

**EDENTHORPE
NEIGHBOURHOOD PLAN
2019-2038**

SUBMISSION PLAN

**A Report to Doncaster Metropolitan Borough Council
of the Examination into the
Edenthorpe Neighbourhood Plan**

by Independent Examiner, Peter Biggers BSc Hons MRTPI

Argyle Planning Consultancy LTD

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Summary and Overall Recommendation

0.1 Following my examination of the Edenthorpe Neighbourhood Development Plan (ENDP), including a site visit to the Neighbourhood Area on 18 November 2019, it is my view that, subject to modifications, the ENDP reflects the views of the community and sets out a clear vision and suite of policies and proposals for the Neighbourhood Area.

0.2 My report highlights a number of areas where I consider the wording of the plan as submitted is not wholly in accordance with one or more of the Basic Conditions. In particular it has been necessary to make modifications to Policy 1 to ensure it is properly aligned with the strategic needs and priorities of the wider local area as required by the National Planning Policy Framework and to ensure it is in general conformity with strategic policies. Other modifications more often arise from circumstances where the policy does not comply with the National Planning Practice Guidance that: *“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence”*.

0.3 I have therefore recommended a number of modifications to the Plan which should be made before the plan can proceed to Referendum. These are intended to ensure that, first and foremost, the Plan can meet the Basic Conditions.

0.4 In proposing the modifications I have tried to ensure that the integrity and value of the ENDP and its vision is retained and that the intention of neighbourhood planning, where the community's wishes should be central to the plan, is honoured.

0.5 By its nature the examination has to be rigorous. Any criticism is not at all to undermine the significant community effort that has gone into the plan. Rather the purpose of the examination is to ensure that the Neighbourhood Plan meets the Basic Conditions and is as robust as possible and that it can play its part in planning decisions and managing change in Edenthorpe in the future in an effective way.

0.6 In addition to the recommended modifications it should also be noted that there may be a number of consequential changes for example to referencing and numbering that will be needed as a result of making the modifications. It will also be necessary to ensure all references to the plan making procedure are up to date. I have not necessarily highlighted all such minor consequential changes.

0.7 Subject to the recommended modifications in the report being completed I am satisfied that:

- having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
- the making of the neighbourhood plan contributes to the achievement of sustainable development;
- the making of the neighbourhood plan is in general conformity with the strategic

policies contained in the development plan for the area of the authority.

- the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.
- prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the plan.

0.8 The ENDP also complies with the legal requirements set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990.

0.9 With the modifications in place the Edenthorpe Neighbourhood Development Plan will meet the Basic Conditions and can proceed to a Referendum.

0.10 When that referendum takes place I also recommend that the Edenthorpe Neighbourhood Area, which is synonymous with the administrative boundary of the Parish, is taken as the area for the Referendum.

Peter Biggers MRTPI AIHBC
23 December 2019
Argyle Planning Consultancy Ltd

1. Introduction

1.1 Background Context

1.1.1 This Report provides the findings of the examination into the Edenthorpe Neighbourhood Development Plan (referred to as the ENDP throughout this report).

1.1.2 The ENDP was produced by Edenthorpe Parish Council (EPC) in consultation with the local planning authority – Doncaster Metropolitan Borough Council (DMBC), and interested parties and local stakeholders.

1.1.3 The Edenthorpe Neighbourhood Area equates to the administrative area of Edenthorpe Parish.

1.1.4 Edenthorpe lies within the Doncaster Metropolitan Borough area approximately 4 miles north east of Doncaster town centre. At the census in 2011 the parish had a population of around 4776 residents living in 2,055 dwellings. The parish is bounded to the south by the A 630 and the A18 runs through the centre of the parish connecting to the M180 and then to the M18. Edenthorpe is classed as a neighbourhood within the Doncaster main urban area in the Doncaster Council Core Strategy 2011-28 (DCCS) but adjoins open countryside to the east. Edenthorpe has been identified as having two main character areas, one centred on Thorne Road which is the principal route through the parish with larger, older housing in substantial plots and the other surrounding this which is predominantly suburban in character. Edenthorpe comprises predominantly residential development interspersed with a number of small neighbourhood centres and community facilities.

1.1.5 This Examiner's Report provides a recommendation as to whether or not the ENDP should go forward to a Referendum. Were it to go to Referendum and achieve more than 50% of votes cast in favour of it, then the ENDP would be '**made**' by Doncaster Metropolitan Borough Council. In the event of a successful referendum result the ENDP would immediately carry full weight in the determination of planning applications in the Neighbourhood Area.

1.2 Appointment of the Independent Examiner

1.2.1 I was appointed by DMBC, with the consent of EPC, following a competitive procurement process, to conduct the examination and provide this report as an Independent Examiner. I am independent of the qualifying body and the Local Planning Authority. I do not have any interest in any land that may be affected by the ENDP nor do I have any professional commissions in the area currently and I possess appropriate qualifications and experience. I have planning and development experience, gained over 38 years across the public and private planning sectors and am a Member of the Royal Town Planning Institute and a member of the Neighbourhood Planning Independent Examiners Referral Service run by the Royal Institute of Chartered Surveyors.

1.3 Role of the Independent Examiner

1.3.1 It is the role of the Independent Examiner to consider whether a neighbourhood plan meets the “Basic Conditions.” The Basic Conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (TCPA) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004 (PCPA). They are that *:

- a)** Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
- d)** The making of the neighbourhood plan contributes to the achievement of sustainable development;
- e)** The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority;
- f)** The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations;
- g)** Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the plan.

1.3.2 Pursuant to Basic Condition g) above, Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended by the *Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018* effective from 28 December 2018) prescribes the following basic condition for the purpose of paragraph 8(2)(g) of Schedule 4B to the TCPA 1990:

“The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017”.

Regulation 106 (1) of Chapter 8 states that : *“a qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the assessment under regulation 105 (that assessment is necessary where the neighbourhood plan is likely to have a significant effect on a European site or a European offshore marine site either alone or in combination with other plans or projects) or to enable it to determine whether that assessment is required”.*

1.3.3 In examining the Plan, I have also considered whether the legislative requirements are met namely:

- The Neighbourhood Plan has been prepared and submitted for examination by a qualifying body as defined in Section 61F of the TCPA as applied to

** NB Basic Conditions b) and c) relating to the desirability of preserving or enhancing listed buildings and conservation areas are also included in the basic conditions but as these only concern neighbourhood development orders and not neighbourhood plans they are not included in this report.*

neighbourhood plans by section 38A of the PCPA.

- The Neighbourhood Plan has been prepared for an area that has been designated under Section 61G of the TCPA as applied to neighbourhood plans by section 38A of the PCPA.
- The Neighbourhood Plan meets the requirements of Section 38B of the PCPA (the Plan must specify the period to which it has effect, must not include provisions relating to 'excluded development', and must not relate to more than one Neighbourhood Area) and
- The policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of the PCPA Section 38A.

1.3.4 I have examined the ENDP against the Basic Conditions and legislative requirements above and, as Independent Examiner, I must make one of the following recommendations:

- a) that the Plan should proceed to Referendum, on the basis that it meets all legal requirements;
- b) that the Plan, once modified to meet all relevant legal requirements, should proceed to Referendum;
- c) that the Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.

1.3.5 If recommending that the Plan should go forward to Referendum, I am also then required to consider whether or not the Referendum Area should extend beyond the Edenthorpe Neighbourhood Area to which the Plan relates. I make my recommendation on the Referendum Area at the end of this Report.

1.3.6 The role of the independent examiner is not to comment on whether the plan is sound or how the plan could be improved but rather to focus on the compliance with the Basic Conditions.

2. The Examination Process

2.1 It is a general rule that neighbourhood plan examinations should be held without a public hearing i.e. by written representations only. However, according to the legislation, when the Examiner considers it necessary to ensure adequate examination of an issue, or to ensure a person has a fair chance to put a case, a public hearing may be held.

2.2 I have considered the representations received at the Regulation 16 publicity stage and, in the light of these, I provided DMBC and EPC with the opportunity to respond in writing to 3 of the representations which raised specific issues (Gladman Developments, NHS Property Services and Severn Trent Water). This is allowed for in the NPIERS guidance on carrying out examinations to provide the Qualifying Body and LPA fair chance to respond to the representations made. Having assessed the responses from DMBC and

EPC and on consideration of all the evidence before me, I am satisfied that there is no need for a public hearing in respect of the ENDP and I confirm that *all* representations on the Neighbourhood Plan received at the Regulation 16 stage have been taken into account in undertaking this examination. Where appropriate I have made specific reference to the person's or organisation's comments and the responses from DMBC and EPC in section 6 of this report. The responses from the two Councils are set out in Appendix 1 and have been uploaded to the neighbourhood plan webpage.

2.3 I undertook an unaccompanied site visit around the Neighbourhood Area on 18 November 2019 during which I looked at its overall nature, form, character and appearance and at those areas affected by policies and proposals in the Plan in particular. Subsequent to the site visit I asked a number of factual questions of both the Borough Council and Parish Council as Qualifying Body relating to the context for and proposals of the plan. This exchange was carried out by email and the questions and the responses received from the Councils are set out in Appendix 2. Subsequently, I also requested that the Parish Council prepare a sustainability matrix assessing policies against sustainability objectives in order to strengthen the evidence in the Basic Conditions Statement regarding Basic Condition No 2 that the plan should contribute to achieving sustainable development. This assessment is attached at Appendix 3. I am grateful to the two Councils for responding on these matters promptly.

2.4 In undertaking this examination, I have considered each of the following documents in addition to the Submission Version of the Edenthorpe Neighbourhood Development Plan:

1. National Planning Policy Framework (Feb 2019).
2. National Planning Practice Guidance 2014 (as amended)
3. Town and Country Planning Act 1990 (as amended)
4. The Planning and Compulsory Purchase Act 2004 (as amended)
5. The Localism Act 2011
6. The Neighbourhood Planning Act 2017
7. The Neighbourhood Planning (General) Regulations (2012) (as amended)
8. The Doncaster Local Development Framework Core Strategy 2012.
9. The Doncaster Local Plan 2015-2035 Publication Version June 2019
10. Edenthorpe Neighbourhood Development Plan Basic Conditions Statement
11. Edenthorpe Neighbourhood Development Plan Consultation Statement
12. Edenthorpe Neighbourhood Development Plan Strategic Environmental Assessment and Habitat Regulations Assessment Screening Opinion –
13. Edenthorpe Neighbourhood Area Designation Report –
14. Edenthorpe Local Green Space Assessment

Also:

15. Representations received during the Regulation 16 publicity period post submission 22/08/2019 to 11/10/2019.

3. Public Consultation

3.1 Background

3.1.1 An accessible and comprehensive approach to public consultation is the best way to ensure that a neighbourhood plan reflects the needs, views and priorities of the local community.

3.1.2 EPC submitted a Consultation Statement, as required by regulation 15 of the Neighbourhood Planning (General) Regulations, to DMBC on 31 July 2019.

3.1.3 Public consultation on the ENDP commenced with initial consultations in spring 2017. The initial consultation was followed by various consultation stages, including:

- The pre submission consultation under Regulation 14 from 20/2/2019 to 3/4/2019.
- The formal, publicity stage, as required by Regulation 16, (the consultation period post submission of the plan) from 22/08/2019 to 11/10/2019.

The regulation 16 stage resulted in consultation responses from 10 respondents. Most made no specific comments and only 3 raise detailed matters which will be addressed as part of the examination. These and the responses from the 2 Councils referred to above (see para 2.2) are set out in Appendix 1 and are considered as necessary within my assessment of the plan in section 6 below.

3.2 Edenthorpe Neighbourhood Development Plan Consultation

3.2.1 The ENDP Neighbourhood Planning Steering Group has carried out consultation with the community and stakeholders throughout the process of plan preparation. The communication methods used involved newsletters, the EPC website - together with the DMBC website, press releases, flyers circulated to households and email drops as well as a presence at community events and questionnaires. Copies of the Pre Submission Draft and Submission Plan were uploaded to the websites and links provided via email as well as being available locally in hard copy.

3.2.2 The initial consultation stage of the plan, sounding out the community on the plan and the issues that should be addressed started in March 2017 and ran through to July 2017. Residents (including young people) and businesses were invited to events to introduce neighbourhood planning to the parish and were asked to submit comments and ideas through questionnaires on the issues facing Edenthorpe and how they could be resolved. 206 residents responded to the general questionnaire and 23 young people responded to the youth questionnaire.

3.2.3 Based on the feedback from this early stage work the steering group developed the vision and objectives for the plan and consulted on draft policies and themes in the plan, in advance of the formal Pre-Submission Draft stage, at an event in November 2018 at which 33 people attended.

3.2.4 The Consultation Statement sets out the form and content of these early consultations. It is clear that full opportunities were available to the community to be

involved and that the consultations gave a good basis for the preparation of the plan.

3.2.5 The Pre-Submission Draft consultation on the plan, as required by Regulation 14, involved a 6 week period from 20/2/2019 to 3/4/2019. The ENDP was made available online on the Edenthorpe Parish and Doncaster Borough websites and links to the plan provided via email. Hard copies were made available in the local area and a newsletter was sent to every household in the neighbourhood area. A drop-in session was arranged on 20 February 2019 where the plan was available for reading and there were opportunities to speak to Steering Group Members. 31 residents attended. Statutory consultees and other key stakeholders were consulted by email with a link to the plan or by letter. 20 responses were received including 14 from residents, 5 from statutory consultees and 1 from the development industry.

