



The Planning Inspectorate

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# **Report to Doncaster Metropolitan Borough Council**

**by William Fieldhouse BA (Hons) MA RTPI**

**an Inspector appointed by the Secretary of State**

**Date: 30 June 2021**

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

## **Report on the Examination of the Doncaster Local Plan 2015-2035**

The Plan was submitted for examination on 4 March 2020

The examination hearings were held between 14 October and 1 December 2020

File Ref: PINS/F4410/429/6



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## **Abbreviations used in this report**

The 2004 Act	The Planning & Compulsory Purchase Act 2004 (as amended)
The 2012 Regulations	The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)
Core Strategy	Doncaster Council Core Strategy 2011 to 2028
The Council	Doncaster Metropolitan Borough Council
MHCLG	Ministry of Housing, Communities and Local Government
NPPF	National Planning Policy Framework
The Plan	The Doncaster Local Plan 2015-2035
PPG	Planning Practice Guidance
sqm	Square metres
UDP	Doncaster Unitary Development Plan (adopted 1998)

## **Evidence and examination documents**

All of the Council's supporting evidence submitted with the Plan along with documents that I issued, requested or accepted during the examination were published on the examination website. Each document has its own individual reference number such as CSD3, SDEB22, DMBC4, etc. Where appropriate, I refer to documents by their reference numbers in footnotes in this report.

## Non-Technical Summary

This report concludes that the Doncaster Local Plan 2015-2035 provides an appropriate basis for the planning of the Borough, provided that a number of main modifications are made to it. Doncaster Metropolitan Borough Council has specifically requested that I recommend any main modifications necessary to enable the Plan to be adopted.

The main modifications all concern matters that were discussed at the examination hearings. Following the hearings, the Council prepared schedules of proposed modifications and changes to the policies map, and carried out further sustainability appraisal and habitats regulations assessment. The main modifications, policies map changes, sustainability appraisal and habitat regulations assessment were subject to public consultation over a six-week period. In some cases, I have amended the detailed wording of modifications to take account of representations made in response to that consultation. I have recommended their inclusion in the Plan after considering the sustainability appraisal and habitats regulations assessment and all the representations.

The main modifications can be summarised as follows:

- Delete policy 1 to ensure consistency with the national policy presumption in favour of sustainable development.
- Edit and restructure policies 2 and 3 to clearly set out the spatial strategy and levels of growth, and accurately reflect the allocations including the distribution of development to the Doncaster main urban area and other parts of the Borough.
- Amend policies 2 and 58, and development requirements for some allocations, to ensure consistency with national policy on flood risk.
- Delete references to the housing requirement being a range, and instead set a minimum requirement of 920 net additional homes per year between 2018 and 2035.
- Amend and clarify how the five year housing requirement will be calculated, taking account of completions since 2018 (rather than 2015).
- Amend the reasoned justification and housing trajectory to accurately reflect updated evidence relating to commitments and allocations.
- Amend the development requirements for eight housing allocations removed from the Green Belt so that the Plan is effective in securing permanent boundaries and compensatory improvements to remaining Green Belt.
- Amend the development requirements for the housing allocation on the former Rossington Colliery so that the Plan is effective in securing a permanent Green Belt boundary.
- Remove existing traveller sites from the Green Belt to ensure consistency with national policy.
- Remove land from the Green Belt and add new policies to allow the existing Polypipe business at Edlington to expand and ensure that the Plan is effective in facilitating the development of a strategic rail freight interchange at iPort, Rossington.
- Identify land at Carcroft Common as a potential employment development site rather than a proposed allocation.

- Edit and restructure policy 7 so that it is effective in ensuring that development at Doncaster Sheffield Airport is sustainable and consistent with national policy.
- Clarify that various road and rail schemes are long term aspirations rather than proposals in the Plan.
- Clarify the requirements for cycle storage and car parking.
- Clarify the policies relating to hot food takeaways and other food and drink uses.
- Clarify the policy relating to betting shops, pay day loan units and pawnbrokers.
- Clarify the policies relating to green infrastructure and open space provision in development.
- Amend the area of search for wind energy development to reflect updated landscape evidence.
- Amend policies relating to minerals so that they are effective and justified in terms of ensuring an adequate supply and safeguarding resources and infrastructure.
- Amend the Glossary to ensure that the definitions are consistent with national policy and that the Plan's policies can be effectively applied.
- Various other modifications to ensure that the Plan is positively prepared, justified, effective and consistent with national policy.

## Introduction

1. This report contains my assessment of the *Doncaster Local Plan 2015-2035* ("the Plan") in terms of Section 20(5) of the *Planning & Compulsory Purchase Act 2004* (as amended) ("the 2004 Act"). It considers first whether the Plan's preparation has complied with the duty to cooperate. It then considers other legal requirements, and whether the Plan is sound. The *National Planning Policy Framework* ("NPPF") makes it clear that in order to be sound, a local plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination was the assumption that *Doncaster Metropolitan Borough Council* ("the Council") submitted what it considered to be a sound plan. The *Doncaster Local Plan 2015-2035 Publication Version* submitted in March 2020, is the basis for my examination<sup>1</sup>. It is the same document as was published for consultation in August 2019.
3. Alongside the Plan, the Council submitted schedules of suggested changes and minor typographical and cartographical amendments<sup>2</sup>. As they had not been subject to public consultation prior to submission, I did not treat them as part of the Plan to be examined. Rather, I took them into account, along with other changes proposed by the Council and representors, during the examination.

## Main Modifications

4. In accordance with section 20(7C) of the 2004 Act, the Council requested that I should recommend any main modifications necessary to rectify matters that make the Plan unsound and/or not legally compliant and thus incapable of being adopted<sup>3</sup>. My report explains why the recommended main modifications, all of which relate to matters that were discussed at the examination hearings, are necessary. The main modifications are referenced in bold in the report in the form **MM1**, **MM2** etc. and are set out in full in the Appendix.
5. Following the examination hearings, the Council prepared schedules of proposed main modifications and changes to the policies map, and carried out further sustainability appraisal and habitats regulations assessment<sup>4</sup>. These documents were subject to public consultation for six weeks in February and March 2021. I have taken account of the consultation responses in coming to my conclusions in this report and have made some amendments to the detailed wording of the main modifications as a result. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes, sustainability appraisal, or habitats regulations assessment. Not in all cases, but where necessary, I have highlighted these amendments in the report.

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<sup>1</sup> CSD3.

<sup>2</sup> CSD5 and CSD6.

<sup>3</sup> Council letters dated 4 March 2020 [CSD1] and 5 February 2021.

<sup>4</sup> DMBC28, DMBC28.1, DMBC29, DMBC30 and DMBC31.

## Policies map

6. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as the *Doncaster Local Plan 2015-2035 Regulation 19 Publication Version Policies Map*<sup>5</sup>.
7. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, a number of the published main modifications to the Plan's policies require further corresponding changes to be made to the policies map. In addition, there are some instances where the geographic illustration of policies on the submission policies map is not justified and changes to the policies map are needed to ensure that the relevant policies are effective.
8. These further changes to the policies map were published for consultation alongside the main modifications<sup>6</sup>. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in the *Doncaster Local Plan 2015-2035 Regulation 19 Publication Version Policies map* and the further changes published alongside the main modifications.

## Plan Context

### *Geography*

9. Doncaster Borough in South Yorkshire is a geographically large metropolitan area with a population of over 300,000. The main town of Doncaster, which is the administrative, commercial and educational hub, is located in the centre of the Borough on the river Don. The former mining settlements of Mexborough, Denaby and Conisbrough lie to the west; Stainforth to the east; Adwick and Carcroft to the north; and Rossington to the south east. The historic market towns of Thorne, Tickhill and Bawtry, along with numerous commuter villages and hamlets, are scattered around the extensive rural parts of the Borough. Approximately half the Borough, to the west of the East Coast Main Line, is Green Belt.
10. The Borough forms part of the Sheffield City Region, along with Barnsley, Bassetlaw, Bolsover, Chesterfield, Derbyshire Dales, North East Derbyshire, Rotherham and Sheffield.

### *The Development Plan*

11. The Plan will replace the *Doncaster Council Core Strategy 2011 to 2028* ("core strategy", adopted 2012)<sup>7</sup> and the policies in the *Doncaster Unitary*

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<sup>5</sup> CSD4.

<sup>6</sup> *Schedule of Amendments – Policies map* [DMBC29].

<sup>7</sup> OTH3.

*Development Plan* ("UDP", adopted 1998)<sup>8</sup> that were saved in 2007. Along with the *Barnsley, Doncaster and Rotherham Joint Waste Plan* (adopted 2012)<sup>9</sup> and any made neighbourhood plans<sup>10</sup> it will form the statutory development Plan for the Borough.

12. Following adoption of the core strategy, the Council prepared a *Sites and Policies Development Plan Document* which was submitted for examination in 2014. However, following a number of hearings the examining Inspector wrote to the Council setting out some significant concerns about the assessment of housing need, the site selection methodology, flood risk, and the complexity of the document<sup>11</sup>. As a result, the document was withdrawn. In October 2014, the Council decided to prepare a new local plan. The current Plan is based on new evidence and, as noted above, will replace the core strategy. However, in so far as the findings of my colleague Inspector are still relevant, I have taken them into account.

### *Coronavirus pandemic and changes to the planning system*

13. Shortly after the Plan was submitted for examination, the country was hit by the coronavirus pandemic. The medium and long term social, economic and environmental impacts of the pandemic for the implementation of the Plan could be significant but are difficult to predict.
14. On 21 July 2020, the Government published *The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020*. Some of the main modifications recommended in this report are in response to those changes to the Use Classes Order which came into effect on 1 September 2020.
15. In August 2020, the Government published for consultation further changes to the current planning system, along with proposals aimed at creating a significantly simpler, faster and more predictable planning system including a new approach to plan-making<sup>12</sup>. The former are subject to transitional arrangements that mean that the proposed revised standard method for assessing housing numbers does not apply to this Plan.
16. With regard to the pandemic and longer term planning reform, the Government has made it clear that it is important to get local plans in place under the current system. That is what the Council wishes to do, and I have carried out the examination accordingly.

## **Public Sector Equality Duty**

17. The Council carried out an *Equalities Impact Assessment* to inform the preparation of the Plan<sup>13</sup>. I have had due regard to the three aims expressed in section 149(1) of the *Equality Act 2010* and in particular considered how the Plan's policies and proposals are likely to affect people from groups with

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<sup>8</sup> OTH1.

<sup>9</sup> OTH4.

<sup>10</sup> At the time of the examination, there were made five made neighbourhood plans and six other designated neighbourhood areas with plans at various stages of preparation.

<sup>11</sup> "Final letter stage 1v2" dated 3 June 2014 (under "Previous Examinations" in "Other Documents" section of the examination library).

<sup>12</sup> *Changes to the current planning system: consultation on changes to planning policy and regulations* (MHCLG August 2020) and *White Paper: Planning for the Future* (MHCLG August 2020).

<sup>13</sup> CSD8.

"protected characteristics"<sup>14</sup>. This has involved my consideration of several matters during the examination including those relating to different types of housing need, including for people with disabilities, the elderly, and travellers; promoting sustainable transport; achieving sustainable and accessible design; creating safe and secure places; improving town centres; locating hot food takeaway developments; and providing new education and other community facilities. My findings in relation to those matters are set out in subsequent sections of this report.

## **Assessment of Duty to Cooperate**

18. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation - the duty to cooperate in relation to the preparation of a local development document in so far as relating to a strategic matter<sup>15</sup>.
19. The Council's *Statement of Compliance with the Duty to Cooperate* and *Statements of Common Ground*<sup>16</sup> set out in considerable detail how it worked with other local authorities and relevant prescribed bodies during the preparation of the Plan. A variety of methods were used to work cooperatively including one to one meetings, email correspondence, telephone conversations, workshops, working party meetings, Sheffield City Region Heads of Service meetings and the Yorkshire and Humber Aggregates Working Party.
20. The strategic matters addressed through joint working included housing, employment, transport, flood risk, air quality, minerals, green infrastructure, and community facilities. The matters that required the most cooperative working to address related to the impact of development on the strategic and local highway network within and beyond the Borough, and Doncaster's contribution to meeting the need for aggregate minerals in Yorkshire and Humber and the East Midlands.
21. The proposals in the Plan reflect the outcome of the joint-working on those strategic matters and none of the prescribed bodies or other relevant organisations have indicated that they are dissatisfied with their liaison with the Council. Thus, whilst there are a number of soundness issues related to some strategic matters that I consider in subsequent parts of this report, I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to cooperate has therefore been met.

## **Assessment of Other Aspects of Legal Compliance**

22. Section 20(5)(a) of the Act requires me to consider whether the requirements of sections 19 and 24(1), and regulations under section 17(7) and any regulations under section 36 have been complied with. My findings in relation

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<sup>14</sup> Age; disability; gender reassignment; marriage and civil partnerships; pregnancy and maternity; race; religion or belief; sex; and sexual orientation (section 149 of the *Equality Act 2010*).

<sup>15</sup> For the purposes of this Plan, "strategic matters" include sustainable development or use of land that has or would have a significant impact in at least two planning areas (section 33A(4) of the 2004 Act).

<sup>16</sup> CSD12 and CSD13.1.

to these, and all other relevant legal requirements, are summarised in the paragraphs below.

### *Local development scheme*

23. The Council's *Local Development Scheme* setting out the scope and timetable for the Plan was originally published in 2014. Changing circumstances necessitated a number of revisions to the timetable which led to updated versions being published, most recently in March 2020<sup>17</sup>. The Plan was prepared in accordance with the latest version of the scheme.

