Examination of Doncaster Local Plan

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INSPECTOR’S NOTE NO. 16:
ACTION POINTS FURTHER TO HEARING SESSIONS
WEEK FOUR: MATTERS 13 TO 16

Introduction

Further to the discussions at the week four hearing sessions, the following actions are required. I consider these to be necessary at this stage of the examination to inform my consideration of whether the Plan is sound and/or how it could be made sound by main modifications. I may decide in due course that other or different main modifications are required, including to the parts of the Plan that I refer to below.

Unless otherwise stated, each of the action points is for the Council to pursue. Where appropriate and possible, the Council may find it helpful to liaise with relevant participants in preparing its response.

The Council’s responses should be submitted to the Programme Officer by midday on Friday 20 November 2020. They will then be published on the examination website.

I will take into account the Council’s responses to these action points in determining what further steps need to be taken in the examination process. If I decide that there is a need to discuss any of the responses at a future hearing session, this would be done on one of the reserve days (Monday 30 November to Wednesday 2 December 2020).

Sustainability appraisal

The Council carried out a sustainability appraisal during the preparation of the Plan and submitted a report, various appendices and an addendum in March 2020\(^1\). This has been discussed at a number of hearing sessions. It will be updated before the end of the examination to appraise the proposed main modifications to the Plan prior to them being published for consultation. The Council advised on 11 November that it would also ensure that the sustainability appraisal is updated to take account of any relevant significant changes in circumstances that have become apparent during the examination, even if those changes have not resulted in proposed main modifications to the Plan.

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\(^1\) CSD7 and CSD7.1 to CSD7.9.
AP64. Council to ensure that when the sustainability appraisal of the Plan is updated before the end of the examination, it makes a clear distinction between the appraisal of proposed main modifications and any updates to take account of significant changes in circumstances that have become apparent during the examination. In the case of the former, the appraisal should show how the proposed main modifications compare with the submitted Plan in terms of performance against the sustainability appraisal framework.

M13. Natural and built environment

Local Green Space

AP65. Council to prepare a potential modification to delete “and local” from policy 28 part C so that it is clear that development proposals on Local Green Space as defined on the Policies Map will be considered in accordance with national policy and guidance.

Biodiversity and geodiversity

AP66. Council to prepare a potential modification to policy 31 so that it is clear that the “mitigation hierarchy” will be applied, where relevant, to all development proposals (as set out in NPPF 175). Council to consider whether policy 31 part A(3), relating to links to the wider ecological network, needs to be modified to ensure consistency with national policy and the suggested modification to policy 31 part C. Council also to consider whether paragraph 10.41 needs to be modified to refer to the biodiversity map of the Borough to ensure that policy 31 is justified.

Buildings or structures of local historic interest

AP67. Council to prepare a potential modification to policy 41 and reasoned justification to clarify which buildings or structures of local historic interest2 may be subject to the policy and how appendix 10 (or an updated version of it) is intended to be taken into account by decision makers. With regard to the former, the Plan should be clear whether policy 41 is intended to apply to “locally listed” heritage assets but also other buildings or structures that are identified as being of local historic interest including through a planning application process.

AP68. Council to prepare a potential modification to delete reference to the “Heritage Strategy 2015-2019” from paragraphs 11.7 and 11.40 unless that document is still relevant justification for policies in the Plan.

M14. Other environmental issues

Area of search for wind energy developments

AP69. Council to reconsider whether it is necessary, to ensure consistency with national policy and guidance3, to exclude areas of low-medium and medium landscape sensitivity that are within the Green Belt from the area of search for

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2 “Non-designated heritage assets” referred to in NPPF 197.
3 NPPF 147 and 151 and PPG ID: 5.
wind energy developments. Given that national policy and guidance states that wind turbines should not be considered acceptable unless they are in an area identified as suitable for wind energy development in a local plan or neighbourhood plan\(^4\), would excluding those Green Belt areas represent a positive strategy?

**M15. Minerals**

*Minerals development in different parts of the Borough*

**AP70.** Council to prepare potential modifications to policies 62 and 63 so that it is evident how a decision maker should react to a proposal for mineral development in the following locations: (a) existing mineral sites with planning permission (Table 11); (b) “new mineral proposals” / “new mineral allocations” / ”preferred areas” (Table 12); (c) areas of search (Table 13); and (d) other locations.

*Minerals infrastructure / ancillary minerals infrastructure*

**AP71.** Council to prepare a potential modification to policy 62 part A(7) to clarify whether it relates to “minerals infrastructure” and/or “ancillary minerals infrastructure”, and to ensure that it is consistent with Table 14 and the description set out in paragraph 14.52. Consideration should also be given to whether the policy is clear how a decision maker should react to a proposal for non-mineral development on one of the safeguarded sites listed in Table 14 and shown on the Policies Map or within a “250 metre buffer where appropriate” as referred to in paragraph 14.52.

*Minerals safeguarding areas*

**AP72.** Council to prepare a potential modification to policy 62 part B and reasoned justification so that it is clear that sites allocated for non-mineral development are excluded from the mineral safeguarding areas or, alternatively, are exempt from the requirements of policy 62 part B. Policy 62 part B(5) should be modified to refer to “exempt development” or similar, and this should be clearly defined in or under the policy (for example by reference to the list of developments included in paragraph 14.55). Policy 62 part B should also be modified to clarify whether or not it applies to development within the Doncaster Sheffield Airport Policy Area that is in accordance with policy 7. Finally, policy 62 part B should be modified to clarify that proposals for non-minerals development would only need to demonstrate compliance with one of the points 1-5 (for example by insertion of the word “or” into the list). Council to liaise with representatives of Peel/DSA and the Minerals Products Association in preparing its response to this action point.

*Hydraulic fracturing*

**AP73.** Council to consider whether the definition of “hydraulic fracturing” included in the Appendix 1 Glossary (as proposed to be modified in DMBC15.1,

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\(^4\) NPPF paragraph 154b footnote 49 and PPG ID:5-005.

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which is taken from PPG published in 2014) needs to be amended to take account of the definition in the Infrastructure Act 2015.

**M3. Strategic approach (resumed)**

**Spatial options and sustainability appraisal**

The sustainability appraisal and addendum reports published in 2019 and 2020⁵ refer to four spatial options being appraised: core strategy approach (business as usual); Doncaster and main town focus; a more dispersed strategy; and a hybrid approach. However, those reports do not seem to quantify (in relative terms) how those spatial options differed in terms of the distribution of new homes between the different tiers of the settlement hierarchy described in policy 2 of the Plan.

**AP74.** Council to clarify what the four spatial options referred to in the sustainability appraisal and addendum reports published in 2019 and 2020 involved in terms of the relative distribution of new homes between the Doncaster main urban area, the main towns, service towns and villages, and other settlements.

**M16. Other issues**

No action points at this stage of the examination.

*William Fieldhouse*

INSPECTOR
13 November 2020

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⁵ CSD7 and CSD7.1.