3.2.6 Following the pre-submission stage and the analysis of results the plan was finalised for submission.

3.2.7 The Neighbourhood Planning Regulations are part and parcel of the 1st Basic Condition and Regulation 15 (2) sets out clearly what the Consultation Statement should include. Having reviewed the Consultation Statement and its appendices I requested a revised version to be produced to clarify the complete list of statutory consultees who were consulted as required by regulation as this was not evident from the original consultation Statement. This was provided on 29 November 2019 and uploaded to the Council's ENDP webpage. I am satisfied that the revised consultation statement is compliant with Reg 15 in demonstrating who was consulted, how they were consulted, what the main issues and concerns were and what action has been taken in response to these to arrive at the Submission Draft Plan. The interest and participation by residents in the plan has been facilitated throughout the process at the various stages and I am satisfied from the evidence that the communication and consultation which took place provided sufficient opportunity for the community's participation.

4. Preparation of the Plan and Legislative Requirements

In terms of the procedural tests set out in paragraph 1.3.3 of this report my findings are:

4.1 Qualifying Body

4.1.1 Edenthorpe Parish Council, as the duly elected lower tier council, is the qualifying body for preparation of the Plan.

4.1.2 I am satisfied that the requirements set out in the Localism Act (2011) and in Section 61F(1) and (2) of the TCPA (as applied to neighbourhood plans by section 38A of the PCPA) have been met.

4.2 Plan Area

4.2.1 The Edenthorpe Neighbourhood Area, as designated, coincides with the

administrative boundaries of Edenthorpe Parish.

4.2.2 An application was made by the EPC on 6 December 2016 to designate the Edenthorpe Neighbourhood Area. This was approved by Doncaster Metropolitan Borough Council on 20 December 2016. As the neighbourhood area application was submitted by the parish Council and equated to the whole of the Parish area no public consultation was required.

4.2.3 This satisfied the requirement in line with the purposes of preparing a Neighbourhood Development Plan under section 61G (1) (2) and (3) of the TCPA (as applied to neighbourhood plans by section 38A of the PCPA) and Regulations 5, 6 and 7 of the Neighbourhood Planning (General) Regulations as amended.

4.3 Plan Period

4.3.1 A neighbourhood plan must specify the period during which it is to have effect. Although the ENDP clearly states in paragraph 1.5 that it covers the period from 2019 – 2038 this is not stated on the title page of the plan and should be added there.

4.3.2 The plan period extends beyond the end point of the Doncaster Local Development Framework Core Strategy and slightly beyond the proposed end date of 2035 for the emerging Doncaster Local Plan which will set out the strategic policies for the neighbourhood plan in the future. The intended time period satisfies the requirements of Section 38B of the PCPA as amended.

Recommendation 1

Insert the plan dates on the cover of the final version of the plan

4.4 Excluded Development

4.4.1 The Plan does not include policies or proposals that relate to any of the categories of excluded development – county matters (mineral extraction and waste development), nationally significant infrastructure or any matters set out in Section 61K of the TCPA 1990. The ENDP, as proposed to be modified in section 6 below, relates solely to the neighbourhood area and no other neighbourhood and there are no other neighbourhood development plans in place within the neighbourhood area. This satisfies requirements of Section 38B of the PCPA as amended.

4.5 Development and Use of Land

4.5.1 The Neighbourhood Plan should only contain policies relating to development and use of land. Subject to the modifications proposed below in section 6, the ENDP policies would be compliant with this requirement of Section 38B of the PCPA as amended and all relate to development and the use of land.

4.6 Plan Publication Following Submission

4.6.1 Doncaster Metropolitan Borough Council (DMBC) undertook a final validation check of the ENDP following submission on 31 July 2019 and was satisfied that the Plan could proceed to be publicised under Regulation 16 and proceed to this independent examination.

5. The Basic Conditions

5.1 National Policy and Advice

5.1.1 The main document that sets out national policy is the *National Planning Policy Framework* (the NPPF). A revised version of the NPPF was published on 24 July 2018 with a further version including minor clarifications in February 2019. For continuity purposes and for neighbourhood plans already in the system the NPPF states at paragraph 214 that “*the policies in the previous Framework (dated 2012) will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019*”. The Edenthorpe Plan was approved for submission on 5th June 2019 and the submission version and the Basic Conditions statement have been prepared on the basis of the revised Framework and therefore I have based my consideration of the extent to which the ENDP meets Basic Condition a) in section 6 below against the revised NPPF including the 2019 clarifications.

5.1.2 The NPPF explains that neighbourhood plans should support the delivery of strategic policies and set out non-strategic policies and plan positively to shape, direct and help to deliver sustainable development that is outside the strategic elements of the Local Plan.

5.1.3 The NPPF also makes it clear that neighbourhood plans should be aligned with the strategic needs and priorities of the wider local area. In other words neighbourhood plans must be in general conformity with the strategic policies of the Development Plan. They should not promote less development than that set out in the strategic policies of the development plan or undermine those strategic policies.

5.1.4 The NPPF indicates that plans should contain policies that are clearly written and unambiguous so that it is clear how a decision maker should react to development proposals. They should serve a clear purpose and avoid unnecessary duplication of policies that apply to a particular area.

5.1.5 National advice on planning is set out in the *Planning Practice Guidance* (PPG) which includes specific advice regarding neighbourhood plans. The PPG has also been reviewed in tandem with the NPPF and as the submitted plan has taken account of the revised Framework, for the purposes of this examination, I have considered the advice of the PPG as at the time of submission at the end of July 2019.

5.2 Sustainable Development

5.2.1 A qualifying body must demonstrate how a neighbourhood plan would contribute to the achievement of sustainable development. The NPPF as a whole constitutes the Government's view of what sustainable development means in practice for planning. The NPPF explains that there are three overarching objectives to sustainable development - economic, social and environmental.

5.2.2 There is no legal requirement for a formal Sustainability Appraisal (SA) to be carried out in respect of neighbourhood plans. However an SA is an established method of demonstrating how a neighbourhood plan will contribute to achieving sustainable development.

5.2.3 In this case EPC has only included in the Basic Conditions Statement a very brief commentary on how the plan meets the 3 main sustainability objectives in the NPPF. This has not been done against a suite of sustainability objectives (reflecting the environmental, social and economic dimensions of sustainability) to test the ENDP policies, which would have been the more usual procedure. I do not consider that the Basic Conditions Statement adequately evidences the ENDP's contribution to achieving sustainability and therefore I requested the Parish Council to carry out a further assessment in the form of a matrix considering the neighbourhood plan policies against a suite of sustainability objectives as part of this examination process. For the purposes of this assessment it was agreed it would be appropriate to use the sustainability objectives used in the sustainability appraisal of the emerging Doncaster Local Plan.

5.2.4 The findings of this assessment submitted in November 2019 are attached at Appendix 3 and indicate that for the most part the effect of the policies of the plan would be either positive or neutral in terms of sustainability. I consider the contribution of specific policies to sustainable development below in section 6.

5.3 General Conformity with the Development Plan

5.3.1 At the time the preparation of the ENDP commenced and up to submission, the adopted development plan for the Neighbourhood Area was the *Doncaster Council Core Strategy 2011-28* (DCCS). The ENDP has been assessed against this plan in the Basic Conditions Statement which concluded that the ENDP was in general conformity with strategic policies. As the Basic Conditions Statement only correlates the ENDP policies to the objectives and policies of the Core Strategy without any detailed commentary, I consider in Section 6 below whether there is general conformity in respect of each ENDP policy.

5.3.2 Doncaster Metropolitan Borough Council has confirmed that the submission version ENDP and other submission documents meet the requirements set out in regulation 15(1), and that the consultation statement meets the requirements set out in regulation 15(2).

5.3.3 DMBC has embarked on the production of a replacement development plan the *Doncaster Local Plan 2015-35* (DLP) which has progressed to Publication Draft stage. As such it is not sufficiently progressed to be used to assess the ENDP against Basic Condition e). Nevertheless, the Parish Council have made it clear that they wish to ensure the ENDP is in line with the emerging DLP and its evidence base to future proof the neighbourhood plan so that it does not have to be immediately reviewed on adoption of the DLP.

5.3.4 This approach is supported and advocated in the PPG as the correct way to proceed where a replacement local plan is in preparation but not sufficiently far advanced to form the basis of the Basic Conditions assessment.

5.3.5 I consider the extent to which the policies and proposals of the ENDP are in general conformity with the strategic policies of the DCCS in detail in Section 6 below.

5.4 European Union (EU) Obligations

5.4.1 A neighbourhood plan must be compatible with European Union (EU) obligations, as incorporated into UK law, in order to be legally compliant.

Strategic Environment Assessment and Habitat Regulations Assessment

5.4.2 Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment has a bearing on neighbourhood plans. This Directive is often referred to as the Strategic Environment Assessment (SEA) Directive. Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively) aim to protect and improve Europe's most important habitats and species and can have a bearing on neighbourhood plans.

5.4.3 Regulation 15 of the Neighbourhood Planning Regulations as amended in 2015 requires either that a SEA is submitted with a Neighbourhood Plan proposal or a determination obtained from the responsible authority (DMBC) that the plan is not likely to have 'significant effects.'

5.4.4 A screening opinion was prepared by DMBC in consultation with the statutory bodies in Spring 2019. The screening opinion determined that, notwithstanding the fact that development is allocated in Edenthorpe in the emerging DLP this has already been assessed in the sustainability appraisal of that plan and additional developments through the ENDP are likely to be small. Even together, they would be unlikely to have significant environmental effects. They would be in accordance with the scale of development planned for in the DCCS, which was itself subject to full SEA and HRA. Any effects would be local and limited and offset by the positive benefits of the policies within the neighbourhood plan. The conclusion of the SEA screening was that Strategic Environmental Assessment was not required.

5.4.5 Regarding Habitats Regulations Assessment (HRA) the test in the additional Basic Condition now essentially mirrors that in respect of SEA and requires an Appropriate Assessment to be carried out where a plan is likely to have a significant effect on a European site (either alone or in combination with other plans or projects) or a determination is obtained from the responsible authority (DMBC) that the plan is not likely to have a 'significant effect'.

5.4.6 No European sites are located within the Neighbourhood Area. As a general principle sites within 10-15 kilometres of a plan boundary should be included within an HRA. However in the case of the ENDP, whilst there are European sites at Thorne and Hatfield Moors within 15 kilometres, the conclusion of the HRA screening was that none of the ENDP policies or proposals either alone or in combination with other plans or projects were deemed to be likely to have a significant effect on these closest European sites. Consequently the plan is not considered to require Appropriate Assessment under Article 6 or 7 of the Habitats Directive.

5.4.7 These screening conclusions for both SEA and HRA have been confirmed by Natural England, The Environment Agency and Historic England as the statutory consultees and I have no reason to reach a different view.

European Convention on Human Rights (ECHR)

5.4.8 The Human Rights Act 1998 encapsulates the Convention and its articles into UK Law.

5.4.9 An Equalities and Human Rights Impact Assessment has not been specifically carried out for the ENDP. Instead the Basic Conditions Statement contains a brief confirmation that the ENDP has regard to the fundamental rights and freedoms guaranteed under the ECHR but presents no supporting evidence of this. Given the nature of the plan policies and proposals I agree that there would be unlikely to be any detrimental impact on the 'protected characteristics' set out in the Equality Act and generally the plan would bring positive benefits. Whilst the plan does not directly address needs of particular protected characteristics, the ENDP generally is not prejudicial to any group in its policies.

5.4.10 In respect of Article 1 of the first protocol - the right of everyone to the peaceful enjoyment of possessions; although the ENDP includes policies that would restrict development rights, this does not have a greater impact than the general restrictions on development rights provided for in national law. The restriction of development rights inherent in the UK's statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding or mitigating adverse impacts on the environment, community and economy.

5.4.11 In respect of Article 6 of the Convention's Rights and Freedoms - the right to a fair and public hearing in determination of an individual's rights and obligations - the process

for preparing the ENDP is fully compatible with this Article, allowing for consultation on its proposals at various stages, and incorporating this independent examination process.

5.4.12 In respect of Article 14 of the Convention's Rights and Freedoms - the enjoyment of rights and freedoms without discrimination on any ground, the policies and proposals of the ENDP have been developed in consultation with the community and wider stakeholders to produce as inclusive a document as possible.

5.4.13 No concerns or objections on the grounds of human rights or equalities have been raised during the consultation stages of the plan. I am satisfied on the basis of the above that, across the plan as a whole, no sectors of the community are likely to be discriminated against. The policies together would generally have public benefits and encourage the social sustainability of the neighbourhood.

5.4.14 I am satisfied therefore that the Plan does not breach, and is otherwise compatible with, the ECHR.

5.4.15 I am not aware of any other European Directives which apply to this particular Neighbourhood Plan and no representations at pre or post-submission stage have drawn any others to my attention. Taking all of the above into account, I am satisfied that the ENDP is compatible with EU obligations and therefore with Basic Conditions f) and g).

