

Comments on various additional documents

We have been provided with a number of additional documents that have been recently added to the examinations library.

Comments have been requested within a period of seven days, therefore we have not had a substantial amount of time to consider them in detail but have the following observations.

Additional information to confirm the availability of H351.

Including this site as the proposed allocation is not disputed, however the optimistic timescale are optimistic and unrealistic. The information presented suggests that the site will be contributing 40 dwellings per annum from the year 2021/22 however there is repeated reference to the site being considered as part of A master plan for the whole area including both H1747 and H351. The potential disposal of this site is also fully linked to establishing a master development partner by December 2019.

This means that a master development partner could begin working on the site in the early part of 2020 and therefore the master planning of the area would be inconceivable that this would lead to completions in 2021/22.

There are contradictory references within the documents that refer to timescales for obtaining outline planning permission and then termination of reserved matters subsequently as well as reference to submission of a detailed scheme rather than utilising an outline planning application .

The merits of each approach need to be considered alongside resolution uncertainty with regards to the existing site constraints, as part of an iterative process and given the uncertainty with regards to the golf course and proposed access road and position with regards to the landfill site and ground conditions mean that this cannot really be progressed until the master development partner is appointed.

It is correct that some further technical work can be undertaken by the council between now and that date, however only meaningful progress can be made when the development partner is appointed and can decide appropriate strategies for dealing with site constraints, ground conditions and marketing/value maximisation.

It is still the case that the likely timescales envisaged by the council for each stage of its delivery program account only for planning periods and take into account no periods for marketing, agreements of commercial terms, documentation of agreements and the general planning and legal delays it always occur with sites of this size and complexity.

It is also of substantial concern that Miller Homes has chosen not to progress its option in the site, given that they are a very active developer of mid and higher value residential property in the area, and that this part of the site that is most likely to be of interest to developers because of its ability to command higher values than parts of the site to the east.

It is therefore still out position that the timescales for delivery of dwellings on this site are wholly unrealistic.

EX78 – Supplementary note to EX75 – Council’s Response to Inspector Query on H2089

We have had very little time to consider the contents of this paper, but the most striking items are the fact that the development Phase 1 now seems to be subject to securing Local Growth Funding, which may be possible but it’s exactly that, something that is possible and not yet certain. The technical language within the report also includes wording such as “formal sign off”. What does this mean? Does that mean that the grant will be completed and the money transferred or that this will be the date of documenting a completed agreement. Obtaining this grant is presented as being easy and potentially certain with specific dates mentioned, however this does not adequately represent the ability for there to be delays in securing the support and in delivering the same.

We have a client that is currently working with the Homes England with regards to access to potential funding but this has been subject to substantial delay and whilst now in the hands of solicitors the detailed agreement of the necessary contractual documentation and background due diligence is causing further delay.

The information prepared by the council does not confirm Yorkshire Housing’s legal position with regard to the site and as to whether they have bought the site whether they have agreed terms on what basis the agreement is and how the position interrelates with that of Miller homes.

With regard to submission of pre-applications, we find it increasingly the case that even pre-application discussions can take in excess of 12 months on larger more complex sites.

The note refers to ‘negotiation between the Council and Miller Homes...will be concluded within 2018’. There cannot be any certainty that those negotiations will be concluded, because they are exactly that, just negotiations that may or may not lead to a successful agreement.

It’s remains a mystery as to why Miller Homes are progressing any interest in this site given that local sales values are below those that its board will give approval to develop below.

The note refers to the “efficient determination of the planning application within eight weeks of submission” this again is entirely unrealistic and it’s not something that can be given any certainty, because the planning application process should be required to take its due process, and it is very rare for applications of the scale nature to be determined within such a short time period, where in fact period in excess of 12 months are now quite common.

Again it is accepted that the site should be included as an allocation, but the timescales for delivery of dwellings still remain uncertain and it is a site and location that are unlikely to make an early contribution.

Supplementary note to EX69 – Council owned land note (bespoke site timeframes)

We have had very little time to consider the contents of this paper, but it is still the case that the likely timescales envisaged by the council for each stage of its delivery program account only for planning periods and take into account no realistic periods for marketing, agreements of commercial terms, documentation of agreements and the general planning and legal delays that most frequently occur with sites of small and large sites.