### *Public consultation and engagement*

24. The Council's *Regulation 22(1)(c) Statement of Consultation*<sup>18</sup> thoroughly demonstrates how the consultation carried out during the various stages of Plan preparation was in compliance with the Council's *Statement of Community Involvement* adopted in July 2015<sup>19</sup>. More stages of consultation were held than required by the regulations. Whilst not explicitly setting out the weight that the Council attached to consultation responses, that is not a legal requirement and it is clear that they were taken into account. The documented evidence sets out the relevant planning issues. Where necessary, I consider those issues in my assessment of soundness in the subsequent sections of this report.
25. Consultation on the main modifications was carried out in a proportionate way, having regard to the principles set out in the statement of community involvement and relevant regulations and guidance in response to the coronavirus pandemic. One main modification that had previously been published by the Council and discussed at a hearing session was omitted in error from the schedule published for consultation in February 2021. However, this was rectified during the consultation period<sup>20</sup>, all relevant representors were informed directly, and I am satisfied that no party's interests have been prejudiced. Further details are set out later in this report.

### *Sustainability appraisal*

26. The Plan was subject to sustainability appraisal during its preparation and to inform the proposed main modifications<sup>21</sup> as required by relevant legislation<sup>22</sup>. No statutory consultees have raised any significant concerns about the sustainability appraisal process. There were a number of criticisms made by other representors about particular aspects of the appraisal, the most significant of which were then addressed in an addendum published in March 2020 and in the updated report published alongside the main modifications in February 2021<sup>23</sup>.
27. The appraisal was a substantial piece of work that started early in the Plan making process and continued up to submission and during the examination.

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<sup>17</sup> CSD14.

<sup>18</sup> CSD10.

<sup>19</sup> CSD9.

<sup>20</sup> Main modifications consultation addendum published 4 March 2021 [DMBC28.1].

<sup>21</sup> CSD7, CSD7.1 to CSD7.7 and DMBC30

<sup>22</sup> Sections 19(5) and 39 of the 2004 Act and the *Environmental Assessment of Plans and Programmes Regulations 2004*.

<sup>23</sup> CSD7 and DMBC30.

It adopted a systematic approach, in line with legal requirements and relevant guidance. The appraisal framework contained 14 social, economic and environmental objectives, along with associated sub objectives and assessment criteria. Whilst alternative objectives and criteria could have been used, those chosen were reasonable, being capable of consistent application based on available evidence.

28. A number of reasonable alternatives were assessed in terms of different levels of housing and employment growth; spatial options for accommodating development across the Borough; potential site allocations; policy approaches; and minerals sites and areas of search. This provided a reasonably consistent guide that the Council used to help inform its choices about what to include in the Plan, and where necessary to help assess potential main modifications.
29. Whilst the sustainability appraisal helped to inform decisions about which sites to include, and not include, as allocations in the Plan, this was part of a seven stage process that also utilised further evidence about flood risk, Green Belt purposes, viability, access, and other technical issues in the context of the Council's preferred spatial strategy. The fact that the appraisal scored some sites that are not allocated in the Plan more favourably than some allocations does not invalidate that overall site selection process.
30. Irrespective of whether the former Blaxton Quarry at Auckley was classified as brownfield or greenfield, the Council considers that its location means that it would not have been chosen as an allocation due to the Plan's overall spatial strategy and associated distribution of development sites. I have taken account of the sustainability appraisal re-assessment of this site at main modifications stage on the basis that it is greenfield<sup>24</sup>, and the representations made about that including with regard to its landscape character and accessibility. Based on all that I have read and heard, I am satisfied that the site's non-inclusion as an allocation does not make the Plan unsound.
31. Overall I am satisfied that the sustainability appraisal was proportionate, objective, underpinned by relevant and up to date evidence, and compliant with legal requirements and national guidance<sup>25</sup>.

#### *Habitats Regulations Assessment*

32. The Plan was subject to a Habitats Regulations Assessment during its preparation and at main modifications stage<sup>26</sup> as required by the *Conservation of Habitats and Species Regulations 2017* (as amended). This concluded that the Plan would not affect the integrity of Thorne Moors, Hatfield Moors, the Lower Derwent Valley or Humber Estuary protected sites provided that amendments were made to a number of policies. The policies in the submitted Plan include those amendments. No statutory consultees or other relevant organisations dispute the findings of the assessment. However, Natural England suggest that one of the proposed main modifications be amended to ensure that the Plan is effective in protecting the integrity of nightjar populations close to the Thorne Moor and Hatfield Moor Special Protection Areas. The Habitat Regulations Assessment has been amended to reflect this

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<sup>24</sup> DMBC30 section 3.4.

<sup>25</sup> PPG ID:11.

<sup>26</sup> SDEB35 and DMBC31.

advice, and I recommend a main modification accordingly as set out later in this report under my consideration of policy 60 relating to wind energy development. I am therefore satisfied that the relevant legal requirements relating to Habitats Regulations Assessment have been met.

### *Climate change*

33. The Plan includes policies designed to ensure that the development and use of land in the Borough contribute to the mitigation of, and adaptation to, climate change as required by the 2004 Act<sup>27</sup>. These include policies relating to the overall spatial strategy and the allocation of land for development which aim to minimise the need to travel and avoid flood risk; sustainable transport; protection and enhancement of green infrastructure and biodiversity; sustainable design; and low carbon and renewable energy.
34. Whilst some representors consider that the Plan fails to respond appropriately to the climate emergency acknowledged by the Council, it has to meet the tests of soundness. For the reasons set out throughout this report, subject to the main modifications, I conclude that the Plan is sound and contains appropriate policies to help mitigate and adapt to climate change in the context of current national policy including by helping to shape places in ways that contribute to radical reductions in greenhouse gas emissions<sup>28</sup>.
35. There is no national policy requirement for the Plan to include targets for reductions in greenhouse gases in the Borough. The Council advised during the examination that it will take account of future changes to national and local policies and initiatives relating to climate change, such as *Doncaster's Commission on the Climate Change and Biodiversity Emergency Interim Position Statement*<sup>29</sup>, as it keeps the Plan under review.

### *Strategic priorities*

36. The Plan's vision and objectives set out the Council's high level strategic priorities. These are then addressed through the subsequent policies in the Plan, particularly those that are classified as strategic (which I consider later in this report).

### *Superseded policies*

37. Paragraph 1.10 of the Plan makes clear that when adopted it will supersede all of the policies in the core strategy and the saved UDP policies, thus meeting the requirement of regulation 8(5) of the 2012 Regulations.

### *Other legal requirements*

38. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

### *Conclusion*

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<sup>27</sup> Section 19(1A) of the 2004 Act.

<sup>28</sup> NPPF 148.

<sup>29</sup> OTH71.

39. I therefore conclude that all relevant legal requirements have been complied with during the preparation of the Plan.

## Assessment of Soundness

### Main Issues

40. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified 22 main issues upon which the soundness of the Plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy or allocation in the Plan.

### **Issue 1: Is the approach in the Plan to look ahead to 2035 consistent with national policy or otherwise justified?**

41. When the Plan was prepared, the Council envisaged it would be adopted in 2020, and that remained the assumption when it was submitted for examination<sup>30</sup>. On that basis, the Plan looks ahead to 2035, including in terms of housing and employment land need and supply. As the Plan is now to be adopted in 2021, this does not meet the expectation that strategic policies should look ahead over a minimum 15 year period from adoption<sup>31</sup>. However, for the reasons set out later in this report, I am satisfied that the Plan sets out a positive approach and includes flexibility to ensure that, as a minimum, identified development needs can be met, and includes opportunities for development to continue beyond 2035. The Plan will be reviewed at least once every five years and updated if required. I do not, therefore, consider it necessary to modify the Plan so that it explicitly looks ahead to 2036 or beyond.

### *Conclusion*

42. I therefore conclude that the approach in the Plan to look ahead to 2035 is justified.

### **Issue 2: Does the Plan set an appropriate framework, and allow an appropriate role, for neighbourhood plans in the Borough?**

43. National policy requires local plans to make explicit which policies are strategic and clearly distinguish those that are non-strategic<sup>32</sup>. The distinction has implications for neighbourhood plans, as they must be in general conformity with the strategic policies in the development plan that covers the area. Five neighbourhood plans have been made in the Borough, and there are six other neighbourhood areas designated with plans at various stages of preparation.
44. The Plan identifies 33 out of a total of 72 policies as being strategic. The Council, as local planning authority, has responsibility for determining which policies in its Plan are strategic and it considers those 33 to be of particular importance to delivering the Plan's vision and objectives. It has given the matter careful consideration, having regard to national policy and guidance which leaves a considerable amount of discretion. Whilst other approaches to

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<sup>30</sup> CSD14 Table 1.

<sup>31</sup> NPPF 22.

<sup>32</sup> NPPF paragraphs 20-23 and 28, and PPG ID: 41-076-20190509.

this issue could well also be justified, I am satisfied that all of the 33 policies identified in the Plan as strategic can reasonably be considered to be so in the context of the relevant national policy and guidance I have referred to.

45. Subject to the main modifications recommended in this report, the Plan should be effective in ensuring that identified housing needs in the Borough are met. There is no requirement, therefore, for neighbourhood plans to identify opportunities for additional housing development, although they could if they wish provided that this was in general conformity with the strategic policies. In this context, there is no need for the Plan to set out a housing requirement figure for any of the designated neighbourhood areas as referred to in national policy<sup>33</sup>. In order to provide clarity on this matter, and thereby ensure that the Plan is effective, a main modification is required following paragraph 4.48 [MM29].

### Conclusion

46. Subject to the main modification I have described, the Plan sets an appropriate framework, and allows an appropriate role, for neighbourhood plans in the Borough.

### **Issue 3: Is the strategic aim set out in policy 3 to facilitate the delivery of at least 481 hectares of employment land in the period 2015 to 2035 justified and positively prepared?**

47. The *Economic Forecasts and Housing Needs Assessment* indicates that a total of 28 hectares of net additional employment land would be needed between 2015 and 2032 under the baseline scenario (0.6% job growth), or 193 hectares assuming 1% job growth<sup>34</sup>. The Council's subsequent *Employment Land Need Assessment* indicates a need for 481 hectares between 2015 and 2035 under the 1% job growth scenario. This took account of job growth expected in different sectors and the associated floorspace and land requirements, but also includes 173 hectares to allow for frictional vacancy, provide choice to the market, and take account of loss of employment land to other uses<sup>35</sup>.
48. The 1% job growth assumption, whilst broadly consistent with long term employment trends in the Borough, would require a number of sectors to perform more strongly than under the baseline scenario. Predicting economic performance many years ahead is of course difficult, and the additional uncertainties associated with the coronavirus pandemic and leaving the European Union cast further doubt on whether this level of employment growth can be achieved and sustained throughout the Plan period. However, 1% job growth is clearly the aspiration not only of the Council but also the Sheffield City Region, and the quantity of employment land proposed is broadly in line with the amount developed in the Borough since the turn of the century<sup>36</sup>.

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<sup>33</sup> NPPF paragraphs 65 and 66.

<sup>34</sup> SDEB44 paragraph 5.10.

<sup>35</sup> SDEB8 chapter 6.

<sup>36</sup> 483 hectares of employment land were developed in the Borough between 2000 and 2017 [SDEB10 section 2.5 table 2]

49. The 481 hectares represents an annual average of 24 hectares. This is significantly below annual average take up since 2015<sup>37</sup>. Much of the identified need is for sites suitable for storage and distribution uses, particularly on large sites near the strategic road network. Between 2015 and 2018, over 100 hectares of such employment land was developed, and that trend has continued in the last three years<sup>38</sup>. However, past experience shows that large warehouse developments tend to lead to large increases in floorspace in particular years<sup>39</sup>, and there is no certainty that recent rates will continue throughout the rest of the Plan period. It is, therefore, reasonable to rely on longer term average trends as well as the sectoral forecasts based on the 1% job growth ambition.
50. I am, therefore, satisfied that the aim to facilitate the delivery of 481 hectares of employment land is aspirational but deliverable. However, to ensure that the Plan is justified, and that supply can be effectively monitored against need, paragraph 4.26 should be modified to explain that the need for 481 hectares is based on evidence of need for 14 hectares for offices, 124 hectares for business and industry, and 344 hectares for storage or distribution uses [MM15].

### *Conclusion*

51. The strategic aim set out in policy 3 to facilitate the delivery of at least 481 hectares of employment land in the period 2015 to 2035 is positively prepared, but paragraph 4.26 needs to be modified to explain how that need is made up in terms of land for office, industrial, and storage or distribution uses.

### **Issue 4: Is the Plan based on adequate and proportionate evidence about the quantitative and qualitative need for office, retail and leisure development in the Borough?**

52. The Council's evidence indicates a need for around 115,000 sqm of additional office floorspace over the Plan period<sup>40</sup>. This is consistent with the figure of 14 hectares factored into the employment land requirement of 481 hectares, although some of the office development is expected to be accommodated in town centres.
53. The quantitative and qualitative need for retail and leisure development is set out in the *Retail, Leisure and Town Centre Study (2015)* with further information in the *Doncaster Local Plan Retail Strategy (2019)* and *Retail Topic Paper (2020)*<sup>41</sup>. This indicates a need for between 12,300 sqm and 33,700 sqm of additional comparison goods floorspace and up to 8,300 sqm of additional convenience goods floorspace between 2015 and 2032<sup>42</sup>. Whilst there are uncertainties about forecasting future shopping habits, particularly as a result of the pandemic, there is no substantive evidence to indicate that these estimates of additional floorspace should not be used to inform the Plan.

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<sup>37</sup> SDEB7 Graph T5 (page 11).

<sup>38</sup> 120 hectares of employment land developed between 2018 and 2021 according to evidence submitted on behalf of Blue Anchor in representations made about the proposed modifications (March 2021).

<sup>39</sup> As above.

<sup>40</sup> SDEB8 Table 12.

<sup>41</sup> SDEB40.1 to SDEB40.4, SDEB41, and DMBC5.

<sup>42</sup> SDEB40.1 Tables 9.1 and 9.2.

In order for the Plan to be justified and effective, the relevant evidence should be referred to in chapter 4 along with that relating to housing and employment land needs [MM30].