6. The Neighbourhood Plan – Assessment

The Neighbourhood Plan is considered against the Basic Conditions in this section of the Report following the structure and headings in the Plan. Given the findings in section 5 above that the plan as a whole is compliant with Basic Conditions f) (EU obligations) and g) (Other prescribed conditions), this section largely focusses on Basic Conditions a) (Having regard to National Policy), d) (Contributing to the achievement of Sustainable Development) and e) (General conformity with strategic policies of the Development Plan).

Where modifications are recommended, they are presented and clearly marked as such and highlighted in bold print, with any proposed new wording in italics.

6.0 The General Form of the Plan

6.0.1 The structure of the ENDP is generally logical and clear with early sections setting the context, vision and objectives and then policy sections.

6.0.2 The plan distinguishes between the policies themselves and their justification by boxing and colouring the policies. Each policy is accompanied by supporting text setting out the evidence for the policy and its aims.

6.0.3 The PPG requires the plan to provide a clear and unambiguous guide to developers and in that respect I have a concern with the mapped content of the plan that raises issues in respect of Basic Condition a).

6.0.4 When providing mapping, as in the ENDP, this should be clear and some of the mapping used in the plan could be larger to help to clarify issues. Maps should be enlarged by reducing all margins and moving text so that they are as near as possible a full A4 landscape page in size. At present all the mapping includes very generous margins reducing the size of the actual map. Moreover, the proposals of the plan and those policies that have a spatial application should ideally be identified together on one Policies and Proposals Map so that the interrelationship of policies and proposals can be easily understood by plan users. It should be at least a full A4 size as a minimum with related key text on an adjacent page to maximize the scale of the plan.

6.0.5 Modifications are necessary to resolve these issues.

Recommendation 2 –

Enlarge all mapping in the plan generally as far as possible within the constraints of an A4 landscape page and create a new Policies and Proposals Map to at least full A4 size identifying the plan area, development limits, character areas, local green spaces, and neighbourhood centres along with any other policy with a spatial dimension. The Policies and Proposals Map should show the policy referencing.

6.1 Introduction and Context

6.1.1 This section of the ENDP describes the purpose and intent of the neighbourhood plan, the neighbourhood area, the existing policy base and the evolution of the village. For the most part this is largely factual however the NPPF and PPG require that neighbourhood plans are clear and unambiguous and there are some sections of the text that for clarity and to avoid confusion need amendment.

6.1.2 These are as follows:

Para 1.1 Line 2 – The text refers to the NPPF July 2018 but should refer to the consolidating amendments in Feb 2019 also.

Para 1.1 Line 5 – the text needs to refer to general conformity with the Development Plan

Para 1.3 Line 2 and bullets - the basic conditions should not be paraphrased they have a specific meaning and if being set out in the plan should be set out correctly.

Para 1.7 Lines 7-8 – the reference to initial public consultation on the emerging Doncaster Local Plan simply time limits the ENDP and is unnecessary.

Para 1.19 Lines 3-5 – the statement that unemployment is higher than average is not borne out by the table at Figure 1. It is actually lower according to the table.

Para 1.19 Lines 5-6 – The statement that those claiming any benefit in Edenthorpe is more than 25% is incorrect. According to the table at Figure 1 it is just under 25%. The sentence is in any event incomplete and needs to state that this is higher than the national average.

Recommendation 3

Amend text as follows:

Para 1.1 Line 2 – ‘National Planning Policy Framework (NPPF) July 2018

consolidated February 2019'

Para 1.1 Line 5 – insert the word ‘general’ before ‘conformity’

Para 1.3 Line 2 and bullets – Delete ‘be in line with and not contradict’ in Line 2 and replace with ‘have regard to’

Delete from line 4 ‘NDPs must’ and delete bullets and substitute with :

- ***“Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;***
- ***The making of the neighbourhood plan contributes to the achievement of sustainable development;***
- ***The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority;***
- ***The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations;***
- ***Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the plan.”***

Para 1.7 Lines 7-8 – Delete the words ‘which is not subject to its initial consultation’

Para 1.19 Lines 3-5 – Delete the whole sentence. Replace with ‘*The rate of unemployment in Edenthorpe is slightly lower than the average although there is a higher than average level of economic inactivity in the parish*’.

Para 1.19 Lines 5-6 – Delete the words ‘more than’ and substitute ‘*just under*’.

In Line 6 insert ‘*i.e. higher*’ after Edenthorpe.

6.1.3 Beyond these minor clarifying modifications this section is simply contextual and there is no need for further change.

6.2 Community Involvement

6.2.1 This section again is largely factual setting out the approach to consultation during the neighbourhood planning process.

6.2.2 The relevance of the photo spread and table of events in the final neighbourhood plan will be limited and the section could simply stop at the end of page 10. However the section raises no issues in respect of Basic Conditions.

6.3 Community Vision and Objectives

6.3.1 The third section of the plan sets out the community’s vision and the objectives for the plan to deliver the vision and provide the basis for the policies.

6.3.2 It is not immediately clear from the plan text how the vision and objectives have been derived from the issues and matters of concern within the community that have emerged through the consultation stages of the plan. Being able to demonstrate the thread from issues to vision and objectives to policies is an important part of evidencing the neighbourhood plan as required in the PPG. Whilst it is clear from the Consultation

Statement that the community was invited to raise issues, the key issues should be set out at the start of this section leading into the community vision.

6.3.3 The vision looks to meet the local needs of the community whilst safeguarding the character of the parish and the qualities of the natural and built environment.

The plan has regard to the PPG advice in respect of neighbourhood planning that it *“provides the opportunity for communities to set out a positive vision for how they want their community to develop over the next 10, 15, 20 years in ways that meet identified local need and make sense for local people.”*

6.3.4 The vision and objectives also encapsulate and generally reflect the vision and objectives set out in the DCCS at section 2.1 and 2.3 in particular objectives 4-9 of the Core Strategy and the vision for the Doncaster Main Urban Area set out at section 2.5. Moreover, the impact of pursuing the vision and objectives as confirmed in the supplementary sustainability assessment November 2019 (See Appendix 3) would contribute to the achievement of sustainable development.

6.3.5 However in respect of Objective 1 in one respect, given the concerns discussed below in respect of Policy 1, the wording of the objective, if left unchanged, would fail the NPPF test of the plan being clear and unambiguous as it would give a misleading impression regarding the location of development. The granting on appeal of a large housing development to the east of Edenthorpe means that a significant element of future development will not be ‘within the existing developed footprint’. It is acknowledged that the Parish may wish to see future development thereafter contained within the village but, to avoid confusion, the Objective 1 wording needs to be amended so that it is less precise. This matter is discussed in further detail in section 6.5 below and parallel modifications recommended to Policy 1 clarifying the matter.

Recommendation 4

4A - Insert short introductory paragraph to the Community Vision and Objectives section setting out the key issues the neighbourhood plan is seeking to address.

4B – Objective 1 Line 2 – Delete the words ‘the existing developed footprint of’

6.3.6 With these adjustments the Vision and Objectives of the ENDP meet Basic Conditions a), d) and e).

6.4 Neighbourhood Planning Policies

6.4.1 This section of the plan forms the introduction to the policies contained in the plan setting out their scope and how they will be applied. It is purely factual and I have no comments on it.

6.5 Sustainable Development in Edenthorpe

6.5.1 Section 5 of the ENDP starts by setting out the meaning of sustainable development generally before going on to set out what the community consider this should look like in

Edenthorpe in respect of residential development and setting a policy base in Policy 1 to achieve this. In essence the community is seeking to prioritise development of brownfield land and sites within the development limits and to retain access to the surrounding countryside.

6.5.2 This introduction to what is meant by sustainable development however refers to the 3 roles of the planning system in delivering sustainable development which is how it was presented in the 2012 version of the NPPF. The supporting text at paragraph 5.2 should be revised to refer to the 3 sustainability objectives as set out in the current NPPF.

6.5.3 I acknowledge the strength of feeling of the community that the focus of future development should be smaller scale development that meets these sustainability objectives and that they wish Policy 1 to be drafted to reflect the community's desire to see such smaller scale developments contained within the existing development limits which had been set out in the Core Strategy and previous Doncaster Unitary Development Plan. However, the ENDP is misleading in not making clear to users of the plan the current position in respect of housing development and the scale of future development.

6.5.4 At the time the pre-submission draft of the neighbourhood plan was being prepared there were proposals in existence for development of a large housing site east of Mere Lane towards Hatfield Lane. This was an application which, as set out in the neighbourhood plan, was attracting some concern because of its scale and impact on the open countryside to the east of Edenthorpe. However, in the period during which the ENDP was being prepared for submission, outline permission had already been granted on appeal for land east of Mere Lane. Outline permission had also been granted for a large development in the Hungerhill area on the west side of the Parish.

6.5.5 As written, the ENDP gives a misleading impression that housing development in the future will be smaller scale and contained within the existing development limits. Given that the NPPF requires Neighbourhood Plans to be aligned with the strategic needs and priorities of the wider local area the plan is not in accord with Basic Condition a) without setting out in brief the context regarding housing. I accept from DMBC's submissions in response to the examination questions that the Neighbourhood Plan is deferring to the emerging DLP on the matter of the strategic housing allocations. Nevertheless, the plan, in the supporting text to Policy 1, needs to make clear that the existence of the permitted developments East of Mere Lane and at Hungerhill, now both also proposed to be allocated in the emerging DLP, are acknowledged as contributing to the housing requirement for the Doncaster Main Urban Area as a whole.

6.5.6 Given Edenthorpe is part of the Doncaster Main Urban Area it is hard to disaggregate what it's "share" of the Urban Area's housing requirement would be. However, given that outline permission exists on the two sites within the Parish for approx. 1,150 units (Hungerhill – up to 542 units; and Mere Lane – 600 units), DMBC has indicated that it is satisfied that Edenthorpe is providing an ample amount of housing. Provision therefore meets the strategic policy of the development plan both adopted and emerging but the ENDP needs to set out this context.

6.5.7 Land East of Mere Lane once developed will extend the current settlement boundary eastwards and I have considered whether a change to the development limits set out in the neighborhood plan should be incorporated in the ENDP. However, for two reasons I have concluded it is not appropriate to do so at this stage. First, the development limits, originally established in the Doncaster Unitary Development Plan (UDP) are retained in the adopted DCCS and to vary these would equate to the ENDP no longer being in general conformity with the spatial strategy of the adopted Development Plan. Secondly, the emerging DLP, although proposing the allocation of the East of Mere Lane site, adopts a methodology for the designation of development limits, set out in *Identifying Development Limits* (part of the evidence base for the DLP), in which Principle 4 states that:

“The Development Limit will normally exclude:

- *New greenfield Local Plan development allocations, including sites with planning permission as at 1st April 2018, on the edge of settlements (these will be identified separately on the Policies Map as allocations to show how the town or village will grow over the plan period)”.*

In the event that the East of Mere Lane allocation is subsequently built out, constituting a material change to the urban / rural form, it would be more appropriate to revise the development limits in a future review of the ENDP.

6.5.8 The aspiration of the community and Parish Council to see development taking place at a smaller scale **within** the built-up area of Edenthorpe helping to ensure access to the surrounding countryside and retaining the landscape character and separation between settlements, as per Objective 1 of the ENDP and in line with the strategy of the DCCS, would be **additional** to that on the two permitted and allocated sites. This needs to be clarified in the wording of Policy 1.

6.5.9 It has been confirmed in responses to the examination questions that the Parish Council would wish to see the master planning requirements applied to these two large sites (which currently only have outline permission). However, at present, the way Policy 1 is worded, development of the site East of Mere Lane would not be covered by the master planning requirement as the development would be outside the defined development limit and therefore Policy 1 would not apply. An amendment will therefore be necessary to Policy 1.

6.5.10 The matter of the principle of drawing development limits has been challenged at the Reg 16 publicity stage by Gladman Developments who argue the concept is inappropriate where this would otherwise restrict sustainable development from coming forward and therefore the policy approach is contrary to Basic Condition a). They propose a significantly different wording to Policy 1 based on wording from another Neighbourhood Plan where a similar matter arose.

6.5.11 Gladman Developments have not referred to any part of national policy which precludes the use of development limits per se and nor could I find any in the NPPF. Rather the NPPF at paragraph 68c), talking about the contribution of small and medium

sized housing sites, states that support should be given to “*the development of windfall sitesgiving great weight to the benefits of using suitable sites **within** existing settlements for homes*” (my emphasis). This is essentially what Policy 1 is seeking to do.

6.5.12 Moreover, the ENDP, in defining development limits and protecting the countryside to the east of Doncaster, is in general conformity with the strategic policies of the Development Plan. Development limits were first defined in the Doncaster UDP and are effectively carried forward into the DCCS where Policy CS3, protecting the countryside, applies outside the development limit. In addition, the emerging DLP has reviewed the settlement and development strategy with a clear methodology set out in *Identifying Development Limits* and in respect of Edenthorpe it defines essentially the same development limit. For the ENDP not to use development limits set out in both the adopted Development Plan and the emerging plan would undermine the strategic policies which neighbourhood plans must not do.

