will be clear evidence that housing completions will begin. Effectively, the first category is a more advanced/complete stage of planning permission than

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<sup>2</sup> APP/W3520/W/18/3194926 – Land on East Side of Green Road, Woolpit, Suffolk – Para. 65

<sup>3</sup> APP/U2805/W/17/3176172 – Land to the North of Brightstock Road, Stanion, Northamptonshire – Para. 47

the second category. Therefore, sites with no planning permission/unallocated etc. are at an even less advanced/complete stage.

4.18 The Council will now need to demonstrate progress is being made on allocation and Outline planning application sites set out within the supply that amounts to clear evidence that homes will begin within five years. For some sites, such evidence may be available, however at present the level of information put forward by the Council in their 2021 FYHLS statement is limited. It would therefore not be unreasonable to assume that a number of the identified sites may be subsequently removed from the Council's supply position.

4.19 The following list highlights just some of the key points taken from Ardleigh<sup>4</sup>, Stanion, Woolpit and Woolmer Green:

- The definition of deliverable places sites allocated in the development plan on the same footing as sites with outline consent (Ardleigh – Para.98).
- Proposed allocations can be considered but the onus of clear evidence of delivery is even more stringent (Ardleigh – Para. 98).
- The AMR (or SHLAA) is to set a base date. Sites with changed circumstances post that base date should be excluded (Stanion – Para.67).
- The onus is on the Council to provide clear evidence of delivery on sites with Outline consent (Stanion – Para. 68).
- The PPG places great weight on the adequacy and sufficiency of consultation with those responsible for delivering dwellings (Stanion – Para. 69).
- The evidential burden on the Council is now increased significantly from requirement in the previous 2012 Framework which required there to be clear evidence that development would not be implemented (Woolpit – Para. 47).
- The new Framework and PPG guidance on deliverability goes significantly further than the 2012 Framework. Whilst sites in Category B can be included within the five year HLS, there is no presumption of deliverability and it is for the LPA to justify their inclusion with clear evidence that housing completions will begin on-site within five years.

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<sup>4</sup> APP/P1560/W/17/3185776 – Land to the South of Bromley Road, Ardleigh, Colchester – Para. 98



- 4.20 There can now be no doubt that the burden of proof and threshold has changed. This is not just a case of where that burden now rests but the detail required to demonstrate the clear evidence. The Council's position set out in the 2021 FYHLS statement fails to provide any meaningful evidence in this regard including on a list of site references and the anticipated contribution to the supply. This is a significant failing from the Council.

### **Build Out Rates**

- 4.21 In terms of build-out rates and delivery intentions the PPG (ID 68-007) states: -

*“firm progress being made towards the submission of an application – for example, a written agreement between the local planning authority and the site developer(s) which confirms the developers’ delivery intentions and anticipated start and build-out rates”*

- 4.22 Historically, JM have assumed a delivery rate between 30 – 40 dwellings per annum per sales outlet, based on the following: -

**Table 4.1 – Anticipated No. of Sales Outlets**

Size of Site	Projected No. of Outlets
0-200 dwellings	1 sales outlet
201-500 dwellings	2 sales outlets
501-1000 dwellings	3 sales outlets
1,001+ dwellings	4-5 sales outlets

- 4.23 The stated build-out rates and delivery intentions must however be viewed with caution. It is notable that such agreements are not part of the planning application process, being most commonly used in appeals and Local Plan examinations. To have any justification the identified developer must have control of the site and willingly indicate their delivery intentions. However, even in such cases there is nothing to hold the developer to the timescales or rates involved.
- 4.24 It is also in the interest of the developer to ‘talk-up’ the delivery of a site. This can occur for a number of reasons, namely it can be used to ‘freeze-out’ other competing sites and to keep good relations with the Council, as the developer wants the Council to approve any reserved matters or pre-commencement conditions in a timely manner.
- 4.25 Several Inspectors have agreed that caution is required these include:

- **Land east of Butts Road, Higher Ridgeway, Ottery St. Mary (PINS Ref. APP/U1105/A/12/2180060)** - The Inspector was critical of estimated delivery rates from developers noting in Para. 20:-

*“...house builders operate in a very competitive market where it could be in their interests to exaggerate sales estimates in order to thwart a rival. I am therefore cautious about the estimated delivery/sales provided on behalf of the consortium and which have been used to support the Council’s assessment...”*

- **Land North of Congleton Road, Sandbach (PINS Ref. APP/RO660/A/13/2189733)**  
– In this case the Inspector concluded that the Council’s delivery rates were optimistic, commenting at Para. 24:-

*“it is to be expected that landowners and potential developers would talk up the likely delivery of housing development...”*

- **Land off Hillside Close, Bozeat, Wellingborough (PINS Ref. APP/H2835/A/14/2212956) (JM acting for Gladman)** – The Council placed significant weight upon delivery from several large sites. The delivery was based upon revised developer estimates. The Inspector notes (Para.13):-

*“...the Council is heavily reliant on housing on a number of large sites around Wellingborough coming forward quite quickly and together providing a substantial amount of housing in the 5 year period. The Council has relied significantly on house builder estimates though it has reduced the numbers given to account for any over-optimism. However, even so I have some reservations on the Council’s figures...”*

- **Land between Iron Acton Way and North Road, Engine Common, Yate (PINS Ref. APP/P119/A/12/2186546)** – in this case the Inspector states (Para. 24 and Para. 25):-

*“In the very competitive house building industry, I would be unsurprised if house builders/developers sought to gain an advantage over a rival by either ‘talking up’ the delivery rates from allocated/preferred site in order to retain the support of a Council and/or cast doubt on the predicted rates of a competitor so as to make another site in the same area appear ‘less deliverable’”.*

4.26 The Council appears unquestioning of some of the delivery rates provided by house builders/developers on some sites that it has argued would deliver housing within the next five years. Its predictions make little, if any, allowance for the effects of competition from different sales outlets operating in close proximity to one another.

## Lead in Times

- 4.27 In terms of Lead-in Times the following tables (see Table 4.2 and 4.3 below) provide a baseline from which an understanding re. likely first completions can be established. As is eluded to in Section 1 above, FYHLS is not an exact science; more often than not there will be a requirement to revise the trajectory as an when the most up to date information is evidenced.

**Table 4.2 - Lead-in Times in Months for Sites with Detailed Planning Permission**

Time (in months)						
Key Stages	Prep. of Applic.	Consider Applic.	Purchased	Prep. of Site	First Comp.	Total time
Full Application	3	4	3			10
Discharge Pre-Commencement Conditions	2	2				4
Site Commencement				5	6	11
Total Time from Preparation to Start of Completions						25

**Table 4.3 - Lead-in Times in Months for Sites with Outline Permission**

Time (in months)						
Key Stages	Prep. of Applic.	Consider Applic.	S.106	Prep. of Site	First Comp.	Total time
Outline Application	3	4	3			10
Reserved Matters and Discharge Pre-Commencement Conditions	3	4				7
Site				5	6	11
Total Time from Preparation to Start of Completions						28

## 5.0 HOUSING LAND SUPPLY ANALYSIS

5.1 The 2021 FYHLS identifies a number of sources of supply. These are as follows: -

- Local Plan Allocations with and without planning permission
- Sites with planning permission
- Windfall Allowance
- Dwellings under construction
- Demolitions and losses

5.2 From these sources the Council estimates a net deliverable supply of **7,637 dwellings**. This is disputed.

5.3 To inform this FYHLS assessment and in the interests of consistency the same sources of supply have been identified. From these sources of supply JM estimates a net deliverable supply of **4,564 dwellings**.