### *Conclusion*

54. The Plan is based on adequate and proportionate evidence about the quantitative and qualitative need for office, retail and leisure development in the Borough.

### **Issue 5: Is the strategic aim set out in policy 3 to facilitate the delivery of 18,400 new homes in the period 2015 to 2035 (920 per year) positively prepared, effective and consistent with national policy?**

55. Policy 3 in the Plan sets out a strategic aim to facilitate the delivery of 18,400 new homes in the period 2015 to 2035 at an average rate of 920 per year. This is significantly in excess of the local housing need figure calculated using the standard methodology set out in national guidance, which was 585 homes per year when the Plan was prepared and 553 homes per year when it was submitted for examination in March 2020.
56. The significant uplift is intended to allow additional people to live in the Borough to ensure a sufficient working population to take account of the number of additional jobs that the Plan aims to accommodate. This is based on reasonable assumptions about economic activity rates, unemployment, double-jobbing and commuting. If all those assumptions are correct, and the 1% job growth were to be achieved every year of the Plan period, the evidence indicates that nearly 1,100 new homes could be needed every year. Such household growth would be broadly in line with the number of new homes built in recent years, although significantly higher than the longer term average level of completions<sup>43</sup>.
57. Predicting household growth is not an exact science, and I am satisfied that the uplift of over 60% from the standard local housing need figure is based on proportionate evidence and can be regarded as aspirational but deliverable given the number of homes built in recent years. Furthermore, as I conclude later in this report, achieving a total of around 920 new homes per year is likely to mean that the identified need for affordable homes can be met. Given this, and the uncertainties about whether all of the aspirational economic assumptions will hold true, there is no soundness need to modify the Plan to further increase the housing requirement to 1,100 dwellings per year.
58. The aim of accommodating 920 new homes per year is, therefore, justified. However, in order to ensure the Plan is up to date and effective, and that housing need is aligned with the date at which reliable information about housing supply was available when the Plan was submitted, the 920 figure should be expressed from 2018 onward, rather than 2015. Policy 3 and associated reasoned justification need to be modified accordingly, and also to make clear that 920 is the minimum number of net additional homes needed annually between 2018 and 2035. That represents a minimum total of 15,640 over that period, which should also be referred to in policy 3. This will ensure

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<sup>43</sup> An average of 778 new homes were built between 2001 and 2018 [DMBC7 PQ20].

that this aspect of the Plan is positively prepared, effective and consistent with national policy [**MM14** and **MM20**].

### *Conclusion*

59. For the reasons set out above, policy 3 needs to be modified to ensure that it sets out a minimum housing requirement of 15,640 net additional homes between 2018 and 2035 (920 per year).

### **Issue 6: Is the strategic approach, including the settlement hierarchy and broad distribution of development, set out in policies 1, 2 and 3 justified and consistent with national policy and will it be effective in helping to achieve sustainable development?**

#### *Policy 1: presumption in favour of sustainable development*

60. Policy 1 sets out a presumption in favour of sustainable development. Whilst this is based on, and is intended to be consistent with, paragraph 11 and other parts of the NPPF, it uses some different terminology. This would not be effective as it has the potential to confuse decision making. National guidance advises that there is no need for a plan to replicate the NPPF wording<sup>44</sup>. I therefore recommend that policy 1 and the reasoned justification be deleted [**MM01** and **MM02**].

#### *Policies 2 and 3: spatial strategy, settlement hierarchy, and level and distribution of growth*

61. Policies 2 and 3 are both lengthy and complex, containing a mixture of objectives, strategic and development management policies, and reasoned justification. I deal with a number of issues associated with the substantive content of those policies below. However, irrespective of my findings in relation to those, both policies need to be edited and restructured in order to ensure that they are clearly written, unambiguous, and consistent with each other so that it is evident how a decision maker should react to development proposals<sup>45</sup> [**MM03** and **MM14**]. These modifications ensure that the spatial strategy is clearly described in the introduction to chapter 4; policy 2 sets out the settlement hierarchy and distribution of development across the Borough; and policy 3 sets out the quantities of housing and employment land that need to be made available.

#### *Settlement hierarchy*

62. Policy 2 sets out a settlement hierarchy which is justified by up to date and proportionate evidence<sup>46</sup> and is used to inform the distribution of development. The approach aims to ensure that new homes are directed to the larger settlements with most services and facilities and that jobs are in accessible locations. However, the actual distribution of development proposed in the Plan is also influenced by a number of other factors that affect

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<sup>44</sup> PPG ID-61-036-20190723.

<sup>45</sup> NPPF 16d.

<sup>46</sup> *Settlement Audit 2017 Update* and *Settlement Audit 2020 Update* [SDEB2.1 and 2.2] and *Settlement Strategy* [SDEB3].

the availability of suitable sites, including flood risk and Green Belt. I return to the implications of that later in this report.

63. Each of the settlements in the hierarchy is indicated on the key diagram and defined on the policies map. Chapter 16 of the Plan includes profiles and defines the role and function of each of the settlements. In some cases, they actually comprise two or more contiguous, adjacent or closely related settlements<sup>47</sup>. Whilst no doubt alternative ways of grouping or separating settlements could have been taken, the approach taken by the Council, who has primary responsibility for such matters, is reasonable and justified by the analysis carried out, actual geographic relationships, and other relevant factors such as parish council boundaries and neighbourhood plan areas. I comment on some specifics below.

#### *Doncaster main urban area*

64. The main urban area comprises a contiguous, irregular-shaped area including Doncaster town centre and surrounding suburbs and employment sites. Its western side is defined by Green Belt.

#### *Main towns*

65. The seven main towns comprise large coalfield settlements and market towns with the greatest range of services and facilities: Adwick and Woodlands; Mexborough; Conisbrough and Denaby; Rossington; Armthorpe; Dunscroft, Dunsville, Hatfield and Stainforth; and Thorne and Moorends. The first four of these settlements are wholly or largely surrounded by Green Belt, whereas the latter three are in the countryside to the east of the main urban area.
66. Whilst it may have been a reasonable alternative to include Armthorpe as part of the Doncaster main urban area, a degree of physical separation remains and it has its own district centre and other facilities meaning that its categorisation as a main town is justified. Furthermore, it is covered by a recently made neighbourhood plan<sup>48</sup> which, in accordance with national policy<sup>49</sup>, the Council took into account when preparing the Plan. As that neighbourhood plan identifies land with capacity for over 1,000 new homes, it was reasonable for the Council to choose not to allocate further sites in Armthorpe notwithstanding its proximity to the main urban area.

#### *Service towns and villages*

67. The ten service towns and villages each have a good range of facilities: Askern; Carcroft-Skellow; Barnburgh-Harlington; Sprotbrough; Edlington; Tickhill; Bawtry; Finningley; Auckley-Hayfield Green; and Barnby Dun. The first seven of these settlements are wholly or largely surrounded by Green Belt, whereas the latter three are in the countryside to the east and north east of the main urban area.
68. Auckley and Hayfield Green are closely related, form part of a single parish, and collectively have a range of services and facilities that justify their place in

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<sup>47</sup> In the interests of brevity, reference to "settlement" throughout this report is to the settlement or group of settlements as defined in the Plan's hierarchy.

<sup>48</sup> *Armthorpe Neighbourhood Plan*, November 2018 [OTH10].

<sup>49</sup> PPG ID:61-006-20190723.

the settlement hierarchy. I conclude later in this report that policy 7 relating to Doncaster Sheffield Airport, including the significant amount of housing development linked to job growth, is justified subject to a number of modifications. Whilst different decisions could have been made about the amount and location of development in this part of the Borough, including at the airport, Auckley-Hayfield Green and nearby villages of Finningley, Branton and Blaxton, I am satisfied that the approach taken in the Plan is sound in the context of the responsibility the Council has to determine such matters.

69. Sprotbrough village in the Green Belt to the west of the A1(M) is physically separate from other built up parts of the parish which are justifiably included in the main urban area.

#### *Defined villages*

70. The forty defined villages have a limited range of local services and facilities. Fourteen are in the countryside to the east of the main urban area, whereas the others are inset from and surrounded by Green Belt.

#### *Countryside and development limits*

71. All land outside the development limits of the main urban area, main towns, service towns and villages, and defined villages as shown on the policies map is either Green Belt or categorised as "countryside" for the purposes of applying policies in the Plan. To be clear, and therefore effective, the headings to policy 2 part 5 and policy 26 need to be modified to refer to "countryside policy area" [**MM04** and **MM146** to **MM149**].
72. The development limits are based on systematic, up to date evidence and an approach that, whilst inevitably involving professional judgement, was applied with a reasonable degree of consistency<sup>50</sup>. Other approaches could have been taken, and different decisions could have been made about particular sites on the edge of settlements. However, I am satisfied that the Council's methodology and judgements were rational meaning that policies in the Plan can be effectively applied to relevant geographical areas in a justified manner.
73. That said, modifications are needed to policies 2 and 26 to ensure that the approach to development outside development limits is sound in all respects. Policy 26 part 3 needs to be modified to make clear that proposals for new dwellings in the countryside policy area will be supported in line with national policy for entry level exception sites, rural exception sites, and isolated new homes of exceptional design quality [**MM146**]. Subject to this, the approach in policy 2 part 5 to allowing development on land adjoining defined villages in "exceptional circumstances", which is not justified or consistent with national policy, can be deleted [**MM04**].
74. Consequential changes are needed to various parts of the Plan to ensure consistency with policies 2 and 26 as modified [**MM08** to **MM11**, **MM27**, **MM28**, **MM101**, **MM143** to **MM146**, **MM232**, **MM234** and **MM343**].

#### *Strategic approach to distribution of housing land*

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<sup>50</sup> *Identifying Development Limits*, August 2019 [SDEB1].

75. Policy 2 states that at least 50% of new homes will go to the main urban area, approximately 40% to the main towns, and about 10% to the service towns and villages. This approach was chosen by the Council following consideration of reasonable alternatives, consultation responses and the sustainability appraisal. However, as noted above, the actual distribution of development proposed in the Plan is influenced by the availability of suitable sites having regard in particular to flood risk and the impact of releasing land from the Green Belt. This has resulted in 45% of all new homes proposed for the period 2018 to 2035 being in the main urban area; 40% at main towns; and 15% in the service towns and villages<sup>51</sup>. In other words, the allocations in the Plan are likely to lead to a more dispersed pattern of development in the Borough than proposed in policy 2 (and in the existing core strategy).
76. Various iterations of the sustainability appraisal undertaken during the preparation of the Plan identified benefits associated with steering over 50% of housing development to the main urban area, and disbenefits with a more dispersed approach. However, the appraisal ultimately concludes that the changes to the proportions of new homes in the main urban area and service towns and villages that arose through the allocations made in the Plan would not affect its overall findings<sup>52</sup>. I agree that the differences from the figures in policy 2 are not so great that they would undermine the aim of achieving sustainable patterns of development, or the vision and objectives set out in chapter 3 of the Plan. Moreover, increasing the proportion of housing development in the main urban area would require more land to be removed from the Green Belt or allocations in high flood risk areas or that would be unsuitable for other reasons. It was reasonable for the Council to reject those alternatives, and there is no compulsion for the Plan to carry forward the previous approach in the core strategy.
77. Furthermore, whilst it was reasonable to take localised housing needs in different parts of the Borough into account when determining the spatial strategy and deciding which sites to allocate, there is no requirement in national policy to meet needs on a settlement by settlement basis.
78. Decisions about the overall spatial strategy for an area and the broad distribution of housing are ultimately based on essentially subjective judgements that the local planning authority has primary responsibility for making. Thus, whilst others may have chosen a different spatial strategy for housing development, that proposed through the allocations in the Plan is justified as it was informed by a wide range of proportionate and relevant evidence including the sustainability appraisal.
79. However, in order to ensure that the Plan is internally consistent and therefore justified and effective, it is necessary to modify policies 2 and 3 so that they are consistent with the actual distribution of new homes between the top three tiers of the settlement hierarchy that is expected between 2018 and 2035 on the allocations made in the Plan [**MM03, MM21-MM24 and MM26**].
80. Consequential changes are needed to various parts of chapter 16 to ensure that the spatial proposals for different parts of the Borough are consistent with policies 2 and 3 as modified [**MM233, MM236, MM239-MM243, MM245-**

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<sup>51</sup> Table 3.3 in the Sustainability Appraisal Addendum [CSD7].

<sup>52</sup> CSD7 paragraph 3.5.1 and DMBC30 section 3.3.

**MM248, MM250, MM260-MM264, MM269, MM270, MM272, MM274, MM276, MM277, MM279, MM280, MM281, MM284, MM285, MM287-MM297, MM299, MM300, MM302, MM304, MM305, MM308 and MM309-MM316].**

*Strategic approach to distribution of employment land*

81. Policies 2 and 3 and associated reasoned justification all contain statements describing the strategic approach to the distribution of employment land in the Borough. However, as drafted there are some ambiguities and inconsistencies meaning that the approach is ineffective and poorly justified. This can be rectified by modifying those policies and the reasoned justification to make clear that: major new employment sites will be focused in locations accessible from the main urban area and main towns, at locations attractive to the market with good access to the strategic transport network that are also accessible via a range of transport modes, in order to support economic growth and regeneration [**MM03, MM14 and MM16-MM18**]. To ensure that the approach is effective, the glossary in appendix 1 needs to define what is meant by the strategic transport network which is indicated on figure 6 [**MM318**].
82. Subject to the above, given the types of industrial and warehouse uses expected<sup>53</sup>, this is a justified spatial strategy that should be effective in encouraging sustainable economic growth in ways that build on the Borough's strengths and meet anticipated development needs.

*Conclusion*

83. Subject to the main modifications described above, the strategic approach, settlement hierarchy and broad distribution of development set out in policies 2 and 3 are justified and consistent with national policy and will be effective in helping to achieve sustainable development. Policy 1 is not consistent with national policy and should be deleted.