6.5.13 Nevertheless, I accept that there is a tension in Policy 1 in terms of the strategic policies. Policy 1 states that development will be within development limits ‘*unless it can be demonstrated otherwise through policy 2*’. However, Policy 2 deals solely with conversion of existing buildings whereas both DCCS Policy CS3 on the countryside and the emerging Policy 2 in the DLP setting out the spatial strategy accept a wider range of developments. I accept that Policy CS3 of the DCCS and proposed Policies 2 and 26 of the DLP are detailed policies and it is unnecessary for the ENDP to restate that strategic policy position. However, at present, ENDP Policy 1 appears to take a different route while the supporting text to ENDP Policy 1 at paragraph 5.17 states that where developments do propose residential or commercial development on greenfield land or in the open countryside they must justify why the proposal requires this location and how it will benefit the wider community. This reads as a policy statement accepting the possibility of a wider range of development and results in confusion and a lack of clarity. A statement clarifying the position should therefore be transferred into Policy 1 as a new Clause 2. This will go some way to responding to Gladman’s.

6.5.14 It would appear from the Gladman representation that they are unaware of the position where the land East of Mere Lane is both permitted in outline and allocated in the emerging DLP for housing. Moreover Policy 2 in the emerging DLP provides flexibility in that the countryside could be developed in the event the Borough cannot demonstrate a 5 year supply of housing, and subject to other caveats. There is therefore clear intent through the new DLP to allow residential development beyond the development limit in the context of a major review of the development plan and with the modifications I recommend to Policy 1 the situation is clarified and there is no need for Gladman’s proposed change to ENDP Policy 1.

6.5.15 In addition to the matters above, in order for the plan to meet the requirement of the NPPF to be clear and unambiguous and therefore meet Basic Condition a), two clarifying changes are necessary. First, Policy 1 has a number of typographical and grammatical errors in its phrasing which means it is not clear.

6.5.16 Secondly, the plan at Map 2 is marked in the submission draft ENDP as awaiting a replacement from DMBC. This needs to be a full size A4 Landscape map showing the development limit in the context of the neighbourhood area boundary rather than the partial extract currently provided at Map 2.

6.5.17 Finally, the ENDP presents no justification in the supporting text introducing Policy 2 which appears ‘unannounced’ at the end of a long section. This lack of any justifying evidence is contrary to the guidance in the PPG and therefore in conflict with Basic Condition a). If Policy 2 is to remain to give detailed guidance on this particular type of residential development in the countryside then an additional paragraph needs to be inserted into the supporting text following 5.17.

Recommendation 5 –

5A – Paragraph 5.2 Line 2 delete the word ‘dimensions’ and replace with ‘objectives’ and in Line 3 delete the word ‘roles’ and replace with ‘objectives’ reflecting the current NPPF.

Remove the 3 bullet points as currently drafted and replace with the 3 objectives from paragraph 8 of the NPPF 2019 a), b) and c). These could be a precis rather than reiterated in full.

5B – Insert new sub heading before paragraph 5.6 ‘The Housing Context’

5C – Delete the supporting text at 5.7 to 5.12 and replace with a revised version to read:

5.7 The emerging Doncaster Local Plan (DLP) and its vision for the area is to promote sustainable growth around the Main Urban Area of Doncaster. While the Doncaster Core Strategy proposes up to 11,808 new homes over the Plan period across the Main Urban Area, which includes the existing built up area of Edenthorpe, the emerging Doncaster Local Plan proposes development of up to 7,315 homes in the period to 2035. No specific housing requirement has been identified in Edenthorpe given the difficulties of disaggregating the overall Main Urban Area housing requirement amongst its component settlements and the Neighbourhood Plan leaves the matter of strategic housing allocations to DMBC as the Local Planning Authority. Two large sites at Hungerhill in the west of the Parish and Mere Lane to the east of Edenthorpe already have permission in outline and are proposed to be allocated in the emerging DLP providing a total of around 1100 homes. DMBC has confirmed that these allocations represent an appropriate contribution for Edenthorpe to make to the total housing requirement in the Main Urban Area over the plan period.

5.8 The Neighbourhood Plan accepts the level of growth identified for the Main Urban Area, but seeks the successful integration of the new development enabling it to meet the needs of the local population, whilst encouraging new residents and businesses to the village. One of the ways this can be ensured is through careful

master planning of large new developments and therefore Section 5 of Policy 1 below will apply to these large committed sites.

5.9 Through public consultation, it became clear that residents have concerns about a continuing high level of growth in large scale schemes over the period of the Neighbourhood Plan and how this is going to impact the village and the wider area's existing infrastructure – in particular concern over proposals to extend the village into the open countryside to the east and the erosion of village characteristics.

5.10 Residents voiced their support for further new developments, additional to these existing commitments, only where they are within the development limits and where they are sensitive and appropriate to their location and scale in relation to the existing built form of the village retaining the ability to access key services and facilities, but also retaining access to the nearby countryside, views and the green infrastructure network.

Sustainable Residential Development

5.11 Sustainable residential development in the context of Edenthorpe therefore is that of providing an appropriate mix of development that suits the needs of the local population where there is access to services, whilst minimising the impacts on the local environment and existing infrastructure.

5D – The layout and phrasing of Clause 1 and 2 to Policy 1 is currently mixed up. Reword Clause 1 to read:

“1. The Edenthorpe Neighbourhood Plan will take a positive approach to new residential developments (*additional to existing permissions*) including the extension, alteration and subdivision, of existing buildings where they fulfil the requirements of its residents, *allow Edenthorpe to grow* in a manner that recognises its rural context and are situated within the development limit of Edenthorpe as *identified in Map 2* or *involve the conversion of existing buildings as set out in Policy 2.*”

5E Delete last sentence of paragraph 5.17 and insert new Clause 2 to Policy 1 to read:

“Where, residential development is proposed on greenfield land immediately outside the development limits of Edenthorpe it must be justified in terms of Policy CS3 (Countryside) of the Doncaster Council Core Strategy and show how it will benefit the wider community.”

3. New residential development, over the Plan period.....”

5F – Revise introduction to existing Clause 3 (now Clause 4) to remove repetition and to ensure phrasing is clear:

“Residential development proposals must demonstrate that they would retain or improve the continued sustainability of Edenthorpe by *facilitating*:

a)..

b)...

- c)...
- d)...
- e) *adequate highway infrastructure...*
- f) *appropriate garden amenity space....*”

5G - Policy 1 Clauses 4 and 5 (now Clause 5) – Amend 1st sentence to clarify that Clause 4 (now Clause 5) will apply to sites with extant outline permission or allocated in the Development Plan and amalgamate with existing Clause 5 to remove confusing repetition.

“All major sites of 50 dwellings or more (*including those with extant permission in outline or allocated through the Development Plan*) should provide a detailed master plan. has taken into account *the following master planning principles for the comprehensive development of the proposed site:*

- a)
- b)....”

Delete introductory paragraph to existing Clause 5 in its entirety.

5H – Insert new paragraph 5.18 after 5.17 justifying and supporting Policy 2 of the ENDP to read:

“5.18 Although the focus of the ENDP is on achieving sustainable residential development within the development limits of Edenthorpe one of the circumstances where residential development can be sustainable outside the settlement is where housing proposals reuse existing buildings through conversion. Policy 2 gives detailed guidance for the conversion of existing buildings. However, the preference for these buildings is to see them used for business and commercial development, community facilities or affordable housing and the policy requires that available buildings are marketed for these uses first over a 12 month period before it is concluded that such uses are unviable and proposals for open market residential use are put forward.”

6.5.17 The modifications I propose necessitate a number of changes to the plan. However, they retain the intent of the ENDP to pursue smaller development within the developed area in the future. For the reasons given above I consider that modifying the plan as proposed at Recommendation 5 above is necessary to meet the Basic Conditions, is appropriate and would be unlikely to come as a surprise to the Edenthorpe community and therefore would not require the plan to be the subject of further consultation or re-submission at this stage.

6.5.18 With these modifications in place Policies 1 and 2 of the ENDP and their supporting text meet Basic Conditions a) and e). The proposed approach to residential development in the ENDP is a sustainable one and will contribute to the achievement of sustainable development (see Appendix 3). Accordingly, Basic Condition d) would also be met.

6.6 Housing Type and Mix (Policy 3)

6.6.1 Policy 3 seeks to secure a mix of housing within the parish where the housing stock

is currently dominated by larger dwellings and ensure appropriate provision for affordable housing. The policy draws on evidence from the Housing Needs Assessment for Doncaster which as well as assessing affordable housing need includes an assessment of the size of houses sought by those in housing need and which identified a need for smaller format units to meet needs. The Neighbourhood Plan Residents' Survey findings and consultation throughout the plan preparation also endorses the objective of Policy 3 which seeks to respond to concerns that housing in the community is dominated by larger detached and semi-detached dwellings and that a mix of units including 1, 2 and 3 bedroom units is required to support a sustainable community.

6.6.2 The NPPF at paragraph 61 encourages planning for a mix of housing based on the assessment of housing need from different groups in the community and reflecting this in planning policies. Essentially that is what the Neighbourhood Plan has done and to that end the principle of the policy has regard to the NPPF and is not inappropriate in terms of Basic Condition a).

6.6.3 However the PPG requires proportionate, robust evidence to support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan. To a degree the supporting text to Policy 3 does this but not entirely. There is no rationale as to why the policy states it will apply to 11 units or more. It is likely that it is intended to apply to major developments and therefore it should be 10 units or more. The Parish Council in their replies to the examination questions confirm that this was the intention. Also, the last clause of the policy in particular dealing with care facilities appears unsupported. There is therefore a need for a concluding paragraph before the policy summarizing the intent with regard to this type of accommodation and how it should apply.

6.6.4 The policy is in general conformity with DCCS Policy CS12 which seeks a housing mix and affordable housing. It also reflects Policy 8 of the emerging DLP. Policy 3 of the ENDP does not seek to replicate the strategic policies and instead adds local considerations, for example that any affordable provision should be integrated with the development and indistinguishable from open market housing. The policy assessed against the sustainability objectives (see Appendix 3) would have a positive or neutral effect and therefore it accords with Basic Conditions d) and e).

6.6.5 Policy 3 has attracted a representation at the Reg 16 publicity stage from Gladman Developments who are concerned that the policy is contrary to the NPPF policy as it lacks the flexibility to allow for changes to needs over the period of the plan and they propose additional wording requiring evidence through an up to date assessment.

6.6.6 The evidence base is current and up to date and DMBC's Housing Needs Survey 2019 shows that there is a need in the Main Urban Area of Doncaster which includes Edenthorpe for 1, 2 and 3 bedroom units. Moreover the Neighbourhood Plan policy position is supported by research into housing need locally and the views of residents of the parish through consultation. Whilst I accept that the thrust of the NPPF approach is about flexibility there is nothing in Policy 3 that sets out a hard and fast requirement or

proportions of smaller units. The policy merely asks developers to demonstrate how proposals respond to the need for smaller units. Under the terms of the policy it would be perfectly open for a developer to make the case that they are providing for a specific need and present reasons why they are not in that instance making provision for smaller units. As such I am not persuaded that the change suggested is necessary.

Recommendation 6

6A Add the following text at the end of the supporting text:

“6.8 Policy 3 below requires major housing developments to set out how they will provide for the types of housing need identified in the area and encourages and supports new adult care facilities and accommodation for older people where this is well-located in terms of services and facilities.”

6B Policy 3 Line 1 - Replace the wording ‘Proposals for 11 or more dwellings’ with *“Proposals for major development of 10 or more dwellings....”*

6.6.7 With these minor modifications Policy 3 and its supporting text meets the Basic Conditions.

6.7 Enabling Employment Opportunities – (Policy 4)

6.7.1 Policy 4 in supporting development for new business and employment opportunities subject to criteria has regard to section 6 of the NPPF seeking to build a strong competitive economy and encouraging sustainable economic growth. The policy sets clear criteria to assess proposals against, which is in line with paragraph 81 of the NPPF.

6.7.2 Clause 2 of Policy 4 deals with development outside of development limits, in other words the rural area, and in requiring developers to demonstrate why the development requires a rural location is arguably requiring an additional test not sought in the NPPF policy which requires policies to enable the sustainable growth and expansion of all types of business in rural areas. However, paragraph 84 of the NPPF does go on to acknowledge the sensitivity of rural locations and, in that context, I consider the requirement for developers to justify the need for a rural location in Policy 4 is not contrary to the NPPF but demonstrates the regard had to paragraph 84.

6.7.3 The policy is in general conformity with Chapter 4 of the DCCS on employment and the employment strategy set out in Policy CS5. It also supports the economic and employment strategy of the emerging DLP.

6.7.4 The policy in promoting local employment opportunities that enable people to live and work locally is likely to contribute to sustainable living and the policy is again either positive or neutral in its performance against sustainability objectives in the supplementary sustainability appraisal. (See Appendix 3).

6.7.5 The policy therefore meets Basic Conditions a), d) and e) and, other than minor typographical corrections (see Appendix 4), no modification is required.

6.8 Character, Development and Design Principles – (Policy 5)

6.8.1 Policy 5 sets out general development principles for all developments in Edenthorpe designed to achieve high quality design that contributes positively to local character and local distinctiveness. The NPPF at Section 12 and in particular paragraph 127 sets out the national policy objectives in respect of design and how it is fundamental to good planning. Policy 5 of the Neighbourhood Plan has regard to this national policy.