### Local Plan Allocations and Sites with Planning Permission on Local Plan Allocations

5.4 The following sites are disputed: -

**Table 5.1 – Disputed Sites with Allocations and Planning Permissions**

Local Plan Ref.	BMBC 5YLS	JM 5YLS	Difference	Commentary	West / East
<b>HS5</b>	70	40	-30	Awaiting Decision – No Section 106	<b>E</b>
<b>HS6</b>	40	48	+8	Full Planning Application Submitted	<b>E</b>
<b>HS7</b>	118	0	-118	<b>No Planning Application</b>	<b>E</b>
<b>HS8</b>	30	0	-30	<b>No Planning Application</b>	<b>E</b>

<b>HS8</b>	185	60	-125	Gleeson confirmed new delivery rates	<b>E</b>
<b>HS10</b>	160	70	-90	Keepmoat submitted Outline Planning Application. Delivery to commence in Year 2025/26	<b>E</b>
<b>HS11</b>	160	75	-85	Barratt confirmed new delivery rates	<b>E</b>
<b>HS12</b>	10	0	-10	<b>No Planning Application</b>	<b>E</b>
<b>HS14</b>	70	0	-70	Double Counted with 2019/0991	<b>E</b>
<b>HS17</b>	170	155	-15	Developer confirmed new delivery rates	<b>E</b>
<b>HS23</b>	18	0	-18	<b>No Planning Application</b>	<b>E</b>
<b>HS26</b>	85	0	-85	<b>No Planning Application</b>	<b>E</b>
<b>HS28</b>	18	0	-18	<b>No Planning Application</b>	<b>E</b>
<b>HS30</b>	18	0	-18	<b>No Planning Application</b>	<b>E</b>
<b>HS31</b>	43	40	-3	Revised Planning Application for 40 no. dwellings	<b>E</b>
<b>HS32</b>	75	0	-75	<b>No Planning Application</b>	<b>E</b>
<b>HS33</b>	16	0	-16	<b>No Planning Application</b>	<b>E</b>
<b>HS35</b>	107	81	-26	Barratt confirm only 81 no. dwellings remaining	<b>E</b>
<b>HS39</b>	41	0	-41	<b>No Planning Application</b>	<b>E</b>
<b>HS40</b>	20	0	-20	<b>No Planning Application</b>	<b>E</b>
<b>HS42</b>	86	60	-26	Gleeson confirmed new delivery rates	<b>E</b>

HS46	125	70	-55	Gleeson confirmed new delivery rates	E
HS47	86	109	+23	Full Planning Application submitted by Redmile Homes for 109 dwellings	E
HS48	80	0	-80	No Planning Application	E
HS49	20	0	-20	No Planning Application	E
HS51	40	0	-40	No Planning Application	E
HS52	128	0	-128	No Planning Application	E
HS55	29	0	-29	No Planning Application	E
HS57	101	0	-101	No Planning Application	E
HS58	52	0	-52	No Planning Application	E
HS59	118	114	-4	Avant submitted Reserved Matters for 114 no. dwellings	E
HS60	22	0	-22	No Planning Application	E
HS61	55	0	-55	No Planning Application	E
HS62	80	0	-80	No Planning Application	E
HS64	140	0	-140	No Planning Application	E
HS64	100	0	-100	No Planning Application	E
HS65	25	0	-25	No Planning Application	E
HS67	17	0	-17	No Planning Application	E
HS68	100	0	-100	No Planning Application	E
HS70	32	0	-32	No Planning Application	W
HS71	40	0	-40	No Planning Application	W