**Issue 7: Are the sites allocated for housing and employment development in the Plan, and the approach to determining planning applications set out in policies 2, 57 and 58, consistent with national policy relating to development and flood risk?**

*Background*

84. Over 40% of the Borough is in areas with medium to high probability of flooding, primarily from rivers including the Don and Torne (a tributary of the Trent) and other watercourses, but also ground water and surface water. Those areas include large parts of Doncaster main urban area, Askern, Carcroft, Thorne/Moorends, Hatfield/Stainforth, and the M18 corridor.
85. National policy sets strict tests to protect people and property from flooding which all local planning authorities are expected to follow. All plans should apply a sequential, risk-based approach to the location of development. Development should not be allocated if there are reasonably available sites

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<sup>53</sup> Nearly two thirds of the employment land requirement is for B8 uses, and over half is for strategic warehousing [SDEB8 Table 12].

appropriate for the proposed development in areas with lower risk of flooding<sup>54</sup>.

86. The Inspector who examined the *Sites and Policies Development Plan Document* in 2014 concluded that the method of selecting allocations needed to be reconsidered to ensure that the testing of sites at risk of flooding was properly built into the process in line with national policy and guidance.

*Flood risk evidence and site selection methodology*

87. The Council responded to the previous examination Inspector's findings by withdrawing that development plan document and embarking on the preparation of the current Plan informed by new evidence. As part of that process, in 2015 the Council consulted on a draft site selection methodology and commissioned specialist consultants to carry out a strategic flood risk assessment. The level 1 strategic flood risk assessment report was published in November 2015<sup>55</sup>. This analysed flood risk from all sources in the Borough and assessed hundreds of potential allocations using all relevant information available at the time including about the probability of flooding, flood defences and residual risk.
88. National guidance advises that a level 2 strategic flood risk assessment may be needed if it is not possible to allocate all land for development outside flood risk areas and in such circumstances the Environment Agency should be contacted for advice<sup>56</sup>. In 2016, the Council commissioned a level 2 strategic flood risk assessment but, following discussions with the Environment Agency, it was agreed that it was not possible to complete that study due to lack of detailed hydraulic modelling information. Throughout the preparation of the Plan the Council worked closely with the Environment Agency and it is clear that the statutory body is satisfied with the flood risk evidence and the site selection methodology used by the Council, notwithstanding the lack of a level 2 assessment<sup>57</sup>.
89. *Topic Paper 2: Flood Risk*<sup>58</sup> and the *Housing and Employment Site Selection Methodology and Results Report*<sup>59</sup> describe how the allocations in the Plan were informed by the level 1 strategic flood risk assessment<sup>60</sup>, other relevant evidence, and the sustainability appraisal. In essence, the approach sought to avoid allocating sites in areas of higher flood risk<sup>61</sup> unless there were no other reasonable alternatives that would allow the Plan's objectives and spatial strategy to be achieved. The threshold of 20% of a site being at risk of flooding used in the sustainability appraisal provided a consistent starting point for identifying reasonable alternatives and further assessment, and there is no national policy requirement to adopt a higher proportion.

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<sup>54</sup> PPG ID:7-001 and NPPF 157 and 158.

<sup>55</sup> SDEB13.

<sup>56</sup> *How to prepare a strategic flood risk assessment* (DEFRA and Environment Agency July 2013, updated September 2020)

<sup>57</sup> DMBC2 section 10 and CSD12 and CSD13.1.

<sup>58</sup> DMBC2.

<sup>59</sup> SDEB46.

<sup>60</sup> The 2015 level 1 strategic flood risk assessment interactive map was updated to take account of updates to the Environment Agency's *Flood Map for Planning* [SDEB46 paragraph 7.2.2].

<sup>61</sup> Flood zones 2 (medium probability) and 3 (high probability).

### *Housing and employment allocations at risk of flooding*

90. The site selection process resulted in hundreds of sites put forward for consideration as potential allocations being discounted on the grounds of flood risk<sup>62</sup>. However, three employment sites and seven housing sites that did not have planning permission in 2018 are allocated in areas that are wholly or partially in flood zone 2 or 3. Four of those housing allocations now have planning permission or a resolution to grant permission, the Council being satisfied that the sequential and exceptions tests had been passed. The other three would not involve any new homes being built on the parts of the site at high risk of flooding. I am therefore satisfied that the housing allocations in the Plan are all justified in terms of flood risk.
91. The Bankwood Lane employment allocation in Rossington (18 hectares) is in an established industrial area and there are no reasonable alternative sites. Only 8% of the site is in flood zone 3, with over 80% being at low risk and I am satisfied that its allocation is justified. The Carcroft Common employment allocation is wholly within flood zone 3. I consider whether the assumption that 12 hectares will be developed on the site is justified later in this report.

### *Thorne North employment allocation and reasonable alternatives*

92. In order to help meet the identified need for employment land, in particular for strategic warehousing, in locations that accord with the spatial strategy set out in policies 2 and 3, suitable land needs to be allocated close to one of the junctions on the M18 or M180. The Thorne North site (74 hectares) close to M18 junction 6 is allocated in the Plan for that purpose.
93. There are three sites that are being promoted for employment development by representors that are not allocated in the Plan but are reasonable alternatives to Thorne North due to their size, location, suitability and availability:
- West Moor Park East (79ha<sup>63</sup>) at M18 junction 4 (ref 1031)
  - West Moor Park North (86ha) at M18 junction 4 (ref 013)
  - Thorne South (115ha) at M180 junction 1 (ref 160)
94. In order to determine if the Thorne North allocation is consistent with the sequential approach set out in national policy, it is necessary to consider whether any of the reasonable alternatives are at lower risk of flooding.
95. In addition to the Council's evidence used to inform the preparation of the Plan referred to above, site specific information about flood risk for the Thorne North allocation and the reasonable alternatives became available during the examination. At my request, this was summarised by the Council with inputs from the Environment Agency and relevant representors<sup>64</sup>.

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<sup>62</sup> SDEB46 Tables 7.1 and 7.2.

<sup>63</sup> A further 10ha of adjoining land in a different ownership is also being promoted for development by a representor (site ref 938/1014).

<sup>64</sup> Appendix 1 to the Council's response to AP2 published on 29 October 2020. Site specific flood risk information for West Moor Park East and West Moor Park North was published on 6 November 2020; for Thorne South on 13 November 2020; and for Thorne North on 17 September 2020 (appendix 3 to Lichfield's matter 8 hearing statement for Mr D Parkinson et al). Further evidence relating to Thorne South was submitted in response to the main modifications consultation (Appendices A, B and C to Spawforth's representation for Harworth Group, March 2021).

96. Flood risk is a combination of the probability and the potential consequences of flooding from all sources<sup>65</sup>. The probability of flooding from rivers and the sea is indicated by the Environment Agency's *Flood Maps for Planning*, although this does not take account of flood defences. The Environment Agency's *Extent of Flooding from Rivers and Sea Map* indicates the probability of flooding from those sources taking account of defences<sup>66</sup>.
97. The consequences of flooding include fatalities, health problems, emotional distress, property damage, disruption to lives and businesses, and financial loss. They depend on the depth of water, speed of flow, rate of onset, duration, wave-action, water quality and the vulnerability of the receptor<sup>67</sup>. As national guidance is clear that employment uses should be regarded as "less vulnerable" to flood risk, some of these consequences are not as significant as they would be for "more vulnerable" uses such as housing.
98. Therefore, assessing the level of risk for any site, and comparing that with other sites, involves a considerable degree of judgement. In order to inform my assessment of this issue, I asked the Council to exercise its judgement as local planning authority to rank the four sites in terms of relative flood risk using the available information that I have referred to above. The Council liaised with the Environment Agency who subsequently advised that it had no specific concerns about the methodology or information used to conduct the exercise<sup>68</sup>. Whilst the same type of information is not available for each of the four sites, I am satisfied that it is proportionate and adequate to make a reasonable judgement about the relative risk that each site is at from flooding.
99. The Thorne North site is in flood zone 3 but is protected by Environment Agency defences along the River Don that were provided and are maintained to protect thousands of existing homes and business, including in the town of Thorne. The defences, which are designed to direct flood water to the west rather than towards the site and Thorne, have protected the site during extreme flood events in recent times. The flood barrier on Jubilee Bridge has been effective since it was installed in 2012. Whilst the proximity of the site to the Don means that there would be rapid, deep inundation if the defences were breached or overtopped, the *Extent of Flooding from Rivers and Sea Map* shows that the actual probability of the vast majority of the site being flooded is low. Furthermore, the site is within a flood warning area, and the Council and Environment Agency are satisfied that employment development could be designed, and procedures put in place, to ensure users of the site would be safe, thereby providing a further safeguard against severe consequences.
100. Over half of the West Moor Park East site has a low probability of flooding, but more than 30 hectares of land nearest to the motorway are in flood zone 3 as would be part of the access road. Whilst it is not protected by flood defences from all sources of fluvial flood risk it is a considerable distance from the Don and Torne and benefits from the Isle of Axholme pumps and other drainage infrastructure. The *Extent of Flooding from Rivers and Sea Map* shows nearly half the site as having a medium probability of flooding. There is no evidence of the site being subject to significant flooding in the past.

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<sup>65</sup> PPG ID:7-002.

<sup>66</sup> SDEB13 paragraph 5.2.2, 5.2.4 and 5.2.5.

<sup>67</sup> SDEB13 paragraph 3.2.2.

<sup>68</sup> Environment Agency statement published 1 December 2020 in response to Council response to AP76.

101. The whole of the West Moor Park North site is within flood zone 3 and it is not protected by flood defences from all sources of fluvial flood risk. However, it is a considerable distance from the Don and Torne and benefits from the Isle of Axholme pumps and other drainage infrastructure. The *Extent of Flooding from Rivers and Sea Map* shows the site as having a medium probability of flooding.
102. Over 90% of the Thorne South site is in flood zone 3 and it is not protected by flood defences from all sources of fluvial flood risk. The flood zone classification is subject to a challenge on the grounds that it is incorrect<sup>69</sup>. The site is a considerable distance from the Don and Torne and benefits from the Isle of Axholme pumps and other drainage infrastructure. The *Extent of Flooding from Rivers and Sea Map* shows the site as having a medium probability of flooding. There is no evidence of the site being subject to significant flooding in the past. An assessment carried out by specialist consultants on behalf of the site promoter concludes that 78% of the site has a low or medium probability of flooding. The site is within a flood warning area, although there are no records of warnings being activated for the site.
103. The Council's assessment is that, in relative terms, employment development on the Thorne North and West Moor Park East sites would be at lower risk of flooding than on the other two sites. Having regard to all of the evidence before me, and the involvement of the Environment Agency, I agree that it is reasonable to conclude that the Thorne North site is not at higher risk than any of the three alternatives. Its allocation is, therefore, consistent with national policy relating to the flood risk sequential test. For the reasons set out later in this report, I also conclude that its allocation for employment uses is justified in other respects.

#### *Policies 2, 57 and 58: Flood risk and drainage*

104. A modification is required to strategic policy 2 and reasoned justification to ensure that decisions about the location of development made in neighbourhood plans or in response to proposals relating to sites not allocated in the Plan take account of the current and future challenges arising from having large areas at risk of flooding in the Borough in accordance with national policy [**MM06** and **MM12**].
105. Policies 57 and 58 set out development management requirements relating to drainage and flood risk management, including defining the geographical areas of search that proposals for different types of development on unallocated sites would need to apply the sequential test to. A main modification is required to limit this to only those individual settlements in the top 3 tiers of the settlement hierarchy for housing and industrial development and some uses in class E. This would ensure that the approach is effective, justified and consistent with national policy [**MM199**].

#### *Conclusion*

106. I therefore conclude that the sites allocated for housing and employment development in the Plan, and policies 2, 57 and 58, are consistent with

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<sup>69</sup> BWB letter to Environment Agency, 8 June 2020.

national policy relating to development and flood risk subject to the main modifications that I have described.

**Issue 8: Are there exceptional circumstances to justify the changes to the Green Belt proposed in the Plan, and are any other changes required to ensure effectiveness and consistency with national policy relating to Green Belts?**

*Housing allocations*

107. The Plan proposes to remove a total of 55 hectares of land on eight separate sites from the Green Belt in order to allocate them for housing development:

• Sheffield Road, Warmsworth (main urban area)	112 dwellings
• Alverley Lane, Balby (main urban area)	150 dwellings
• Sheffield Road / Old Road, Conisbrough	200 dwellings
• Westwood Road, Bawtry	20 dwellings
• Crabgate Lane, Skellow	300 dwellings
• Plot 3, Harlington	66 dwellings
• North of Cadeby Road, Sprotbrough	80 dwellings
• Sunderland Street, Tickhill	74 dwellings

108. In total, those sites have capacity for around 1,000 dwellings, all of which are expected to be delivered in the Plan period. I consider now whether there are exceptional circumstances to justify this approach as required by national policy.

*Other reasonable options for meeting the identified need for housing development*

109. The Council chose to remove those eight sites from the Green Belt to help meet housing needs at the Doncaster main urban area, the main town of Conisbrough, and five service towns and villages in accordance with the spatial strategy set out in policies 2 and 3. This followed a thorough consideration of all reasonable alternative non Green Belt sites in or well related to those settlements, and the allocation of all of those that are developable in the Plan period. However, to minimise the loss of Green Belt, the Plan should also include a realistic assumption about how much development is likely to come forward on smaller sites within those settlements. In other words, windfalls.

110. The housing supply identified in the Plan makes no allowance for windfalls. However, for many years, windfalls have consistently delivered over 400 homes per year. Policies 2 and 11 in the Plan are supportive of residential development on non-allocated sites within the development limits of the main urban area, main towns, and service towns provided that a number of criteria are met. In this context, there is compelling evidence that windfalls will continue to provide a reliable source of supply, meaning that an allowance should be included in the Plan to avoid unnecessary development in the countryside including that currently designated as Green Belt. In order to achieve an appropriate balance between ensuring that the Plan is positively prepared but also minimising the loss of Green Belt, I recommend a modification to include a cautious windfall allowance of 200 dwellings per year [MM51 and MM58]. A higher allowance is not justified given the fact that the

UDP was adopted in 1998 meaning that for many years a high proportion of housing development in the Borough has been on unallocated sites.