6.8.2 However the supporting text at paragraph 8.9 and the introduction to paragraph 8.17 includes some quotes from the PPG section on design from a version of the Guidance that has now been replaced, when in early October 2019 the National Design Guide (NDG) was published and this section of the PPG changed. I cannot now see where the quotes have been sourced from in the PPG and they have probably been subsumed into the NDG. As such it is misleading to retain the quotes. They should in the case of paragraph 8.9 be converted to text as the points are still relevant and in the case of the introduction to paragraph 8.17 replaced with a quote from the NDG.

6.8.3 The content of this section of the plan does however reflect the PPG (Paragraph: 004 Reference ID: 26-004-20191001) where it sets out the role of non-strategic policies in Neighbourhood Plans. Policy 5 is seeking to establish more local and/or detailed design principles for the area, and is based on appropriate evidence of the defining characteristics of the area, such as its historic, landscape and townscape character.

6.8.4 Policy CS14 of the DCCS on design and sustainable construction sets out to ensure all development proposals in Doncaster are of high quality design that contributes to local distinctiveness and reinforces local character. Policy 5 of the ENDP is in general conformity with the criteria of policy CS14 and develops local design principles relevant to the neighbourhood area based on the specific threats to Edenthorpe's local character. Policy 5 together with the Policy 1 section on master planning for residential development is also complementary to Policies 42 and 43 of the emerging DLP.

6.8.5 Concerns have been expressed in Reg 16 representations from Gladman Developments Ltd that Policy 5 is overly prescriptive and that more flexibility should be built in in order that high quality and inclusive design is not compromised by aesthetic requirements alone. Gladman Developments quote from paragraph 126 of the NPPF stating that the degree of prescription in design guidance should be tailored to the circumstances of each place.

6.8.6 Looking at the way in which the clauses of Policy 5 are expressed, based on the issues affecting Edenthorpe's character, I do not agree that the policy is overly prescriptive or that it seeks a 'one-size-fits-all' solution. The policy does set out key guidelines which are important to local character but there is an appropriate degree of flexibility in each of the clauses in the policy which allows design to be evolved to suit individual sites. The policy has not placed specific requirements on the materials to be used in development for example.

6.8.7 Finally in Severn Trent Water's Reg 16 representation they suggest that watercourses should be referred to in Policy 5 and suggest inclusion at section d). However, whilst it would be appropriate to refer specifically to watercourses to help ensure sustainable drainage opportunities are retained, this would be more appropriately included in section h) where ponds are already mentioned rather than section d) which is specifically about trees and hedging.

Recommendation 7

7A Revise wording of paragraph 8.9 as general wording not a quote to read:

“Good quality design ...across all forms of development. To this end the National Design Guide setting out the characteristics of well-designed places and demonstrating what good design means in practice was published in October 2019. The Planning Practice Guidance confirms that non-strategic policies in neighbourhood plans can be used to establish more local and/or detailed design principles for an area, including design requirements which is the purpose of Policy 5.”

7B Remove quote immediately following ‘3 Making a Place’ and replace with the following quote from the National Design Guide or suitable alternative:

“Places affect us all – they are where we live, work and spend our leisure time. Well-designed places influence the quality of our experience as we spend time in them and move around them. We enjoy them, as occupants or users but also as passers-by and visitors”. (National Design Guide 2019 - Paragraph 1)

7C – Insert in Line 3 section h) of Policy 5 after the word ‘hedgerows’ the word ‘watercourses’.

6.8.8 Policy 5 is likely to perform well and broadly has a positive effect on sustainability objectives as set out in the supplementary sustainability assessment (see Appendix 3). Accordingly, as modified, Policy 5 meets basic conditions a), d) and e).

6.9 Green Infrastructure (Policy 6)

6.9.1 Policy 6 is aimed at requiring new developments to preserve existing green infrastructure links and take opportunities to improve the existing network. As such the policy has regard to section 8 of the NPPF which amongst other things at paragraph 91 requires planning policies to provide safe and accessible green infrastructure because of the benefits that this brings for local health and wellbeing. The principle of the policy is therefore in accordance with Basic Condition a). However the NPPF and PPG require that policies are clear and unambiguous and in one respect the policy is not as clear as it might be. In clause 3 because of where the words ‘*these will be strongly supported*’ are positioned it is not clear for developers whether proposals have to provide better accessibility and connections to other parts of the village in order to be supported. This needs to be modified in order to fully meet Basic Condition a).

6.9.2 Policy CS17 of the DCCS also seeks to protect and enhance Doncaster's Green Infrastructure networks. Policy 6 works with Policy CS17 setting out the specific local objectives for Green Infrastructure in Edenthorpe in particular that relating to the ‘Green

Wheel' and urban alleyways and is in general conformity with Policy CS17. Policy 27 of the emerging DLP has similar objectives to DCCS Policy CS17 and Policy 6 of the ENDP reflects the direction of travel in the new plan.

6.9.3 The policy performs well with mainly positive and strongly positive outcomes against the identified Sustainability Objectives (see Appendix 3) and will contribute to achieving sustainable development.

6.9.4 There is a factual correction that also needs to be made to the supporting text at paragraph 9.6 - 2nd bullet. Medical reference sources confirm that the term referred to should be 'cardio-vascular diseases' to which stress and obesity can contribute. Stress and obesity are not of themselves cardio-vascular diseases which the text suggests.

Recommendation 8

8A - Policy 6 (3) Line 2 – insert after the words 'these will be supported' the word 'particularly'

8B – Paragraph 9.6 2nd Bullet Lines 2/3 Delete 'other cardio-diseases' and replace with 'and resulting cardio-vascular diseases'.

6.9.5 With these modifications the policy and supporting text meet Basic Conditions a), d) and e).

6.10 Designating Local Green Spaces – (Policy 7)

6.10.1 The ENDP at Policy 7 takes up the opportunity offered in the NPPF to identify and designate Local Green Space (LGS) in accordance with paragraphs 99-101. Such spaces can only be designated at the time the neighbourhood plan is being prepared and development within them will be treated in the same way as development within the Green Belt i.e. only where very special circumstances apply.

6.10.2 The ten sites considered and proposed to be designated as LGS are set out in Appendix 2 to the ENDP together with the results of the assessment in terms of the tests set out in the NPPF and local criteria. The NPPF tests are:

- Is the green space in reasonably close proximity to the community it serves?
- Is the green space demonstrably special to the local community and of local significance?
- Is the green space local in character and not an extensive tract of land?

6.10.3 However, Appendix 2 is not referenced in the supporting text to Policy 7 and, if it is to be part of the final plan, it should be referred to as the evidence source.

6.10.4 Having reviewed these proposed LGS on site I have issues in respect of two of these whilst Gladman Developments in their Reg 16 representations raise concerns about a third.

6.10.5 With respect to Site 3 on Cedric Road whilst it undoubtedly is in 'reasonably close proximity' to the community and is local in character I am not persuaded that it is demonstrably special for any of the reasons set out at paragraph 100 b) of the NPPF. It is simply a small piece of amenity grassland which because of its extremely small size, position and nature would have limited recreational, aesthetic or ecological value. I accept that site 1 at the war memorial is of a similar size but, in that case, the site clearly has historic significance plus has attractive semi-mature trees on it and seating and it is easy to see that space being used for informal recreational use.

As Site 3 is not demonstrably special it is in danger of devaluing LGS as a concept locally and the site should be deleted.

6.10.6 With respect to Site 4 Lyndale Avenue I accept what the Parish set out in respect of the site and that it is an attractively planted piece of land with the potential to attract wildlife and fulfill an informal recreational use. However, at present only the western section of the site is identified on Map 7 of the ENDP. The eastern half is equally of merit as an LGS and should be included. The Parish Council in a response to a clarifying question (see Appendix 2 to this report) have confirmed that the intention was to include both halves of the site.

6.10.7 Gladman Developments have criticised the designation of the LGS in the plan and in particular Site 8 - The Long Plantation along Hatfield Lane on the grounds that it is remote to the community and an extensive tract of land. I accept that Long Plantation is larger than the other proposed LGS by some degree and currently is more remote from the resident community. However, for a number of reasons, I think it can be considered to meet the NPPF criteria which, after all, do not define specific size limits leaving it for local determination. First, it is essentially linear along a public right of way thus at no point is it an extensive tract of land in terms of its width. Secondly, it already forms part of what has been identified as 'The Green Wheel' - a circular footpath walk from Edenthorpe out into open countryside. At the furthest point of the Local Green Space near the junction of Hatfield Lane with the A630 it is only 8-900 metres from the current built up area. Finally, this will change further when the site which was won on appeal for housing is developed. At that stage the LGS will effectively bound the new housing and will be an important recreational amenity for the new housing and provide a green corridor for wildlife. For these reasons I therefore consider that the concerns raised by Gladman Developments are unfounded particularly as, once the site is developed, anyone walking in the woodland would be aware of the housing development to the west and Hatfield Lane to the east and would not have the sense of it as an extensive tract of land. I therefore conclude that site 8 is justified for inclusion as an LGS.

6.10.8 Severn Trent Water Services have also made a representation at Reg 16 stage regarding LGS suggesting that the policy should be worded in a way that would support the development of flood resilience measures provided they would not adversely impact on the primary function of the green space. However, I am not persuaded by this proposed addition. In the first instance the idea of flood resilience is not built into the concept of LGS

in the NPPF and in the second the majority of the proposed LGS proposed in the ENDP are unsuited to making provision for flood resilience measures. In any event Policy 6 dealing with the preservation and enhancement of the green infrastructure network through development (and which already includes watercourses) is the better policy through which to ensure flood resilience is incorporated.

6.10.9 Policy 7 in simply setting out which sites are designated and reiterating the fact that LGS can only be developed in very special circumstances is in accordance with Basic Condition a) once site 3 is deleted. Equally, as LGS form part of Green Infrastructure, the policy is also in general conformity with DCCS Policy CS17 and Policy 28 of the emerging DLP seeking to protect open space. The policy again performs well against sustainability objectives in the sustainability assessment (see Appendix 3) and would have a positive and strongly positive impact. Accordingly, the designations meet Basic Conditions a), d) and e).

6.10.10 Finally, although the policy meets the Basic Conditions the supporting text at paragraph 10.5 is slightly ambiguous where it states at the end of the paragraph that the sites identified 'have the potential to be developed in the future'. Whilst I understand what the Parish Council means, the statement can be read two ways and should be clarified to meet the requirement of the PPG for neighbourhood plans to be clear and unambiguous.

Recommendation 9

9A – Delete Site 3 Cedric Road LGS from Policy 7, Map 7 and Appendix 2.

9B – Revise the LGS Site 4 area Lyndale Road on Map 7 to include both eastern and western sections of the site which are of equal value as LGS.

9C – Add at the end of paragraph 10.4 a new sentence:

“The results are set out in Appendix 2”

9D – Add at the end of paragraph 10.5 the words: *“...if not protected.”*

6.10.11 With these modifications in place the policy and its supporting text meet the Basic Conditions.

6.11 Community Services and Facilities (Policy 8)

6.11.1 Policy 8 of the ENDP seeks to protect the existing community facilities of Edenthorpe and support future additional provision. In that respect the policy has regard to paragraph 92 of the NPPF which requires plans and planning decisions to similarly protect and support community facilities. The principle of the policy therefore is acceptable but there is a tension with Basic Condition a in the detail of clauses 2 and 5 of the policy.

6.11.2 Paragraph 92c) introduces the concept of need for the facility and that the loss should be resisted *“particularly where this would reduce the community’s ability to meet its day to day needs”*. This is not reflected in clause 2 of Policy 8 and viability, which is

referred to, is not the same thing.

6.11.3 A related point has been raised by NHS Property Services in their Reg 16 representation relating to the Hollybush Health Centre in Edenthorpe. The representation is seeking flexibility in the policy to allow the potential for redevelopment and makes the point that any such change is subject to rigorous evaluation by the NHS. An additional exclusion is suggested to state that redevelopment could be supported where sufficient services / facilities for that type of infrastructure are provided. This covers the need point but would not necessarily ensure that the provision is equally accessible to the local community. In other words the NHS may conclude sufficient services are provided but these may involve the local community travelling further to access them. Therefore whilst I accept the additional exclusion could be added it needs to be adapted to refer to services being equally accessible.

6.11.4 Regarding clause 5, the NPPF requires policies to be “...*clearly written and unambiguous so it is evident how a decision maker should react to development proposals.*” In that context, the policy on standalone new community facilities where it states in line 2 “*they should consider the following*” is unclear and contrary to the NPPF and Basic Condition a). A much clearer policy intent would be achieved if the introduction to the criteria simply stated “*they should:*”

Recommendation 10

10A – Revise Policy 8 (2) Line 3 onwards to read:

“...development concerned *or sufficient services/facilities for that type of infrastructure are provided which are equally accessible to the local community or that it can be demonstrated that the existing use is unviable.*

10B – Policy 8 (5) Line 2 delete the words ‘consider the following’ and delete the word ‘does’ from the start of (d) as it is no longer makes grammatical sense.