<b>HS74</b>	120	0	<b>-120</b>	<b>No Planning Application</b>	<b>W</b>
<b>HS75</b>	320	306	<b>-14</b>	Barratt confirmed new delivery rates	<b>W</b>
<b>HS77</b>	107	100	<b>-7</b>	Reserved Matters submitted for 100 no. dwellings. Double counted with 2019/1117 (removed from Non-Allocated Planning Permissions)	<b>E</b>
<b>HS78</b>	155	0	<b>-155</b>	<b>No Planning Application</b>	<b>E</b>
<b>HS79</b>	120	0	<b>-120</b>	<b>No Planning Application</b>	<b>E</b>
<b>HS92</b>	26	0	<b>-26</b>	<b>No Planning Application</b>	<b>E</b>
<b>MU1</b>	485	160	<b>-325</b>	Strata confirm new delivery rates (2025/26 – 120 dwellings / 2026/27 – 120 dwellings). Notwithstanding this information the Consortium believe the following to be more realistic (2025/26 – 80 dwellings / 2026/27 – 80 dwellings).	<b>E</b>
<b>MU2</b>	152	0	<b>-152</b>	<b>No Planning Application</b>	<b>E</b>
<b>MU3</b>	260	80	<b>-180</b>	Outline Planning Application submitted in February 2022.	<b>E</b>
<b>MU4</b>	103	0	<b>-103</b>	<b>No Planning Application for Residential Development</b>	<b>E</b>
<b>MU5</b>	288	280	<b>-8</b>	Barratt confirm new delivery rates	<b>E</b>
<b>MU6</b>	200	152	<b>-48</b>	Miller confirmed new delivery rates	<b>E</b>
<b>TCD53</b>	125	0	<b>-125</b>	<b>No Planning Application</b>	<b>E</b>

- 5.5 For the vast majority of the sites assessed there is no clear evidence that the site will deliver in the five-year period. They simply remain allocations with no planning application pending (it is important to note that planning applications have not been submitted on 35 no. of the disputed sites) or approved or any other site-specific evidence to suggest that they will deliver in the next five-years. This is clearly contrary to the Framework definition of a deliverable site and as such these sites should either be removed from the FYHLS assessment; or alternatively delivery rates revised. As a consequence, the number of dwellings to be delivered from this source of supply is reduced from **6,886 dwellings** to **3,495 dwellings**. An overall reduction of **3,391 dwellings** when compared to the Council's projected supply from this source.

#### Non-Allocated Planning Permissions (Large Sites)

- 5.6 The following sites are disputed: -

**Table 5.2 – Disputed Non-Allocated Sites with Planning Permission**

Local Plan Ref.	BMBC 5YLS	JM 5YLS	Difference	Commentary	West / East
<b>2019/1117</b>	107	0	<b>-107</b>	Double Counted with HS77	<b>E</b>
<b>2019/0991</b>	0	84	<b>+84</b>	Double Counted with HS14	<b>E</b>
<b>2020/0627</b>	0	22	<b>+22</b>	Full Planning Application Submitted	<b>W</b>
<b>2020/1394</b>	0	13	<b>+13</b>	Full Planning Application Submitted	<b>E</b>

- 5.7 As a consequence, the numbers of dwellings to be delivered from this source of supply is increased from **483 dwellings** to **504 dwellings**. An overall increase of **21 dwellings** when compared to the Council's projected supply from this source.

#### Windfalls

- 5.8 The Council has included a significant total windfall allowance (1,123 dwellings) arising from unexpected planning permissions on unallocated sites. However, this is predicated on historic delivery rates from such sources during the last five years.



- 5.9 Windfalls have historically made up a significant proportion of completions in the Borough, and the Council considers that this trend will continue. Consequently, a windfall figure of 1,123 dwellings (approximately 225 per annum) should be applied in each of the five reporting years.
- 5.10 The main reason for this high windfall level arose from the absence of an up-to-date development plan (the BLP was not adopted until January 2019) that allocated sites for development. It was therefore inevitable that a high number of completions over the last five years resulted from the development of unallocated sites. Importantly, it is also worth noting that the number of windfall permissions fell from **446 dwellings** (2016/17) to **190 dwellings** (2020/21); this equates to an overall reduction of 57.39%.
- 5.11 From now on, allowing for the fact that supply from such windfalls in years 1 and 2 will arise from already known planning permissions, we have applied a windfall rate of 10% of the annual requirement, 114 dwellings per annum for years 3, 4 and 5. This gives a revised total windfall figure of 342 dwellings over the supply period – a reduction of 781 dwellings when compared to the Council's projected supply from this source.