111. Based on this Borough-wide assumption, and taking account of how many windfalls have come forward in each of the seven settlements referred to above in recent years, there would still be a significant shortfall compared to the number of new homes that would be required in those towns and villages in accordance with policies 2 and 3 if the allocations were not removed from the Green Belt<sup>70</sup>. On the other hand, those allocations would make a reasonable and proportionate contribution such that the indicative housing needs for each of the settlements would be broadly met if the windfall contribution were also assumed.
112. I have already concluded that the overall spatial strategy and broad distribution of housing development proposed in policies 2 and 3 is justified. On that basis, and having regard to the above, I am satisfied that in principle the removal of land from the Green Belt to help meet housing needs in those seven settlements is justified as it is necessary to achieve a sustainable pattern of development in the Borough.
113. Furthermore, whilst a number of planning issues have been raised in relation to the sites (including about access, accessibility, flood risk, and landscape) the Council's assessments show that there are no insurmountable technical obstacles and that each site could be developed in a satisfactory manner. There is no substantive evidence to demonstrate that this is not the case. I deal with some issues specific to the site at Crabgate Lane, Skellow later in this report.
114. However, before concluding on whether exceptional circumstances exist I need to consider a number of other Green Belt issues referred to in national policy.

#### *Green Belt purposes*

115. Residential development on six of the eight allocations would have an overall moderate impact on the Green Belt purposes defined in national policy. In most cases, the greatest impact would be the encroachment into countryside that such development would represent, the proposed mitigation and compensation for which I deal with below. Development on the sites at Bawtry and Harlington would have only a limited impact on Green Belt purposes.

#### *Green Belt boundaries*

116. Most of the Green Belt boundaries to the eight allocations would follow readily recognisable physical features that are likely to be permanent meaning that the countryside beyond would be protected from encroachment. However, in order to ensure that this is the case at the sites at Warmsworth, Harlington, Sprotbrough and Tickhill, main modifications are needed to set out landscaping requirements [**MM320, MM333, MM335 and MM336**].
117. In order to correct mapping errors and therefore ensure that the Plan is justified and effective, modifications are needed to the appendix 2 plans for

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<sup>70</sup> The Council's note with respect to matter 4 Green Belt windfall published on 21 October 2020.

the sites at Conisborough (ref 040) and Skellow (ref 165/186) [**MM321** and **MM326**]. The policies map will need to be changed accordingly.

*Compensatory improvements to remaining Green Belt*

118. In order to ensure consistency with national policy, modifications are needed to the developer requirements in appendix 2 so that the Plan secures compensatory improvements to the environmental quality and accessibility of remaining Green Belt land close to each of the sites [**MM320, MM321, MM322, MM324, MM333, MM335** and **MM336**]. Whilst specific projects have not been identified for every site, there is a reasonable prospect that this policy objective, which is expressed flexibly, could be achieved when specific proposals are brought forward.
119. The schedule of main modifications published for consultation in February 2021 originally omitted to refer to such a requirement for the site at Skellow (ref 165/186). However, it was clear from material published earlier in the examination, and the specific discussions that took place at the relevant hearing session, that this was the Council's intention. The error was rectified during the consultation period<sup>71</sup>, and all relevant representors informed directly. There are no particular reasons why that site should be exempt from the requirements of national policy, and I am satisfied that no party's interests have been prejudiced. I therefore recommend a main modification accordingly [**MM326**].

*Conclusion on housing allocations removed from the Green Belt*

120. The eight housing allocations would collectively make a significant contribution to meeting the Borough's housing needs in ways that achieve the Plan's spatial strategy and a sustainable pattern of development. In each case, and collectively, the benefits would outweigh the limited or moderate harm that would be caused to Green Belt purposes. Subject to the main modifications that I have described, aimed at securing permanent new boundaries and compensatory improvements to existing Green Belt, I am satisfied that there are exceptional circumstances to justify removing the eight housing allocations from the Green Belt.

*Rossington Colliery*

121. The Plan adds 19 hectares of land on the southern part of the former Rossington colliery to the Green Belt. This land is proposed to be reclaimed as a new country park, and is located immediately to the south of a housing allocation on another part of the former colliery (ref 247). Following extensive changes to the landscape, the existing Green Belt boundary would no longer follow any recognisable physical feature, and would cut through the new country park meaning that it is necessary to define a new boundary. The most logical choice for this would be along the southern edge of the housing allocation adjoining the new country park as this would form a new edge of settlement with the open countryside. Provided that the development requirements in appendix 2 are modified to secure appropriate landscaping, the Plan should be effective in creating a new, strong, defensible and permanent Green Belt boundary [**MM328**]. On that basis I am satisfied that

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<sup>71</sup> Main modifications consultation addendum published 4 March 2021 [DMBC28.1].

there are exceptional circumstances to justify the redefined Green Belt boundary in this location as proposed in the Plan.

122. However, modifications are required to the map in appendix 2 to accurately reflect the extent of the planning permission for the housing site [**MM328**], and to paragraph 16.123 to describe and explain the reason for the Green Belt change [**MM265**]. Table H2(G) also needs to be amended to take account of the latest evidence about the expected timing of completions on the housing allocation [**MM267**]. These modifications will ensure that the Plan is justified and effective.

#### *iPort, Rossington*

123. iPort occupies a 79 hectare site in the Green Belt to the west of Rossington and is one of the UK's largest logistics developments including a rail freight intermodal container facility serving all UK ports and the channel tunnel. Given the size of the site, and the national, regional and local significance of the development proposed, it is important that the Plan sets out a clear and positive approach to facilitate its delivery in a sustainable way consistent with national policy. Whilst the existing planning permission could be implemented, the Plan provides no policy to help determine revised or additional proposals that may come forward on the site. Furthermore, it is clear from iPort's evidence that retention of the site in the Green Belt is acting as a significant deterrent to investment. The site no longer performs Green Belt functions, and a new boundary can be defined following clearly recognisable and defensible physical features around the site. There are therefore exceptional circumstances to justify modifying the Plan to remove the site from the Green Belt. Modifications are also needed to include an additional policy in chapter 16 relating specifically to iPort and to the reasoned justification [**MM265**, **MM266**, **MM268** and **MM345**]. These will ensure that this part of the Plan is sound in respect of all four tests.

#### *Polypipe, Edlington*

124. Polypipe in the service town of Edlington is one of the Borough's largest and most well-established employers. Its existing site is constrained, and the only way that the company can expand in its current location, as it wishes, is through the development of additional buildings on land on the opposite side of the road. The land is available, and a specific proposal is likely in the near future. This would bring considerable social and economic benefits, particularly given the limited opportunities for economic development in the western part of the Borough. In order to facilitate this in a way that is effective and consistent with national policy, the Plan needs to be modified to remove the expansion site from the Green Belt and to include a policy to allow that particular development and secure improvements to the remaining open space to the south and to Green Belt nearby [**MM19** and **MM307**].

#### *Other Green Belt issues*

125. A limited number of other minor changes have been made to detailed Green Belt boundaries to reflect physical changes on the ground that have occurred since they were originally defined and to correct mapping errors. These

changes are justified as they ensure that the boundaries use physical features that are readily recognisable and likely to be permanent.

126. Ecopower wish to expand and develop a new rail head on land adjoining the existing waste processing business in Rossington. However, there is insufficient clarity about the nature, timing and potential benefits and impacts of such a proposal meaning that exceptional circumstances have not been fully evidenced and justified for removing land from the Green Belt. The Plan does not, therefore, need to be modified in relation to that site.

127. There is also no need to modify the Plan to remove land at Marr from the Green Belt to reflect a planning permission that has been granted to convert a listed building and erect a number of new dwellings because that scheme can be implemented notwithstanding Green Belt policy, and exceptional circumstances have not been demonstrated.

### *Conclusion*

128. There are exceptional circumstances to justify the changes to the Green Belt proposed in the Plan provided that the relevant main modifications described above are made. Furthermore, the other changes to the Green Belt and main modifications to policies described above are also necessary to ensure that they are effective and consistent with national policy.

### **Main issue 9: Is policy 2 part 6 consistent with national policy relating to development in the Green Belt, or otherwise justified?**

129. Policy 2 part 6 sets out the Plan's Green Belt development management policy which is essentially to apply national policy. However, it includes a prescriptive definition of "infill development" in villages that are washed over Green Belt. Whilst this would provide clarity and thereby allow for a consistent approach, it would have the effect of ruling out some forms of limited infill development that may otherwise be acceptable and help to meet local needs on previously developed or underused land. It is not, therefore, justified or effective. This can be rectified by modifying the policy to delete the definition and refer simply to decisions being made in accordance with national policy [**MM05**].

### **Issue 10: Are the policy requirements in the Plan set at a level such that they will not undermine deliverability of the Plan, and is the approach to planning obligations and viability assessments at the planning application stage consistent with national policy, justified and effective?**

#### *Viability evidence to support the Plan*

130. The Council commissioned consultants to carry out a viability assessment early in the plan-making process and updates in 2019<sup>72</sup> and during the examination<sup>73</sup>. The methodology and input assumptions took account of the views of stakeholders as well as national guidance<sup>74</sup>. A variety of published and other information informed the appraisal. This included some in-house data taken from viability appraisals of over 200 development proposals in the

<sup>72</sup> SDEB48.1, SDEB48.2, SDEB48.3, SDEB49 and section 8 of SDEB46.

<sup>73</sup> Appendix PQ32.

<sup>74</sup> PPG ID:10 which was published in 2014 and updated in 2018 and 2019.

north and east of England, which was used to help "sense check" some of the findings. Various sensitivity tests were also carried out by adjusting some of the input assumptions.

131. The residential typologies reflect the types of site allocated in the Plan, and a number of actual allocations were individually assessed. The residual land values are based on reasonable assumptions about development values and costs, including those associated with the policy requirements set out in the Plan.
132. The benchmark land values assumed for different types of site, which range from £150,000 to £400,000 per hectare, are based on a significant uplift to existing use values. Whilst the percentage uplifts may be lower than in some other local planning authority areas, the methodologies and assumptions used are not identical meaning that comparisons can be misleading. Significantly, the benchmark land values assumed fall towards the middle of the wide range of prices that transactional data indicate have been paid in recent years for land in the Borough<sup>75</sup>.
133. The viability evidence indicates that most housing development in the high value market areas defined on the map in appendix 5 of the Plan is likely to be viable. In most cases, residual values are more than double the benchmark land value<sup>76</sup>, which provides a considerable degree of reassurance that viability is likely to be maintained even if some costs are higher, development values lower, or higher prices are paid for land. The allocations in the Plan indicate that over 12,000 homes are expected to be built in the higher value parts of the Borough.
134. The evidence shows that most housing development in the lower market areas is unlikely to be viable if all of the Plan's policy requirements are met. However, fewer than 4,000 homes are expected to be built in those areas, and of those over 3,000 had planning permission in 2019. Some of the others have subsequently been subject to planning applications or permissions, and the majority of the rest are on sites owned by the Council who is committed to facilitating their development rather than maximising land values.
135. Overall, therefore, I am satisfied that the Council's viability evidence is proportionate and up to date having regard to relevant national policy and guidance. That evidence indicates that the cumulative cost of all policy requirements in the Plan is unlikely to undermine the delivery of the majority of the housing allocations. Furthermore, the housing site selection process, which took account of information provided by site owners, promoters and developers, provides further evidence that reinforces that finding. Where sites cannot viably support all of the Plan's policy requirements, policy 67, which I discuss below, allows for the Council to vary the planning contributions to ensure delivery.

*Planning obligations and viability assessments at the planning application stage*

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<sup>75</sup> Table 5 in SDEB48.1 shows prices paid for ten sites in the Borough in 2017 and 2018 ranged from £36,000 to £750,000 per hectare.

<sup>76</sup> Appendix PQ32 paragraphs 2.2 and 2.4.

136. Policy 66 sets out the Council's approach to seeking planning obligations to ensure that development is planned in step with, and makes appropriate contributions towards, necessary infrastructure, whilst ensuring that development viability is not put at risk. Part A and the reasoned justification need to be modified to refer to pooled contributions to ensure consistency with amendments to the *Community Infrastructure Levy Regulations* [**MM229** and **MM230**].
137. Policy 67 sets out the circumstances in which the Council will support development proposals that are unable to make the full contribution through planning obligations (to meeting policy requirements in the Plan) due to viability issues. This is consistent with national guidance relating to viability assessments at the application stage, including reference back to the viability testing that was carried out to inform the Plan which I have found to be proportionate and up-to-date<sup>77</sup>. However, to be justified and effective, part B needs to be modified to clarify that any reassessments of agreed lower levels of contribution would only apply to large sites being developed out over multiple phases [**MM231**].

### *Conclusion*

138. I therefore conclude that the policy requirements in the Plan are set at a level such that they will not undermine the deliverability of the Plan. Furthermore, the approach to planning obligations and viability assessments at the planning application stage set out in policies 66 and 67 is consistent with national policy and, subject to the modifications I have described, justified and effective.

### **Issue 11: Does the Plan identify sufficient sites and broad locations for housing development to ensure that the identified need for new homes in the Borough can be met?**

139. Table 5 in the Plan summarises the housing land supply. The Council's *Schedule of Minor Typographical and Cartographical Amendments*<sup>78</sup> submitted with the Plan suggested some changes were needed to those figures to correct matters of fact. Based on those amendments, the Plan identifies sites that are expected to accommodate a total of 19,904 dwellings in the period 2015 to 2035.
140. However, I have already concluded that the Plan should be modified to set out the housing requirement, and therefore supply, from 2018 rather than from 2015. In other words, the supply section of the Plan, including Table 5, needs to be modified to remove reference to completions between 2015 and 2018 [**MM58**].
141. I have also already concluded, as part of my consideration for whether exceptional circumstances exist for removing land from the Green Belt, that the Plan should include a cautious windfall allowance of 200 dwellings per year. To minimise any double counting with small site commitments as at 1 April 2018, this should be applied from 2020 giving a total of 3,000 up to 2035. Table 5 should be modified to include this figure [**MM58**].