6.11.5 With these modifications in place the policy would better reflect the national policy and guidance seeking clear and unambiguous policy advice and would meet Basic Condition a). The policy will contribute to achieving sustainable development by ensuring the community retains and adds to its community facilities improving quality of life within the parish. It is also in general conformity with the Policy CS1 of the DCCS seeking to sustain a quality of life for all residents and reflects Policy 52 of the emerging DLP which looks to protect education, community and leisure facilities from loss to development. It therefore also meets Basic Conditions d) and e).

6.12 Neighbourhood Centres (Policy 9)

6.12.1 Policy 9 of the ENDP identifies 4 neighbourhood centres in Edenthorpe providing local shopping and service facilities and seeks to protect these. Inasmuch as paragraph 91 and 92 of the NPPF encourage planning policies to promote and support strong neighbourhood centres the thrust of Policy 9 has regard to national policy. Policy CS7 of

the DCCS on retail and town centres identifies Edenthorpe as a whole as a local centre but within that it is acknowledged that there are a number of neighbourhood centres or parades in the village. Policy CS7 seeks to direct retail and other uses that would support the vitality and viability of the centres in the hierarchy below Doncaster town centre to these centres. Policy 24 of the emerging DLP allows a wider range of town centre uses in lower order centres.

6.12.2 There are a number of problems with the way Policy 9 and its supporting text is presented that together mean it does not give a clear and unambiguous picture of what is actually intended.

First clause 1) appears to restrict any change of use of existing retail units in the neighbourhood centres from A1 retail. This is contrary to what is the intention in both the NPPF, the DCCS and the emerging DLP for these types of neighbourhood parade where it is recognized that they can provide both A1 retail and local community service functions. Indeed that is already what most of the 4 neighbourhood parades deliver. If the intention is not to see further decline in A1 retail uses in these parades that is understandable but if that is the case it is confused by clause 2 which encourages new retail facilities including all the A class uses.

6.12.3 The confusion is not helped by the supporting text which starts off in the first paragraph (12.1) quoting two paragraphs from the NPPF which are referring to town centres and not neighbourhood shopping and then presents a definition of neighbourhood centres which does not seem to fit with the neighbourhood parades on the ground in Edenthorpe. The second half of Paragraph 12.1 needs to be deleted and replaced with text that more clearly presents the situation.

6.12.4 I asked the Parish Council to clarify the intention of Policy 9 and it has been confirmed that the intention was to restrict loss to uses other than those within Use Class A. That therefore is what Clause 1 should set out and with that change Clauses 1 and 2 will work together.

6.12.5 In Clause 5 of the policy which tackles hot food takeaways (HFT) it seeks to control these uses according to a set of criteria. Criteria a) and b) are clear but in respect of c) the test is imprecise and unclear. The intention appears to be that there should not be a proliferation or concentration of HFT in a small area but it does not make this clear. With regard to d) the criterion uses the words 'unreasonable impact which is subjective, imprecise and unclear.

6.12.6 If the policy is to meet Basic Condition a) and present a clear and unambiguous policy base modification is required to both the policy and supporting text.

Recommendation 11

11A – Paragraph 12.1 Line 7 - Delete 'NPPF paragraphs...' to the end of the paragraph replace with:

"NPPF paragraphs 91 and 92 encourage plans to promote strong neighbourhood centres and plan positively for local shops and community facilities to enhance the

sustainability of communities and residential environments. Policy 9 therefore encourages these uses in the 4 neighbourhood centres.”

11B – Policy 9 Clause 1 – Lines 1-2 – Delete the phrase “these retail facilities to non-retail uses” and replace with “***retail and A class uses to other use classes within the***

.....

Line 5 – Stop the sentence at ‘viable’ and delete to the end of Clause 1.

11C – Policy 9 Clause 5 criterion c) delete and replace with:

“Would not create a concentration in excess of two hot food takeaways within one neighbourhood centre or in close proximity to each other”

11D – Policy 9 Clause 5 criterion d) amend to read:

“Would not have a detrimental impact on the amenity of adjacent residential properties in terms of light, smell, noise or other disturbance as a result of operating hours.”

6.12.7 With these modifications in place the intent of Policy 9 and how it will be applied would be clear and it would meet Basic Conditions a) and e). The policy would also be either neutral or slightly positive in its impact against sustainability objectives (see Appendix 3) and in retaining retail and services locally would contribute to sustainable living in Edenthorpe.

6.13 Heritage Assets (Policy 10)

6.13.1 Policy 10 recognises the value of local heritage assets to the character of Edenthorpe and sets out how proposals affecting these assets would be considered. Local heritage assets have been assessed and identified by the Neighbourhood Plan Steering Group in consultation with the community and DMBC Conservation and Design officers and Appendix 1 to the plan is intended to summarise the historic merit of each asset and why it is important to the character of Edenthorpe. In respect of one asset (No. 5) - the Coach House - the historic merit and local character contribution has not been completed and in respect of asset Nos. 1 and 8 (Edenthorpe Hall and The Old fire Station) referred to in Map 9 there is no entry at all on Appendix 1. The Parish Council should supply descriptions to be inserted in Appendix 1.

6.13.2 The policy has regard to the NPPF at paragraph 197 where it sets out that proposals affecting undesignated heritage assets will be judged according to the scale of the harm or loss and the significance of the asset. Policy 10 does not set out the approach in respect of designated assets but inasmuch as there are only 2 listed buildings and no conservation areas in Edenthorpe and the national policy approach in the NPPF is very detailed in respect of designated heritage assets this is understandable. The NPPF is clear that it is not necessary to duplicate policy control in different levels of the planning policy hierarchy. Policy CS15 of the DCCS sets out the strategic policy in respect of the historic environment and supports proposals that protect or enhance heritage assets including undesignated local heritage assets. Policy 10 adds local detail in terms of how development proposals affecting the local undesignated heritage assets will be considered and is in general conformity to Policy CS15 and reflects Policies 35 and 41 of the

emerging DLP.

6.13.3 I have no comments regarding Policy 10 itself which meets the basic conditions other than to insert a reference to Appendix 1 which provides the description of the assets' significance and should be tied to the policy. However, given the requirement that Neighbourhood Plans should be clear and unambiguous, the supporting text, plan and Appendix 1 should be clearer in setting out the context and clarifying when it is designated and undesignated assets that are being referred to. In particular, as the focus of the section is on the undesignated assets, it is important that the supporting text evidences how these have been identified and selected.

Recommendation 12

12A – Insert in Policy 10 Line 2 after 'Map 9' the words:

'and described in Appendix 1'...

12B – In the supporting text to Policy 10 at 13.1 onwards make amendments to clarify the context of the policy and the evidence base:

Paragraph 13.1 Second sentence rephrase start to read:

"The assets in Edenthorpe include...."

Insert new Paragraph after 13.1 to read:

13.2 "The Neighbourhood Plan Steering Group drawing on information from the "History of Edenthorpe" and in consultation with residents and landowners and Design and Conservation officers at Doncaster Council identified and assessed 10 undesignated heritage assets of local importance. These are identified on Map 9 and are described in Appendix 1 to the plan along with an assessment of their historic merit and contribution to the local character of Edenthorpe".

Amend start of existing paragraph 13.2 (now 13.3) to read:

'These undesignated heritage assets.....the same legislative protection as designated assets.'

12C – Delete title to Appendix 1 and retitle '*Designated and Undesignated Heritage Assets*' as the tabulation includes both.

Appendix 1 No.5 insert the reason why The Coach House has historic merit and what its contribution is to local character.

Also add descriptions for No.1 Edenthorpe Hall and No.8 The Old Fire Station which are missing completely from Appendix 1.

12D – Move Map 9 from its location following Appendix 1 to the start of Appendix 1 so that it is closer to Policy 10.

In the key to Map 9 - insert the words '*(Listed Building)*' after No 3 Milestone (Long Plantation) and No 7 The Manor House to distinguish these from the undesignated assets.

6.13.4 With these modifications in place Policy 10 and the supporting text would be clear and unambiguous and Basic Condition a) would be met. The policies when implemented will protect the local heritage assets of Edenthorpe maintaining a sense of place and

contribute to the achievement of sustainability. The policy, as above, is also in general conformity with the DCCS. It therefore also meets Basic Conditions d) and e).

6.14 Sustainable Transport (Policy 11)

6.14.1 The final policy of the plan (Policy 11) seeks to encourage developments to secure the use of sustainable travel options in Edenthorpe. In that respect the principle of the policy has regard to section 9 of the NPPF and is complementary to its policy objectives.

6.14.2 However again as with other policies there are a number of points regarding Policy 11 where the requirement of the NPPF and PPG for policies to be clear and unambiguous is not met.

6.14.3 First the section deals in the round with sustainable transport as a whole as does Policy 11. It is therefore misleading for Policy 11 to be entitled 'Sustainable Public Transport' when it also deals with other sustainable transport modes.

6.14.4 Secondly, the use of the word '*contributes*' in part 1 of the policy is ambiguous. Whilst it might be expected that a large development such as that on the Hungerhill site could contribute towards an efficient and safe public transport network public transport this would not be the case on smaller sites and therefore under the terms of the policy would not be supported. The policy intention, looking at the supporting text at paragraphs 14.5 and 14.6 is rather to enable all development to connect to the public transport network and encourage its use. As such this would be a more accurate way to express the objective in Policy 11 (1).

6.14.5 Thirdly, the PPG requires proportionate, robust evidence to support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan. However, as with Policy 3 there is no rationale as to why Policy 11 states in Clause 2 that it will apply to 11 units or more. It is likely that it is intended to apply to major developments and therefore it should be 10 units or more. The Parish Council in their replies to the examination questions confirm that this is the case.

6.14.6 Fourthly, policy wording such as "developments demonstrating that they have had regard to" in line 2 of Policy 11 (2) is unlikely to have very certain outcomes. Policies are much clearer and less ambiguous worded as specific requirements. Thus the policy should be worded to simply require developments to demonstrate that they meet the criteria of Clause (2).

6.14.7 The legislation regarding neighbourhood plans is clear that they should only deal with policies and proposals regarding the development and use of land. Whilst I understand the community's concerns set out in paragraphs 14.1-14.4 of the supporting

text the related clauses of Policy 11 f) and g) go too far in imposing requirements on all major developments which are not strictly related to the development and use of land. Encouraging development to avoid problems of severance has a spatial component and could be retained but the remainder of clauses f) and g) should be deleted.

Recommendation 13

13A – Reword the title of Policy 11 to read ‘Sustainable Transport’

13B – Reword Policy 11 (1) Line 1 to read:

“Development that connects to an efficient, safe public transport network and encourages its use and offers....”

13C - Policy 11 (2) Line 1 - Replace the wording ‘All developments of 11 or more dwellings’ with *“All major developments of 10 or more dwellings....”*

13D – Policy 11 (2) Lines 1- 2 reword to read:

“..... in their design and access statement, how they:

a) Give the highest priority....”

13E – Policy 11 Clauses f) and g) – delete all text after the word ‘severance’

6.14.8 With these modifications the policy will be clear and unambiguous and therefore meets Basic Condition a). Policy CS9 of the DCCS sets out how development proposals can improve transport choice and Policy 11 of the ENDP is in general conformity with this. Policy 11 also reflects the direction taken in Policy 14 of the emerging DLP which will provide the strategic policy in respect of transport in the future. The outcome of operating Policy 11 in developing sustainable transport networks will contribute to the overall sustainability of Edenthorpe. As such the policy as modified meets Basic Conditions a), d) and e).

6.15 Monitoring of this Plan

6.15.1 At section 15 of the ENDP the EPC sets out the approach to monitoring of the plan and at paragraph 15.4 states that there is a requirement in the Neighbourhood Planning Act 2017 to review the plan every 5 years. This is incorrect. Whilst it is good practice to review the plan in response to changes in circumstance or policy it is not an obligation that this should occur every 5 years.

6.15.2 What have been introduced are new procedures for review and it is these that in the event of the Parish and DMBC deciding to review the plan will need to be followed.

6.15.3 I therefore recommend that the following modification is made to the text.

Recommendation 14

Add to the front end of paragraph 15.3 the following sentence:

“When a review is necessary it will be carried out in accordance with procedures for making minor or more substantial revisions to plans as set out in Schedule A2 to the Neighbourhood Planning Act 2017 and the National Planning Practice

Guidance.”

Delete paragraph 15.4

7. Other Matters

7.1 Environmental Policies

7.1.1 The Environment Agency whilst not objecting to the ENDP at the Reg 16 stage did comment that they would like to see policy references dealing with sustainable construction, flood risk and drainage and water quality in particular. Similar points were made at the Reg 16 stage by Severn Trent Water raising the specific point that Sustainable Drainage Systems should be required.

7.1.2 Sustainable construction is already covered in Policy 5 of the ENDP and the other subjects are also well covered in the DCCS at Policy CS4 in respect of flooding and drainage and CS18 in respect of water quality. They are also controlled by policies in the emerging DLP at Policies 57, 58 and 61. Advice in the PPG confirms that planning decisions are made considering a hierarchy of policies from national policy in the NPPF to local policy in Local and Neighbourhood Plans. It is not necessary to replicate policy provisions in different levels of the hierarchy if they are already satisfactorily covered. This is the case with the ENDP where there is nothing specific to add with respect to these specific topics to the policy coverage in the DCCS.