#### Demolitions / Losses

- 5.12 An allowance of 107 is provided for demolitions and losses. This is not disputed.

#### Overall Supply

- 5.13 Table 5.3 provides our conclusions on housing land supply over the period 2022/23 to 2026/27.

**Table 5.3 Five Year Housing Land Supply Summary 1st April 2022 – 31st March 2027**

Johnson Mowat 5 Year Supply Summary	
Category	Deliverable' Dwellings
Planning Permissions > 10 Dwellings	504
Planning Permissions < 10 Dwellings (assumption)	330
Local Plan Allocation and Planning Permissions on Local Plan Allocations	3495
Windfall Allowance	342
<b>5 Year 'Deliverable' Supply Total</b>	<b>4671</b>
Predicted Losses	-107
<b>5 Year 'Deliverable Net Supply Total</b>	<b>4564</b>
Housing Requirement (5% Buffer)	7193
<b>5 Year Housing Land Supply Position</b>	<b>3.17</b>



Housing Requirement (20% Buffer)	8220
<b>5 Year Housing Land Supply Position</b>	<b>2.78</b>

- 5.14 The 2021 FYHLS does not explore the impacts of the pandemic in great detail, other than to note that housing delivery achieved in Barnsley Borough in 2020/21 was the lowest annual rate of housing completions this century. No discount has been applied by the Council to the rate of delivery from any site.

## 6.0 EXTENT OF BARNSELEY'S FIVE-YEAR HOUSING LAND SUPPLY

- 6.1 The foregoing evidence follows the principles set out within the Framework and current guidance within the PPG. Within Section 3 above JM has identified that the relevant five-year housing requirement for Barnsley is **7,193 dwellings** or **1,439 dpa**. Based upon our assessment of the deliverable housing land supply in Section 5 (4,564 dwellings) this indicates a deliverable supply of just 3.17 years.

**Table 6.1: Extent of Barnsley's Five-Year Housing Land Supply Position Against the Requirement for the Period 2022/23 to 2026/27**

Five Year Net Housing Requirement	7,193 dwellings
Five Year Deliverable Net Supply	4,564 dwellings
4,564 dwellings can be delivered against a requirement of 7,193 net dwellings including a 5% buffer	This equates to 3.17 years' supply

- 6.2 Therefore, the Council **cannot** demonstrate a supply of specific deliverable sites to meet the Borough's housing requirement.
- 6.3 To put this in context over the proceeding five-year (2017/18 to 2021/22) just 4,287 net completions were achieved in Barnsley Borough. To reach the requisite five-year housing requirement (7,232 homes - which includes provision for previous undersupply and the 5% buffer) identified by our analysis would require a **68.7%** increase in delivery over the five-year period. This would represent an average rate of **1,446 dpa**, 395 dpa greater than the highest recorded level (1,051 dwellings in 2019/20) of annual delivery over the plan period to date. Achieving such levels consistently would be a significant achievement, particularly considering current economic forecasts.
- 6.4 To reach the five-year housing land supply requirement identified by the Council would require a 68% increase in delivery over the five-year period and consistently achieving rates of delivery more than 387dpa above the highest recorded annual figure (1,051 dwellings in 2019/20) over the plan period to date. This appears highly improbable."



#### **Note to the Consortium**

- 6.5 Once the BLP becomes 5 years old on **3 January 2024**, the FYHLS will be assessed against the Local Housing Need (LHN) figure (likely to be a lower figure), calculated using the government's standard methodology. In this context all planning applications (having regard for Appeal timescales etc.) on all sites not currently allocated within the BLP would need to be submitted in the shorter term.