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<sup>77</sup> PPG ID:10-007 to 009-20190509.

<sup>78</sup> CSD6.

*Allocations with planning permission on 1 April 2018 (commitments)*

142. In April 2018, there was capacity for over 12,600 new homes on sites with planning permission. All of the sites with permission for five or more dwellings were individually assessed by the Council, using the methodology agreed with stakeholders, to determine how many of those dwellings should be assumed to be built during the Plan period. This resulted in the figure of 9,289 dwellings on committed sites in Table 5<sup>79</sup>. This represents a discount of 24%, which reflects the rigorous assessment process undertaken. I therefore consider this element of assumed supply for the Plan period to be sound.

*Allocations without planning permission on 1 April 2018*

143. The Council's approach to determining which sites to allocate for housing development is described in the *Site Selection Methodology and Results Report*<sup>80</sup>. I am satisfied that this was thorough, proportionate and consistent with national policy and guidance<sup>81</sup>. In general, each of the sites is suitably located in the context of the Plan's spatial strategy, and has a reasonable prospect of being viably developed during the Plan period.

144. It may well be the case that there are many other sites that did not have planning permission in April 2018 that are also capable of being developed, and some of those may also be reasonably related to the settlement hierarchy. However, it is the Council's responsibility to prepare the Plan and, for the reasons set out earlier, the approach set out in policies 2 and 3 is reasonable. Therefore, as the sites allocated in the plan are consistent with it, and are capable of being developed, in general terms I consider them to be sound.

145. Since the Plan was published, more up to date evidence about the timing and capacity of allocated sites has become available. Modifications are required to reflect this, and to ensure that policy 6 (housing allocations), Figure 3 (housing trajectory) and Table 5 (summary of housing requirement and supply) are effective and justified [**MM45** to **MM58**].

146. The development requirements in appendix 2 need to be modified and the indicative capacity for the site at Nicholas Road, Thorne (ref 133) needs to be reduced from 24 dwellings to 12. This is to make the Plan effective in ensuring that development is designed, laid out and landscaped to safeguard the character and appearance of the area including the setting of a nearby listed building [**MM273**, **MM275** and **MM323**].

147. The housing allocation at The Avenue / Rosehill, Cantley (ref 350) is owned by the Council who has, for many years, allowed public access and for it to naturally vegetate meaning that it has at least some of the attributes of Local Green Space. However, it is allocated for housing in the UDP, and it provides a rare opportunity to provide a significant number of new homes well located within the main urban area. The Council as local highway authority considers that safe and suitable access can be provided, and there is no substantive evidence to lead me to a different conclusion. I am therefore satisfied that the allocation is justified, but to ensure that development is carried out in an

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<sup>79</sup> Subject to factual correction as set out in CSD6.

<sup>80</sup> SDEB46.

<sup>81</sup> NPPF section 5 and PPG ID:3 and ID:68.

acceptable manner the requirements in appendix 2 need to be modified to refer to the development brief that has been prepared for the site [**MM330**].

148. I have already considered the justification for removing the housing allocation at Crabgate Lane, Skellow (ref 165/186) from the Green Belt earlier in this report. All options for utilising suitably located brownfield land, that is not at high risk of flooding, in Carcroft and Skellow have been explored. I am satisfied that the moderate impact in terms of encroachment onto agricultural land in the countryside would be outweighed by the contribution that around 300 new homes would make to meeting needs in this part of the Borough. Neither the local highway authority nor Highways England have objected to the allocation and there is no substantive evidence to lead me to conclude that suitable access cannot be provided onto the local road network or that increased use of the local A1(M) junction would be unacceptable. The Plan includes policies to ensure that local schools and other social infrastructure are improved in so far as that is required as a result of future development.
149. The development requirements in appendix 2 for the housing allocation at Sandy Lane, Doncaster (ref 833) need to be modified to replace the existing text (which mistakenly relates to a different site) with relevant information about archaeology, biodiversity, heritage assets, design, open space, transport and trees/hedgerows [**MM334**].

#### *Other sources of housing supply*

150. A total of 2,292 new homes are expected to be built on a number of allocations after 2035 due to the delivery trajectory for those particular large sites. However, there are no policies in the Plan that would prevent those being completed before 2035. This provides additional flexibility in the overall supply.
151. Policy 7 proposes the development of 280 new homes at Doncaster Sheffield Airport on allocated site 940E2 and potentially a further 920 on site 940E3. However, policy 7 (which I consider later in this report) only allows the development of the latter site if certain levels of job growth are achieved at the airport. Thus, there are uncertainties about how many of those dwellings will be built in the Plan period, meaning that the approach of not counting them towards the assumed supply is justified.
152. The Plan identifies a number of "reserve development sites" which collectively have potential capacity to accommodate 1,438 new homes. However, the safeguarded route of HS2 and flood risk mean that there is significant doubt about whether they could be developed. They are not, therefore, factored into the Plan's assumed supply. Furthermore, to reflect those doubts which mean they cannot reasonably be termed "reserve", the Plan needs to be modified to refer to them as "potential development sites" [**MM25, MM54, MM200, MM237, MM249, MM263, MM280, and MM301**].

#### *Overall supply for the Plan period*

153. Having regard to all of the above, Table 5 in the Plan needs to be modified to refer to a minimum requirement of 15,640 net additional dwellings between 2018 and 2035 and to set out the summary of supply comprising the following [**MM58**]:

- Allocations with planning permission on 1 April 2018: 9,289 dwellings
- Other sites with planning permission on 1 April 2018: 585 dwellings
- Allocations without planning permission on 1 April 2018: 6,618 dwellings
- Windfalls: 3,000 dwellings
- Total supply expected 2018 to 2035: 19,492 dwellings

154. Thus, the overall supply (19,492) exceeds the requirement for the Plan period (15,640) by around 25%. Modifications are required to paragraphs 4.71 to 4.86 and the housing trajectory (Figure 3) to reflect the modifications to Table 5 and other parts of the Plan. This is to ensure that housing supply identified in the Plan is justified and the relevant policies can be effectively implemented [**MM46** to **MM57**].

#### *Small and medium sized sites, and custom- and self-build housing*

155. National policy requires local planning authorities to identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare (unless it can be shown that there are strong reasons why this 10% target cannot be achieved)<sup>82</sup>. Paragraph 4.81 of the Plan indicates that 8% of the requirement may be met on such sites. However, the latest brownfield register identifies further sites, meaning that now there are opportunities to build around 15% of the requirement for 15,640 dwellings between 2018 and 2035 on small sites. In order to ensure that the Plan is justified and consistent with national policy, paragraph 4.81 needs to be modified to reflect the latest evidence [**MM53**]. The availability of those sites, along with the provisions of policy 8 part F and policy 70 part A.1<sup>83</sup> mean that the Plan should be effective in ensuring land is available for people wishing to commission or build their own homes<sup>84</sup>.

#### *Conclusion*

156. Subject to the main modifications that I have described, the Plan identifies sufficient sites and broad locations to ensure that the identified need for new homes can be met in the Borough between 2018 and 2035.

**Issue 12: Has the Council demonstrated that the Plan identifies a five year supply of deliverable housing sites and is there a reasonable prospect that there will be a five year supply on adoption and maintained thereafter?**

#### *Calculating the five year requirement*

157. Policy 3 states that the five year requirement will be based on local housing need derived from the standard method as revised throughout the Plan period. However, national policy expects the planning system to be genuinely planned<sup>85</sup>. Furthermore, national guidance is clear that housing requirement figures in adopted strategic policies should be used for calculating the five year housing land supply figure<sup>86</sup>. Having a variable figure calculated using the

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<sup>82</sup> NPPF 68.

<sup>83</sup> Policy 70 part A.1 requires a minimum of 0.4 hectares of land to be made available for self-build homes as part of the Unity regeneration project between Hatfield and Stainforth.

<sup>84</sup> NPPF 61 and footnote 26 and PPG ID:67-003-20190722.

<sup>85</sup> NPPF 15.

<sup>86</sup> PPG ID:68-005-20190722.

standard method throughout the Plan period is not consistent with national policy, would not be directly related to the housing requirement set out in the Plan, and would not therefore be effective in helping to ensure identified housing needs are met.

158. I have already concluded that the housing requirement of 920 dwellings per year included in the Plan is justified, but that it should apply from 2018 rather than 2015. Policy 3 and the reasoned justification need to be modified to set out clearly that the five year requirement will be based on a total requirement for a minimum of 15,640 net additional homes between 2018 and 2035 [**MM14**].

159. As completions since 2018 contribute towards meeting that figure, it is appropriate for the five year requirement to be based on the residual requirement for the remainder of the Plan period. This is consistent with the approach set out in national guidance which states that where areas deliver more completions than required, the additional supply can be used to offset any shortfalls from previous years<sup>87</sup>. The Council are required to keep the Plan under review, and this will ensure that if evidence shows in the future that housing needs are greater than indicated by the residual requirement it can be updated.

160. National policy requires a 10% buffer to be added to the five year requirement if the local planning authority wishes to demonstrate a five year supply through a recently adopted plan. This is stated in paragraph 4.83 in the Plan, and was explicit on the Council's consultation material when the Plan was published under regulation 19. For the reasons set out below, I am satisfied that the Council has demonstrated that there was a five year supply in 2019 (the latest date when comprehensive information was available) and that there is likely to be on adoption and thereafter. A 10% buffer is therefore justified and consistent with national policy.

161. Paragraph 4.83 needs to be modified to reflect the above and set out clearly how the five year requirement will be calculated throughout the Plan period. I have altered the modification proposed by the Council to make clear that if at any point during the Plan period there is a cumulative shortfall in delivery since 2018 then this will be made up in the next five years, rather than over the remainder of the Plan period. This will ensure that the Plan is consistent with national policy, positively prepared, and effective in helping to ensure that identified housing needs between 2018 and 2035 can be met [**MM55**].

#### *Five year housing land supply*

162. Based on the methodology described above, the five year requirement on 1 April 2019 was 4,923 net additional dwellings<sup>88</sup>.

163. The Council's evidence<sup>89</sup> indicates that on 1 April 2019, there was capacity for a total of 6,929 dwellings on sites considered to be deliverable as defined in

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<sup>87</sup> PPG ID:68-032-20190722.

<sup>88</sup> Council responses to SQ2.4 [published 25 September 2020] and AP16 [published on 2 November 2020].

<sup>89</sup> *Five Year Deliverable Housing Land Supply Statement 2019-2024* [SDEB27] adjusted in the Council's responses to PQ29 [DMBC7 published 4 June 2020] and AP16 [published on 2 November 2020].

national policy<sup>90</sup>. This includes a 10% non-delivery allowance for all sites with or without planning permission (other than those under construction). It also includes a windfall allowance of 600 dwellings.

164. 3,685 dwellings were on sites with full planning permission or sites of fewer than 10 dwellings with outline planning permission. There is no clear evidence to show that these will not be delivered, and the 10% non-delivery allowance provides additional reassurance.

165. The Council has provided evidence about the remaining 2,833 dwellings that it assumes were deliverable on 1 April 2019 (ie on sites that did not have full planning permission or had outline permission for more than 10 dwellings). This is summarised in the *Five Year Deliverable Housing Land Supply Statement 2019-2024*<sup>91</sup>, with further details for some sites being provided by representors and by the Council during the examination<sup>92</sup>. National guidance sets out various types of evidence that may demonstrate deliverability, including current planning status, firm progress with site assessment work or towards a planning application, and information about site viability, ownership constraints or infrastructure provision. Whilst not all of these types of information have been published for every site, I am satisfied that the available evidence is proportionate having regard to the nature of those sites. In particular, more detailed information is available for some of the larger sites including Mere Lane, Edenthorpe (ref 241); Unity, Hatfield-Stainforth (ref 418); Askern Saw Mill (ref 569); Carr Lodge, Woodfield (836); Manor Farm, Bessacarr (843); McCormick Tractors, Wheatley Hall Road (984); and Hatfield Lane, Armthorpe (ref 1057).

166. In light of the most up to date information, the Council has reduced the number of dwellings it previously assumed would contribute to the five year supply on 1 April 2019. This is reflected in the total deliverable supply figure of 6,929 on that date. Overall, I am satisfied that the 2,833 dwellings (that were not on sites with full planning permission or sites of fewer than 10 dwellings with outline planning permission) are likely to be built in the period to 2024. Again, the 10% discount provides additional reassurance.

167. Whilst it is not possible to identify specific unallocated sites that will obtain planning permission and deliver new homes within five years, for the reasons set out earlier I have concluded that the Plan should include a cautious windfall allowance of 200 dwellings per year. To minimise double counting with commitments on 1 April 2019, a total of 600 should be included in the five year supply as it is probable that at least that many will materialise by 2024.

168. It is clear, therefore, that the supply of deliverable dwellings (6,929) significantly exceeded the five year requirement (4,923) on 1 April 2019 which is the latest date on which comprehensive information is available. For the reasons already set out, the assumed supply is generally based on cautious assumptions, and downward adjustments have been made for some sites to reflect the latest evidence. As the supply exceeds the requirement by around

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<sup>90</sup> *Five Year Deliverable Housing Land Supply Statement 2019-2024* [SDEB27] subject to correction as explained in Council response to PQ29 [DMBC7].

<sup>91</sup> SDEB27.

<sup>92</sup> Council response to AP16 [published on 2 November 2020].

2,000 dwellings, there is considerable additional flexibility over and above the 10% buffer already factored in as required by national policy.