7.1.3 The absence of specific policies covering flood risk, drainage and water quality in the ENDP is not therefore a matter which conflicts with the Basic Conditions and no modification is necessary to the plan.

7.2 Typographical and Formatting Corrections

7.2.1 There are a number of typographical / grammatical errors in the plan which ought to be corrected. In addition to proposing modifications to ensure the plan meets the basic conditions the only other area of amendment that is open to me as the examiner is to correct such errors. I have identified these in Appendix 4 and in modifying the plan as set out above and finalising it for the referendum these typographical amendments should be made.

Recommendation 15 – Make typographical and grammatical corrections as set out in Appendix 4 at the end of this report.

8. Referendum

8.1 Subject to the recommended modifications set out above being completed, it is appropriate that the Edenthorpe Neighbourhood Development Plan should proceed to a

Referendum.

8.2 I am required to consider whether the Referendum Area should be synonymous with the Edenthorpe Neighbourhood Area or extended beyond it.

8.3 The Neighbourhood Area mirrors the administrative boundaries of Edenthorpe Parish. Given the scale and nature of the plan and the fact that the proposals would not affect residents in adjoining parishes I do not consider that extension of the area would be warranted.

8.4 Accordingly, I consider that it is unnecessary to recommend any other referendum area than the Neighbourhood Area and no evidence has been submitted to suggest any alternative approach.

Recommendation 16 - I recommend to Doncaster Metropolitan Borough Council that the Edenthorpe Neighbourhood Development Plan, modified as specified above, should proceed to a referendum based on the Edenthorpe Neighbourhood Area as approved by the Borough Council on 20 December 2016.

Peter D Biggers MRTPI AIHBC - Independent Examiner – 23 December 2019

Appendix 1 – DMBC and Edenthorpe Parish Council Responses to Reg 16 Representations

The Reg 16 Publicity Stage does not allow for any follow up response from the Qualifying Body or indeed the LPA regarding points they may wish to raise in response to representations received. DMBC and the Parish Council were invited to respond to the representations and proposed changes made by respondents at the Reg 16 publicity stage specifically:

- Gladman Developments
- NHS Property
- Severn Trent Water

The following responses were received and have been considered within section 6 of the examination report:

<p>Gladman Developments General</p>	<p>Relationship to the Local Plan – Core Strategy determines that Doncaster’s housing target is 920dpa. It was originally 1,230 dpa as per the RSS but this was found to be non-NPPF compliant as it was not objectively assessed.</p>	<p>The Core Strategy sets the housing target at 1,230 dpa. Subsequent Housing Needs Assessments (both produced by the Council in 2015, and Peter Bretts Associates in 2018) arrived at a figure of 920 / 912 (which we have left as 920dpa)). 920dpa is the target for the emerging Local Plan, which includes the standard methodology figure plus an economic uplift. For 5 year supply purposes, we defer to the Standard Methodology (most recent figure 550dpa). In the emerging Local Plan, the requirement is proposed to be expressed as a range from 585 – 920 dpa (585 being the original Standard Methodology Figure).</p>
	<p>Policy 1 – object to the use of development boundaries. These preclude otherwise sustainable development from coming forward. The framework is clear that sustainable development should proceed. Settlement limits arbitrarily restrict suitable development coming forward. Greater flexibility is required.</p>	<p>This approach mirrors the UDP and Core Strategy in defining a differentiation between urban / countryside, but uses the emerging Local Plan method of defining development limits to draw a boundary.</p> <p>The UDP differentiates between urban / built up areas, with land beyond being in the countryside, and UDP policies ENV2 and ENV4 seek to protect this Countryside Policy Area. Core Strategy Policy CS3 also seeks to protect and enhance the countryside and shows land beyond the built form development limits as Countryside Protection Policy Area, however the urban / rural limits are defined in detail in the UDP. The Neighbourhood Plan proposals reflect this.</p> <p>The emerging Local Plan consulted on a strategy for defining settlement limits in Autumn 2018, and put the principals into practice when drawing a settlement limit around Edenthorpe in the Local Plan publication draft. In practice, this only really effects Edenthorpe in isolation to the east, as to the north and west of the Parish boundary is built form / non-countryside, and to the south is the A630. Edenthorpe is part of the wider</p>

		<p>'Main Urban Area', so the overall boundaries extend around the larger urban form.</p> <p>The Council liaised with the Neighbourhood Plan group about the proposed development limits and it was agreed the Neighbourhood Plan group would use the then development limit methodology to interpret their own boundary. This mirrored the Council's interpretation, which excluded land to the east of the built form (known as Mere Lane). It is, however, important to note that some of the land to the east of Edenthorpe was granted permission on appeal for c. 600 houses in 2018. The settlement boundaries exclude non – complete permissions to replicate the situation 'on the ground', however it is expected development will come forward to the east, on land defined as countryside.</p> <p>Policy 2 in the emerging Local Plan provides flexibility in that the countryside could be developed in in the event the borough cannot demonstrate a 5 year supply of housing, and subject to other caveats.</p> <p>The Council is satisfied that the Neighbourhood Plan is therefore well aligned with the Local Plan (existing and emerging) on this matter, and the principal of defining an urban / rural differentiation for planning purposes is well established.</p> <p>The approach taken in the Neighbourhood Plan also reflects consultation with the community. Policy 1 focuses on sustainable development and regeneration within the village. It should also be noted that alongside the greenfield Mere Lane permission, there is another large permission on the Hungerhill site within the settlement limits. Collectively, Edenthorpe is earmarked to deliver over 1000 homes in the Local Plan, a significant amount of the Main Urban Area requirement.</p>
	<p>Policy 3 – housing needs change overtime and this should be made more flexible by adding the wording "this should be evidenced by an up to date assessment" ...</p>	<p>The Neighbourhood Plan has consulted with the local community and undertaken research on housing provision in the settlement. It made an assessment of the needs of the area and finds the results to be in conformity with what would be expected from population projections. The policy appears sufficiently broad enough to cover a range of needs and is not overly onerous in what it is asking. The boroughs Housing Need Assessment will be periodically updated, which will provide new detail to inform the policy or applicants, alongside the Neighbourhood Plan. The 2019 Housing Needs Survey shows that there is a need in the Main Urban Area (where Edenthorpe is located) for 1, 2 and 3 bedroom units. The Policy asks that developers show they are providing a</p>

		range of types and sizes to meet a range of needs. This is in line with Core Strategy Policy CS12 and furthermore will also be covered by Policy 8 of the emerging Local Plan.
	Policy 5 – The wording should be more flexible and avoid being over-prescriptive in order for schemes to respond to specifics and character of the local area. There should be no one size fits all solution. More flexible wording should be provided to ensure high quality and inclusive design is not compromised by aesthetic requirements alone. To do so could impact on viability.	The Council’s design officer believes the Plan is strong on design matters. We believe the principles are in no way overly onerous, do not seek to be over prescriptive on design (for example, no mention of materials), nor do they seek to tie developers to one approach. It is unclear how these would impact on the viability of schemes, and the point about local reacting to local distinctiveness is specifically covered throughout the policy. The criteria raised in the Neighbourhood Plan are all reasonable and furthermore, as the text proceeding the policy shows, have been thoroughly considered (including also criteria raised in Policy 1). The policy is therefore in response to the matters which are important to the local community, but sufficiently broad enough to not be a “one size fits all” approach as suggested.
	Policy 7 – Local Green Space – NPPF para. 100 notes these will not be appropriate for most areas or open space. The designation should only be used where they can show the requirements are met – close in proximity; demonstrably special and local in character. Para. 100 also notes sites should not be an extensive tract of land. As such, Long Plantation should not be allocated as Local Green Space. Other neighbourhood plans have had sites ruled out due to being extensive tracts of land and not local. The Parish Council should review the sites and check they meet the requirements. The assessments to not overcome the failure to meet specific policy requirements in the NPPF. There is no evidence these are demonstrably special to the local community. None or of particular scenic quality. The Policy is not in accordance with the basic conditions and should be revisited.	<p>Paragraph 100 does not state that Local Green Space will not be appropriate for most areas, this was in the 2012 NPPF but was amended in the 2019 version. As such, it could be argued that the bar has been lowered for assessing Local Green Space designations. The response highlights two important matters that make Local Green Space designations difficult. Firstly, the framework does not define what is meant by the sections (a) – (c) in para. 100, and secondly therefore this matter is entirely subjective.</p> <p>In preparing the Local Plan, the Council have prepared a paper which seeks to provide a way of assessing Local Green Space, including an interpretation of para. 100 (a), (b) and (c). This recommends that an extensive tract should be no more than 20ha, that beauty is not always necessarily “natural” or scenic is no more than 5 minutes walk from the settlement. Neighbourhood Plans are under no obligation to follow this way of assessing Local Green Space, but whilst the Council may have come to different conclusions using our methodology, the sites proposed are not contrary to the Council methodology on matters such as distance and size. NPPF para. 99 establishes that this process is about allowing communities to identify and protect green spaces of particular importance to them. The Local Community are best placed to assess what areas of Green Space are significantly important to them and the Neighbourhood Plan provides its own assessment and justification of Local Green Space in Edenthorpe.</p> <p>In addition, the development of the Neighbourhood Plan involved a number of public consultation periods where local residents either identified the green spaces illustrated within the Plan or they supported their inclusion as a Local Green Space.</p>

		All the spaces identified are used for recreational purposes whether that is walking, for sporting activities or play.
	Concerned that the plan does not meet basic condition (a) conformity with national guidance, and contrary to (d) the making of the order contributes to the achievement of sustainable development for reasons set out above.	It is hoped that though the above explanations, these fears are allayed. The Council is satisfied the plan is not contrary to national guidance and believe it suitably contributes to the achievement of sustainable development in the area through infilling, regeneration or through the development of existing sites within the development limit. There is no requirement for a Neighbourhood Plan to allocate sites.
NHS Property Services	Policy 8 – suggested policy wording amendment for 8 (2) to include “Proposals for their redevelopment or change of use to other purposes, will not be supported unless alternative community facilities are proposed as part of the development concerned, <u>or sufficient services/facilities for that type of infrastructure are provided</u> , or that it can be demonstrated that the existing use is unviable.” This will allow NHS estate strategies to be implemented effectively and help the NHS deliver services where needed without being tied to an existing location.	No objection to the inclusion of this sentence, although it may be considered that the following sentence effectively covers this, in that the use could be unviable if sufficient alternative facilities exist.
Severn Trent Water	Policy 1 – The policy should refer to surface water drainage and SuDS. This should be considered from the outset. The policy should also reference the protection of open watercourses.	Policy CS4 covers SuDS and this is generally picked up through the planning application process. No objection to including additional wording such as “ it can be served by sustainable infrastructure provision such as water supply, surface water, waste water drainage, sewage treatment”.
	Para 8.11 and 8.12 – Supportive of these paragraphs as they support the delivery of sustainable water management and SuDS.	Support welcome
	Para. 8.16 – there are opportunities to incorporate surface water management into the design of residential street scenes / planting.	Believe this is too specific to be included and in practice not all development will need or be able to do this through design.
	Policy 7 – should support development of flood resilience features on open space	Policy 7 seeks to reflect the requirements for Local Green Space as per the NPPF and grant a status akin to Green Belt. As such, we do not believe that the suggestion would fit with the

	<p>provided it does not have a detrimental impact on the primary function of the space. Additional bullet point suggested: <i>“3. The development of flood resilience schemes within areas of local green space will be supported provided that they do not adversely impact on the primary function of the green space.”</i></p>	<p>intention of this policy. Policy 6 adequately covers this when it discusses enhancement via development, which is realistically the way in which this would come forward, if it were to.</p>
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Appendix 2 – Clarifying Questions put to DMBC and Edenthorpe Parish Council During the Examination

Questions for Edenthorpe Parish Council to Answer:

1. Please confirm when the Parish actually **applied for** the neighbourhood area to be designated. There is some ambiguity in the dates available.

6th December 2016

2. When was the plan actually **submitted** to DMBC? I cannot see any reference in the documents or online other than that the submission version was approved by the Parish for submission in June 2019. Was that when it was submitted?

30th July 2019

3. The Consultation Statement at Table 1 states that 31 people attended the event on 20/2/19 but the text at paragraph 1.45 states 45. What is the correct figure?

The correct figure is 31.

4. Please provide an insert in tabular form to the Consultation Statement setting out who in terms of statutory consultees and stakeholders were actually consulted. At present the statement only refers to those who responded. Also, please supply a copy of the newsletter sent at the Reg 14 stage. It would be preferable if this additional information could be incorporated in a revised Consultation Statement sent to me and then uploaded to the two Council websites.

Separate document "Consultation Statement" revised.

5. Why in policies 3 and 11 have you used a figure of "11 or more dwellings" rather than take the definition of major development ie 10 or more?

Agreed. This should read 10 or more dwellings. Happy for this to be amended.

6. How have local heritage buildings been identified, as neither text at Section 13 nor Appendix 1 makes this clear?

The local heritage buildings were identified as part of looking at the character of the village. These buildings were identified by group members and supported by historic text from "The History of Edenthorpe" booklet. The proposed buildings and structures were then subject to public consultation during regulation 14 where all residents/ landowners were notified of the consultation period. Additional information was also provided by some consultees on the proposed heritage buildings – namely Design and Conservation officers at DMBC.

7. Is there a clause missing from Policy 10 as the first paragraph is numbered 1 but no other paragraphs exist? Agreed.

No additional text required. Numbering could be removed.

8. What is the historic merit and contribution to character of The Coach House as nothing is entered in the table at Appendix 1?

This needs to be completed.

9. In Policy 5 i) Line 4 where it says 'suitable construction materials' – is that a typo - should it read 'sustainable construction materials' given the context of that clause?

Agreed. It should read "sustainable construction materials".

10. Is there a particular reason why the Parish Council did not include the other half of the open space at Lyndale Avenue as LGS. Map 7 only shows the western half designated? Is this just a drafting error on the plan? Was the intention to include the whole site?

The whole open space at Lyndale Avenue should be included, not just the half shown on the map.

11. Is it the intention of Clause 1 of Policy 9 on Neighbourhood Centres to stop any further loss of A1 Retail in these neighbourhood parades? Or as encouraged in Clause 2 is the Parish looking to these parades to accommodate a mix of A class uses in which case Clause 1 should restrict loss of floorspace only if it is to a non A class use.

In terms of policy 9 - Yes the intention is to restrict the loss of A uses in those centres.

Questions for DMBC to answer:

1. When did the Reg 16 publicity period commence? I can only find the end date on the notice inviting responses.

22nd August 2019.

2. Has Yorkshire Water (stated by Severn Trent Water to be responsible for some of the neighbourhood area) been consulted under Reg 16? If not, they should be consulted now.

We consulted Yorkshire Water on 22/08/2019 when we sent out the Regulation 16 Publicity, and we also sent out a reminder on 14/10/2019. These both went out to two contacts at Yorkshire Water. We did not receive a response.

3. Was the Parish provided with a target housing requirement for the neighbourhood plan area and is DMBC satisfied that an appropriate level of housing can be provided under the plan in Edenthorpe?

No housing target was requested or provided. Edenthorpe is part of the wider 'Main Urban Area' of Doncaster, made up of a number of settlements with a collective target for housing in both the Core Strategy and the emerging Local Plan. It was ultimately decided this would be a matter for the Local Plan, and this was further linked at the time to the outcome of the Mere Lane appeal.

Given Edenthorpe is part of the Main Urban Area it is hard to disaggregate what its "share" of the Urban Area's housing requirement would be. There is no means of splitting the Urban Area target by area in the Core Strategy. As the emerging Local Plan has a Main Urban Area housing target made up of two components (baseline split and an economic uplift), whilst Edenthorpe's share of the baseline could be calculated, its share of the economic uplift would be harder, as this relates to the whole urban area, which will deliver collectively 60 – 70% of the economic overall uplift. However, given that outline permission exists on two sites within the Parish for approx. 1,150 units (Hungerhill – up to 542 units; and Mere Lane – 600 units), which are also both proposed allocations within the Local Plan, we are satisfied that Edenthorpe is getting a more than ample amount of housing, and we would not anticipate a housing target to be larger than this if broken down to Edenthorpe in any event.

Questions for both Councils to address

1. I accept that the neighbourhood plan reflects the UDP and current Core Strategy in terms of its reference to the development limits in Map 2 but given that there is permission through appeal for a substantial area of land east of the current development limit towards Hatfield Lane this development limit will now be exceeded. As things stand Policy 1 would not apply to new development in this area east to Hatfield Lane whereas I assume the Parish would particularly want the master planning principles in Policy 1 to apply to this major new development. I see that there is a note attached to Map 2 saying that DMBC is to provide a replacement – was it the intention that this would reflect the development site granted on

appeal? In the light of the appeal decision and the permission it grants, the development limit on the east side of Edenthorpe will change substantially. I appreciate that this appeal decision came late in the plan preparation process, possibly after submission, and was not reflective of the neighbourhood plan position but obviously this is now a significant matter and I need to have both Councils' position on the matter of the development and its implications on policy 1 in particular.

The development limits are intended to reflect the current urban – rural delineation based on features 'on the ground'.

As the Neighbourhood Plan is not allocating housing and is deferring this matter to the emerging Local Plan, we do not think the Neighbourhood Plan should be required to include this site given that it is not certain the site will be implemented. Given that it is possible, however unlikely, that the site may not be developed, it is therefore not accurate to say that this limit necessarily "will" be exceeded at this stage. It should be noted that the Neighbourhood Plan is also silent on the permission and intended allocation of the Hungerhill site (although this site does fall within the development limit).

The methodology for defining development limits for the emerging Local Plan states that:

"Principle 4:

The Development Limit will normally exclude:

- *New greenfield Local Plan development allocations, including sites with planning permission as at 1st April 2018, on the edge of settlements (these will be identified separately on the Policies Map as allocations to show how the town or village will grow over the plan period)"*

As such, it is not the role of the development limits to incorporate or reflect development that has not yet happened. If in future this development is built out, this would be reflected at that time as a material change to the urban / rural form. However until then there is no material change to the development limit and incorporating this site in to it would not give an accurate reflection of the current limits.

The Mere Lane permission is reflected as a proposed allocation in the emerging Local Plan, and included on that plan's Policies map. On matters of housing allocations, the Neighbourhood Plan defers to the Local Plan.

It should be noted that the application for housing on land at Mere Lane was a significant issue for people in the Local Area, and was and continues to be a contentious matter for both the local community and the Parish Council – who attended the appeal hearings as a third party and enlisted the services of CPRE to support their case.

If in the view of the Examiner this is not acceptable, the following solutions are proposed:

1. The Neighbourhood Plan could make it clearer that the Local Plan will allocate housing and that policies within the Neighbourhood Plan, where applicable, apply to these sites should they come forward; or
2. Policy 1 (3) and (4) include a footnote when explaining that 'major sites / sites of 50 dwellings or more include sites within the development limit or sites allocated within the Doncaster Local Plan'.
3. The Neighbourhood Plan mentions the proposed sites at Mere Lane and Hungerhill specifically, possibly under 'The future' on pp. 7; and / or within the preamble under Section 5 (pp. 18 – 20).

Peter Biggers Independent Examiner - 19 November 2019

Appendix 3 – Additional Sustainability Tabulation Supplied at Examiner’s Request

		DMBC Sustainability Objectives													
✓✓	Major positive effect	1	2	3	4	5	6	7	8	9	10	11	12	13	14
✓	Minor positive effect	Maintain and increase Doncaster’s growth/prosperity and diversify its economic base	Reinforce and support community identity and pride	Improve accessibility to place and services, both within and outside of the Borough	Ensure resources are available and efficiently used to sustain development and reduce waste and consumption	Provide affordable, good quality housing that is available to everyone, including vulnerable and disadvantaged groups	Reduce social exclusion and disadvantage	Make places that are safe, attractive, culturally interesting and distinctive to live, work and travel in	Renew and reuse existing buildings, land and infrastructure	Improve the health and well-being of the Boroughs population	Provide education and training provision to build the skills and capacity of the population	Manage and adapt to climate change	Protect, increase and enhance the natural environment, including the landscape, its underlying geology and wildlife habitat	Protect, conserve and enhance the historic and cultural heritage	Protect and enhance soil, air and water quality (watercourses and ground water)
XX	Major negative effect														
X	Minor negative effect														
?	Uncertain effect														
0	Neutral Effect														
-	No relationship														
	Policy 1: New Residential Development	-	0	0	0	✓	✓	✓	✓	0	-	✓	0	-	✓
	Policy 2: Conversion of existing Buildings outside the development limit	-	0	0	0	✓	0	0	✓	0	-	0	-	-	0
	Policy 3: Housing Type and Mix	-	0	0	0	✓✓	✓	✓	0	0	-	0	-	-	0
	Policy 4: Enabling Employment Opportunities	✓	0	0	0	-	✓	0	0	✓	✓	0	-	-	0
	Policy 5: General Development Principles	-	✓	✓	0	✓	0	✓✓	✓	✓	-	✓	✓	✓	✓
	Policy 6: Green Infrastructure and Circular Walk around Long Plantation	-	✓✓	✓	0	-	✓	✓	✓	✓✓	-	✓	✓✓	-	✓
	Policy 7: Local Green Space	-	✓	0	0	-	✓	✓	✓	✓✓	-	✓	✓✓	-	✓
	Policy 8: Community Facilities	-	✓	0	0	-	✓	0	0	✓	-	0	-	-	-

Policy 9: Neighbourhood Centres	✓	✓	0	0	-	✓	0	0	✓	-	0	-	-	-	
Policy 10: Heritage Assets	-	✓	0	0	-	0	0	✓	0	-	0	-	✓	✓	-
Policy 11: Sustainable Public Transport	-	0	✓	0	-	✓	0	✓	✓	-	✓	-	-	-	

Summary: In summary, the Neighbourhood Plan is promoting change to the community that is managed in a sustainable way. The long-term vision for the community is that new development will provide a benefit to the community, whilst preserving and enhancing our natural, built, cultural and historic assets. The promotion of the reuse of previously developed land and buildings helps to safeguard our existing green spaces and avoid the sprawl into the open countryside. The protection of our existing public spaces helps to encourage improved health and wellbeing of residents.

New residential development will help to meet the needs of the community and its delivery will support the overall need for housing within the Borough.

New jobs and the protection of local service and facilities will support the continued aimed for a sustainable community where people, and new residents, can walk to facilities and, therefore, reduce the need for a car.

In conclusion, the policies within the Edenthorpe Neighbourhood Plan provide either a natural, minor positive or major positive effect to the environment and therefore help to achieve a more sustainable view of development in the future.

Appendix 4 - Recommendation 15 –Table of Typographical and Formatting Corrections

Page	Location	Correction
19	Paragraph 5.13 line 2	Delete full stop after infrastructure and replace with comma and small 't' at 'These' – Reason- the phrase is not a sentence.
20	Paragraph 5.14 Line 1	Insert the words ' <i>development in</i> ' after 'scale of'- Reason - words needed to make sense of the sentence.
	Paragraph 5.14 7 th bullet Line 2	Insert ' <i>the</i> ' before the word 'Borough'- to make sense of the bullet point
21	Paragraph 5.16 Line 2	Insert the word ' <i>developed</i> ' after 'previously' – Reason - Word missing
22	Policy 1 Clause 1 Line 7	Insert apostrophe in the word 'areas'
28	Paragraph 6.7 line 1	Reference should be to 'Map 3' not 'Map 2'
31	Policy 3 Line 3	Delete the words 'how they have catered for'- Reason - This does not make grammatical sense in the context of clauses a), b) and c) following.
32	Paragraph 7.2	Delete paragraph as it is repeated at 7.10 which is the more logical. Renumber paragraphs in section 7 accordingly.
33	Paragraph 7.9 Line 1	Correct spelling of 'Edenthorpe'
	Paragraph 7.9 3 rd bullet Line 1	Insert ' <i>not</i> ' after 'does' Reason to make sense of phrase.
34	Policy 4 Clause 1 f) Line 1	Delete 'retail' insert ' <i>retain</i> '
	Policy 4 Clause 1 g) Line 2	Delete 'and'
35	Paragraph 8.4 Line 2	Add plural 's' to 'watercourse'
	Paragraph 8.4 Line 4	Amend to 'underlying'
36	Paragraph 8.8 Line 2	Replace 'this policy' with ' <i>Policy 5</i> ' Reason to clarify the policy being referred to.
39	Paragraph 8.23 Line 1	Insert apostrophe in the word 'areas'
43	Policy 5e) Line 3	Insert apostrophe in the word 'developments'
44	Policy 5 i) Line 4	Delete the word 'suitable and substitute the word ' <i>sustainable</i> '. Reason - The Parish has confirmed this is a typographical error.
47	Paragraph 9.7 Line 1	Reference should be to Maps '5 and 6' not '3 and 4'
	Paragraph 9.7 Line 3/4	Delete 'its uses as a functional open space' Replace with ' <i>their use as functional open space</i> ' –

		Reason - to make grammatical sense.
51	Paragraph 10.5 Line 2	Delete 'identifies' replace with 'that'. Reason - Sentence does not otherwise make sense. Change reference from '11.7' to '10.7'
	Paragraph 10.6 Line 2	Delete 'six' replace with 'ten' or 'Local Green' - Reason - There are more than 6 proposed LGS.
58	Policy 8 (3) Line 1	Delete plural 's' at end of 'proposals' - Reason - not grammatically correct
60	Paragraph 12.5 Line 5	Add letter 'y' to 'health' - Reason - to make grammatical sense.
	Paragraph 12.6 - First sentence	Insert '<i>Policy 9 seeks to</i>' at the start of the sentence - Reason - At present the paragraph is not a sentence.
64	Policy 9 Clause 5 Line 2	Delete 'the unacceptable detriment of' and replace with '<i>unacceptable detriment to</i>'
66	Policy 10	Remove reference No '1' - Reason - there is only one clause to the policy.
74	Appendix 1 (4) Red brick wall - Historic Merit Line 3	Insert 'm' at end of 'Manor Far'