169. Looking ahead, the housing trajectory (as modified) shows that a five year supply will be maintained for the foreseeable future based on the residual requirement that takes account of completions since 2018. Appendix 12 includes appropriate indicators to ensure that this can be monitored annually so that this part of the Plan can be kept under regular review by the Council.
170. In order to reflect the above, and ensure that the Plan is justified, effective and consistent with national policy, paragraph 4.83 needs to be modified to clearly set out the latest evidence about five year supply in 2019 [MM55].
171. Policy 2 part 5 allows for residential development on sites adjacent to development limits of the main urban area, main towns, and service towns and villages if the Council is unable to demonstrate a five year supply of housing land provided that specified criteria are met. A number of changes to the wording of this policy are required to ensure clarity and therefore effectiveness [MM04]. I have amended the detailed wording suggested by the Council to clarify that the policy will be also be relevant if the Council fails the Housing Delivery Test. Subject to that modification, I am satisfied that it represents a sound approach for boosting the delivery of new homes in a way that would be reasonably related to the spatial strategy if that becomes necessary. The Plan does not, therefore, need to include an alternative approach, such as bringing forward the allocation of the large housing allocation at Doncaster Sheffield Airport in advance of the job growth referred to in policy 7.

### *Conclusion*

172. Subject to the modifications described above, I am satisfied that there is a reasonable prospect that the Plan will ensure that a five year housing land supply will be available on adoption and maintained thereafter.

**Issue 13: Are the various requirements relating to housing development set out in the Plan justified and consistent with national policy, and will they be effective in meeting needs and achieving well designed places?**

### *Specified development requirements for allocations without planning permission*

173. Appendix 2 sets out development requirements, where relevant, relating to archaeology, biodiversity, heritage assets, design, education, open space, transport, flood risk, trees/hedgerows and other matters for all housing allocations without planning permission. In general these are justified although, in addition to modifications recommended earlier in this report under my consideration of changes to the Green Belt, modifications are required so that the indicative number of new homes is stated for each site and the requirements include reference to any relevant development briefs [MM319 to MM336]. A main modification is also required to policy 6 so that it refers to having regard to appendix 2 and the indicative number of new homes [MM45]. These modifications will ensure that the Plan is clear and therefore effective in achieving sustainable development.

### *Housing mix*

174. Policy 8 part A requires developments to deliver a mix of houses in terms of size, type, and tenure to address housing needs and market demand. A modification is required to delete reference to price and to refer to the Council's *Housing Need Study*<sup>93</sup> and other robust and up to date evidence. A modification is also required to the reasoned justification to make clear that the housing needs study will be kept up to date. These will ensure this part of the Plan is consistent with national policy, justified and effective [**MM96** and **MM99**].

#### *Affordable housing*

175. Paragraph 6.9 of the Plan states that there is an identified need for an additional 209 affordable homes per year over and above the Council's own build programmes. This represents around 23% of the overall housing requirement. Policy 8 part B requires housing sites of 15 or more homes (or 0.5 hectares or above) to normally include 23% affordable homes in high value housing market areas or 15% elsewhere.

176. The affordable housing requirements are, therefore, based on need but also reflect the lower viability of development outside the high value areas. I have already concluded that the Council's viability assessments<sup>94</sup>, which make a number of specific assumptions about affordable housing developments, are proportionate and that the Plan appropriately reflects that evidence. I am, therefore, satisfied that the 23% and 15% affordable housing requirements in policy 8 part B are justified. However, the policy and reasoned justification need to be modified to reflect the fact that the *Housing Need Study* shows that there is a surplus of affordable housing in some parts of the Borough and that this would be taken into account when considering how the affordable housing requirements should be applied to any particular proposal [**MM97**, **MM98** and **MM100**].

177. Paragraph 6.9 refers to 75% of the affordable homes being for rent and 25% for low cost home ownership. This would not deliver 10% of homes on major developments as affordable home ownership products<sup>95</sup>, but it is based on the findings of the Council's *Housing Needs Study* which shows that it is necessary to meet the needs of specific groups. The tenure split is therefore justified and consistent with national policy. However, to be effective in meeting those identified needs, policy 8 part B should be modified to specify the required tenure split, rather than this only being referred to in the reasoned justification [**MM97**].

#### *Internal space standards*

178. The Council's *Housing Design Standards Policy Evidence Paper 2019*<sup>96</sup>, which is based on a reasonable sample of sites, indicates that the majority of recently built homes in the Borough failed to meet the *Nationally Described Space Standard* for bedroom sizes and storage space. The Council's viability assessments<sup>97</sup> assume dwelling sizes consistent with the space standards. The Council's intention to introduce the standards was made clear in the

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<sup>93</sup> SDEB24.1.

<sup>94</sup> SDEB48.1 and Appendix PQ32.

<sup>95</sup> NPPF 64.

<sup>96</sup> SDEB25.

<sup>97</sup> SDEB48.1 and Appendix PQ32.

consultation on the draft plan in 2018. I am, therefore, satisfied that the requirement in policy 46 part A for all new housing to meet the *Nationally Described Space Standard* as a minimum is justified by adequate, proportionate and up to date evidence about need, viability and timing<sup>98</sup>.

179. The reference in paragraph 12.26 to a planning application being rejected if the specified information about the size of dwellings, bedrooms and storage space is not provided should be deleted as it is not justified [**MM183**].

#### *Housing for older people and people with disabilities*

180. The number of households with over 65 year olds or people with long term health problems or disabilities is expected to increase by around 12,000 over the Plan period<sup>99</sup>. Policy 46 requires 65% of new homes on major housing developments to meet the Building Regulation M4(2) standard for accessible and adaptable homes, and 5% to meet the M4(3) standard for wheelchair adaptable homes. This could deliver a total of over 6,000 accessible and adaptable homes and nearly 500 wheelchair adaptable homes. The Council's viability assessments makes reasonable assumptions about the additional costs associated with meeting those standards<sup>100</sup>.

181. Designing homes from the outset to meet future needs is far more efficient than retrofitting existing buildings. The policy strikes an appropriate balance between safeguarding the viability of development and helping to ensure that new homes make a reasonable contribution towards meeting the long term needs of an ageing population. However, to be effective and consistent with national policy, a modification is required to add reference to site specific factors such as vulnerability to flooding, site topography, and other circumstances that may make achieving the standards impractical or unduly costly [**MM182**]. Modifications are also required to the reasoned justification to ensure that the policy is adequately justified [**MM184**, **MM185** and **MM186**].

#### *Other design requirements for housing developments*

182. Chapter 12 of the Plan contains various other policies intended to provide a framework for the assessment of the design of development proposals, including for new homes. In most respects these are sound. However, the requirement in policy 42 part B relating to "off the shelf" designs is unduly restrictive and therefore needs to be modified [**MM178**]. To be consistent with national policy, policy 45 part D and the reasoned justification need to be modified to refer to *Building for Healthy Life* assessments [**MM180** and **MM181**]. To be effective, policy 45 part C relating to backland and tandem development needs to refer to the relevant character and parts of Bessacarr, Sprotbrough and Edenthorpe [**MM179**], and the policies map needs to be changed to define the relevant areas.

183. To be justified and effective, the requirement in policy 51 needs to be modified to clarify that housing development should address healthcare infrastructure implications when and where necessary, and text needs to be added to the

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<sup>98</sup> PPG ID:56-020-20150327.

<sup>99</sup> Council response to PQ35.

<sup>100</sup> Additional cost of £1,500 per dwelling to meet the M4(2) standard and an additional cost of £12,500 per dwelling to meet M4(3).

reasoned justification [**MM187** and **MM189**]. For the same reasons, policy 53 needs to clarify that mitigation will be required where developments of 20 or more family homes create or exacerbate a shortfall in the number of local school places [**MM191**].

### *Conclusion*

184. Subject to the main modifications that I have described, the requirements relating to housing development set out in the Plan are justified, consistent with national policy and should be effective in meeting needs and achieving well designed places.

### **Issue 14: Is policy 12 justified and consistent with national policy and would it be effective in ensuring that the accommodation needs of gypsies, travellers and travelling showpeople can be met in the Borough throughout the Plan period?**

185. The Council's main evidence about the accommodation needs of gypsies, travellers and travelling showpeople is set out in its assessment published in 2018<sup>101</sup>. There are 15 existing authorised sites for gypsies and travellers in the Borough, and 4 for travelling showpeople. There is currently in excess of a five year supply of deliverable pitches on the existing gypsy and traveller sites, and likely to be a significant surplus throughout the Plan period. Five additional plots are expected to be needed on the existing sites for travelling showpeople by 2032. In order to ensure that this part of the Plan is justified, additional text needs to be added to summarise this evidence [**MM108**].

186. In this context there is no need for the Plan to identify new sites, and the approach in policy 12 for the creation of additional pitches or plots on existing sites, extensions to them, or on new sites is in general terms justified and likely to be effective subject to a factual correction [**MM107**]. However, some of the existing authorised sites are washed over Green Belt meaning that development on them would need to demonstrate very special circumstances which would be unduly restrictive. In order to overcome this and ensure consistency with national policy<sup>102</sup>, those sites should be inset from the Green Belt on the policies map with associated changes made to the reasoned justification of the Plan [**MM109** to **MM113**].

### *Conclusion*

187. Subject to the main modifications and changes to the policies map that I have described, policy 12 is justified and consistent with national policy and likely to be effective in ensuring that the accommodation needs of gypsies, travellers and travelling showpeople can be met in the Borough throughout the plan period.

### **Issue 15: Are the employment site allocations and policies relating to existing employment sites and various forms of economic development justified, effective and consistent with national policy?**

#### *Changes to the Use Classes Order*

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<sup>101</sup> SDEB22.

<sup>102</sup> *Planning Policy for Traveller Sites* policy E paragraphs 16 and 17.

188. Employment uses are defined in paragraph 4.62 as B1a (offices, other than A2); B1b (research and development); B1c (light industry); B2 (general industry); and B8 (storage and distribution). These references, along with other similar ones in different parts of the Plan, need to be modified to reflect *The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020* that came into force on 1 September 2020. This will ensure that the Plan is effective and consistent with national policy [**MM33**, **MM38** to **MM44**, **MM132**, **MM339**, and **MM341**].

*Employment policy areas*

189. Employment policy areas defined on the policies map are the main existing sites occupied primarily by industrial, office and storage / distribution uses as defined above. Policy 5 is clear that such uses will continue to be supported, whilst other uses will be permitted provided that a number of criteria are met. In principle this approach is consistent with national policy by striking a balance between safeguarding existing sites whilst providing flexibility to respond to changing circumstances. However, a modification is needed to clarify that it relates to land and buildings, and to reflect the changes to the Use Classes Order referred to above. This will ensure that it is effective, including with regard to office, research and development, and light industrial uses that now fall within class E [**MM39** to **MM44**].

190. Modifications are required to paragraph 16.157 and Table E6 to ensure that they are factually correct, and therefore justified and effective, in relation to three employment policy areas in Askern [**MM278**].

*Employment allocations with planning permission*

191. Employment allocations with planning permission are listed in tables E1 to E8 in chapter 16 of the Plan. Paragraph 4.61 states that in total, 201 hectares are expected to be developed in the Plan period. Two of the allocations (Unity and Askern Saw Mill) have additional capacity of around 35 hectares which could be developed before 2035. In order to ensure that the Plan is justified and effective, the table following paragraph 4.60 needs to be modified to accurately set out the number of sites and amount of available employment land in different parts of the Borough [**MM37**]. Similar modifications are required to the relevant parts of chapter 16 [**MM235**, **MM244**, **MM251**, **MM266**, **MM271**, **MM278**, **MM283** and **MM303**].

192. As drafted, the plan includes no policy setting out the uses that are appropriate on employment allocations with planning permission. This means that it would not set an effective framework for considering any future planning applications that may be submitted relating to existing buildings or undeveloped land on those sites. This can be rectified by a modification to policy 4 [**MM33**].

*Employment allocations without planning permission*

193. Table 4 in the Plan lists six employment allocations that did not have planning permission in 2018. For each, figures are provided for gross site area; area available for employment uses (total 201 hectares); and the amount of hectares expected to be developed in the Plan period (total 164 hectares).

There are no policies in the Plan to prevent the 37 hectares of land available for employment uses that are currently expected to be developed after 2035 coming forward earlier if required<sup>103</sup>.

194. The sites at Balby Carr (11 hectares), Balby (5 hectares) and Rossington (18 hectares) are within established employment areas. They are suitable and available for development. I consider policy 7 relating to Doncaster Sheffield Airport later in this report, but in summary conclude that the allocation of the 68 hectare site there for employment uses is justified.

#### *Thorne North*

195. I have already found that the Thorne North allocation is justified in terms of the sequential approach to flood risk. The site is in an established employment location which includes large scale distribution uses. It is in single ownership and available, an outline planning application was submitted some time ago, there are no significant barriers to development, and an experienced development company envisages starting on site within a year if permission is granted.

196. A large amount of material would have to be brought onto the site to raise ground levels to mitigate against flood risk. However, the prospective developer advises that it would use inert construction waste that would otherwise go to landfill, a practice that it has used on other sites in the region.

197. The site has good access from junction 6 of the M18 via the A614. It is not far from the main town of Thorne/Moorends, one of the more deprived parts of the Borough. However, it is physically separate from the town being on the other side of the motorway. It is around 1.3 kilometres from Thorne North train station, although that journey is unlikely to be attractive to many on foot or by bicycle as it involves using busy, unsuitable roads and crossing the motorway interchange. There are no bus stops close to the site and no substantive evidence that viable services could be provided to serve the development.

198. In most respects, therefore, the site performs well against the criteria for major new employment sites, including for strategic warehousing, set out in policies 2 and 3 (as modified). The one exception is its poor accessibility by non-car modes. Whilst some reasonable alternative sites may perform better in that regard, all would be likely to involve most employees travelling to work by car from a wide area. I do not regard any such differences to be so significant that it means that the Thorne North allocation is unjustified. The development will need to make appropriate provision for access by sustainable modes of transport in accordance with policy 14, and the highway authority are satisfied that safe and suitable access can be provided.

#### *Carcroft Common*

199. The Plan allocates a site with a total gross area of approximately 50 hectares at Carcroft Common, and assumes that 12 hectares will be developed for employment uses in the Plan period. However, significant private and public investment would be needed to improve accessibility and mitigate flood risk.

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<sup>103</sup> SDEB9 paragraph 2.8.

Given the uncertainties about whether this will be forthcoming, this part of the Plan is not justified. I therefore recommend a modification to identify the site as a "potential development site" that could come forward subject to the constraints being overcome and the flood risk sequential test [MM34 to MM36 and MM298]. Consequential changes need to be made to other parts of the plan, including those relating to the overall supply of employment land which would be reduced by 12 hectares for the Plan period.

### *Overall employment land supply*

200. Policy 2 aims to facilitate the delivery of at least 481 hectares of employment land in the period 2015 to 2035, which I have already found to be justified. Paragraph 4.614 in the Plan summarises the supply made up of completions 2015 to 2018 (117 hectares); allocations with planning permission (201 hectares); and allocations without planning permission (164 hectares). This provides a total of 482 hectares, which would be reduced to 470 hectares with the re-designation of the Carcroft Common allocation to a potential development site as recommended above.
201. However, the 481 hectare requirement includes significant allowances for vacant floorspace and flexibility and choice of sites<sup>104</sup>. In other words, not all of that land needs to be developed to accommodate the sectoral forecasts and 1% job growth per year. Furthermore, as outlined above, in addition to the 470 hectares of supply that are expected to be developed by 2035, there is a significant amount of land on some of the allocations that could be developed earlier if demand arises. There is also a total of around 40 hectares of additional land on small sites with planning permission or available within employment policy areas<sup>105</sup>.
202. Most of the demand for employment land, around 271 hectares between 2015 and 2035<sup>106</sup>, is expected to be for large scale strategic warehousing. A total of over 320 hectares on six sites with planning permission and two allocations without planning permission is suitable for such development meaning that there is more than sufficient supply in overall quantitative terms for the Plan period<sup>107</sup>. Just over 100 hectares of that land was developed between 2015 and 2018, leaving around 220 hectares available on six sites for the rest of the Plan period.
203. Since 2018, employment land has continued to be developed, with a further 120 hectares taken up<sup>108</sup>. However, it is by no means certain that the recent high levels of demand for employment land generally, and additional warehouse space in particular, will continue throughout the Plan period. The take up and future demand for different types of employment land will need to be kept under review and the Plan updated if necessary. In the meantime, the allocations in the Plan are justified and adequate, and it is not necessary to make further modifications to provide greater flexibility through identifying "reserve sites" or to include a policy to allow employment development on land in the countryside policy area in certain circumstances.

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<sup>104</sup> SDEB8 table 12.

<sup>105</sup> SDEB9 paragraph 2.11.

<sup>106</sup> Council response to action point 7.

<sup>107</sup> Council response to action point 75.

<sup>108</sup> Blue Anchor representation made in response to proposed main modifications (March 2021).

### *Conclusion*

204. Subject to the main modifications described above, the employment site allocations and policies relating to existing employment sites and various forms of economic development are justified, effective and consistent with national policy.

#### **Issue 16: Is policy 70 relating to the Unity Regeneration Project justified and will it be effective in helping to ensure the development on the site assumed in the Plan in the period to 2035?**

205. The Unity regeneration project proposed in policy 70 involves major mixed use development on over 400 hectares of land to the west of M18 junction 5 between Hatfield and Stainforth. Most elements of the policy reflect an outline planning permission granted in 2017 and the associated masterplan (Figure 17 in the Plan) and planning obligations. Implementation is expected to take place over around 30 years, and ultimately include a total of 3,100 new homes on three separate parts of the site and 66 hectares of employment uses.

206. The project is being delivered by an experienced developer who is providing the key infrastructure and serviced plots. A new link road from the motorway junction was constructed in 2020, pre-commencement conditions have been discharged, and two housebuilders are expected to be on site in 2021. There is, therefore, clear evidence that 245 homes will be completed by April 2024, and there is a reasonable prospect that at least 1,015 will be built by 2035 as assumed in the Plan.

207. A modification is required to the detailed wording of parts C and D of policy 70 to clarify the sites referred to as "the former Hatfield colliery" and "laydown area", and to ensure it is effective in conserving the grade II listed headstocks. The meaning of part F of policy 70 is unclear, and the Council has advised that on reflection it considers it unnecessary. This is because it simply reflects an existing planning obligation and any proposal to vary that could be effectively considered in the context of policy 67 relating to development viability. Part F should therefore be deleted. Subject to those changes [MM251 to MM259], policy 70 is sound.

### *Conclusion*

208. Subject to the main modifications described above, policy 70 is justified and will it be effective in helping to ensure the development on the site assumed in the Plan in the period to 2035.

#### **Issue 17: Is the Plan's approach to town centres and main town centre uses justified and consistent with national policy and will it be effective in ensuring that identified development needs can be met?**

##### *Accommodating main town centre uses*

209. I have already found that there could be a need for approximately 115,000 sqm of additional office floorspace and between around 20,000 sqm and 42,000 sqm of retail space in the Borough over the Plan period. Policy 3 makes clear that Doncaster town centre and the other centres in the network (defined in Table 2) will be the main locations for such development and other

main town centre uses, and policy 23 provides more detail including in relation to a sequential approach, impact assessments, and out of centre locations including retail parks. Policies 68, 69, 71 and 72 set out specific policies and proposals for Doncaster, Mexborough and Thorne town centres which are the three largest in the Borough.

210. It is clear that there are sufficient opportunities to accommodate the expected need for most additional main town centre uses within existing centres. The only exception is for some particular types of offices which are to be developed in a number of other specified locations including Doncaster Sheffield Airport. In most respects, the policies that I have referred to are sound. However, a number of detailed changes are needed to policies 2, 23, 24 and 69 to ensure consistency with national policy and effectiveness [**MM07, MM128 to MM131, MM133 and MM238**].

*Betting shops, pay day loan units and pawnbrokers*

211. Policy 24 part 3 only supports proposals to change the use of a building to a betting shop, pay day loan unit or a pawnbroker if three criteria are met, in addition to the requirements of parts 1 and 2 of that policy. Paragraph 8.23 explains that this is to maintain the vitality and viability of town centres, and to protect population health, amenity and safety. Whilst it is clear that an over concentration of such uses would undermine vitality and viability, there is no substantive evidence to indicate that limiting their number in town centres would protect health, amenity or safety. The reasoned justification needs to be modified accordingly. In order to ensure that the policy is effective in helping to support the vitality and viability of centres, part 3 needs to be modified to refer to amusement arcades, clarify part 3A in terms of properties being vacant or marketed, and include a definition of clustering in part 3C. I recommend accordingly [**MM134 to MM136**].

*Food and drink uses, including hot food takeaways*

212. Policy 25 relates to food and drink uses "such as restaurants, cafes, pubs, bars, hot food takeaways and fast food outlets". Policy 51 aims to improve and promote strong, vibrant and healthy communities including through controlling the location of, and access to, "unhealthy eating outlets". To ensure effectiveness, modifications are needed to clarify the particular uses these policies apply to [**MM137, MM138, MM188, M190 and MM318**].

213. It is clear that an over concentration of hot food takeaways and other food and drink uses in certain parts of town centres could undermine their vitality and viability. Part C of policy 25 needs to be modified to ensure that it is clear and therefore effective in preventing such an occurrence [**MM137**].

214. Policy 25 part C states that proposals for hot food takeaways that are within 400 metres of a school, sixth form college, community centre or playground will not be supported unless the opening times are restricted to after 5pm on weekdays. National guidance states that planning policies can seek to limit the proliferation of particular uses where evidence demonstrates this is appropriate<sup>109</sup>.

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<sup>109</sup> PPG ID:53-004-20190722.

215. There are relatively high levels of both obesity in young people and numbers of hot food takeaways in the Borough, and the Council has also provided evidence about the geographical relationship between existing takeaways and schools, and the use of takeaways by young people in the Borough<sup>110</sup>. This is relevant and proportionate, meaning that the approach to proposals for additional hot food takeaways close to a school, sixth form college, community centre or playground is consistent with national policy and justified. Modifications are also required to the reasoned justification to ensure that policy 25 is adequately justified [**MM139** to **MM142**].

### *Conclusion*

216. Subject to the main modifications I have described, the Plan's approach to town centres and main town centre uses is justified and consistent with national policy and will be effective in ensuring that identified development needs can be met.

### **Issue 18: Is policy 7 justified and consistent with national policy, and will it provide an effective framework for determining development proposals at Doncaster Sheffield Airport?**

217. Policy 7 sets out a positive approach to development at Doncaster Sheffield Airport to enable its growth as a passenger and freight transport facility along with a significant amount of economic, housing and other development on land both within and around the airport, subject to various criteria being met.

218. Growth of passenger numbers and freight throughput is expected to be in the context of the planning permission granted in 1999. However, the Plan aims to provide a framework for further development at the airport to take advantage of the opportunity the location provides due to the availability of land, transport and other infrastructure, and the development that has already taken place in recent years. In general terms, the approach is consistent with national policy which expects plans to provide for large scale transport facilities, including airports, that need to be located in the area and the infrastructure and wider development required to support their operation, expansion and contribution to the wider economy<sup>111</sup>.

219. However, a significant number of modifications are needed to policy 7 (which is long and detailed), along with the reasoned justification, to ensure that this part of the Plan is justified and effective [**MM60** to **MM95**]. I set out the reasons for these below in relation to the various different components of the policy. However, before that there are two general points to make.

220. Firstly, some of the modifications are needed to ensure that the meanings of all terms are clear and that the areas to which particular proposals are intended to apply are defined. Changes also need to be made to the policies map to clarify the geographical areas to which the various parts of the policy apply, including through the definition of an Airport Policy Area and an Airport Operational Area, and the identification of specific sites within these.

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<sup>110</sup> DMBC5 and Council response to SQ9.9.

<sup>111</sup> NPPF 104(e), *Aviation Policy Framework* (2013), and *Airports National Policy Statement* (2018).

221. Secondly, as a result of the significant changes to policy 7 that I recommend, consequential modifications are required to chapter 4 (strategic approach); chapter 13 (transport); chapter 16 (spatial proposals for Auckley/Hayfield Green); appendix 2 (development requirements for Hayfield Lane housing allocation site ref 223); and appendix 3 (Doncaster Sheffield Airport) [**MM31, MM32, MM115, MM120, MM282, MM286, MM327** and **MM338**].

*Aviation, aviation-related, and employment development at the airport*

222. Parts A and B of policy 7 allow for aviation uses and infrastructure, along with aviation-related development. Modifications are required to clarify that these parts relate specifically to the Airport Operational Area. An additional part to the policy is needed to clarify that site 517, within the Operational Area, is to be developed for airside employment and operational uses only, including transit sheds, hangars and a "maintenance, repair and overhaul campus".

223. Sites 748 and 941, outside the Operational Area, are allocated for employment uses. Part C of policy 7 needs to be modified to clarify the uses proposed, which include airport-related offices, research and development, general industry, and storage and distribution. Part E needs to be modified to clarify that it allows for further employment development in the employment policy area to the north west of the Operational Area as defined on the policies map.

*Housing-led mixed use urban extension linked to the growth of the airport*

224. Part E of policy 7 proposes the development of a "housing-led mixed use urban extension" on a 105 hectare site (ref 940) on land to the south west of Hayfield Green and to the west of the airport. Within this site, 10 hectares (ref 904E1) are proposed to be developed for retail, food and drink, hotel and other main town centre uses. 11 hectares (ref 940E2) are proposed for up to 280 new homes to support initial phases of airport expansion and employment growth. 70 hectares (ref 940E3) are proposed as an "airport reserve housing site" that would be released for up to 920 further new homes subject to specified levels of job growth being achieved. The detailed mechanisms to control the phased release of that reserve site are set out in part F and appendix 3.

225. In principle, I am satisfied that this proposal for the 105 hectare site is positively prepared and justified as it responds to an opportunity to attract a significant amount of development and investment to this part of the Borough, making good use of available land and existing infrastructure, and providing new jobs and facilities for existing as well as future residents and workers. However, modifications are required to ensure that the policy is effective in achieving sustainable development.

226. The description of the proposal as being "housing-led" and an "urban extension" does not accurately reflect its location or nature. Therefore, the introductory section of part E needs to be changed to clearly set out what the proposal is aiming to achieve in terms of realising the economic potential of the airport and creating a sustainable co-location of jobs, homes, shops and other facilities in this part of the Borough. Modifications are required to ensure that the development of main town centre uses on the 10 hectare site (ref 904E1) are of an appropriate scale, design and layout such that they do not undermine the vitality and viability of existing town centres or create an

out of centre retail and leisure park. This includes indicating approximate floorspaces for different uses, and setting a requirement to create a well-designed new town centre with public realm and access improvements for sustainable travel.

227. Part F and appendix 3 need to be modified to clarify that the release of the reserve housing site will be dependent on job growth at, or specifically and clearly related to, the airport since 2018. As the full release of housing on the reserve site is dependent on the creation of around 11,000 such jobs there are clearly uncertainties about the timing and extent of its delivery. Furthermore, much of this job growth would be likely to be additional to that assumed in the calculation of the housing requirement set out in policy 3. The Plan's assumption that the provision of new homes at the airport should not count towards meeting the policy 3 housing requirement is therefore justified.

*Access to, and car parking serving, the airport*

228. The 1999 planning permission for the development of the airport includes a planning obligation that requires the developer to make all reasonable endeavours to provide a new community railway station on the Lincoln Line at Hayfield Green. This would improve opportunities for sustainable travel to the airport, and to the existing local community. Whilst a new electrified main line rail connection and railway station at the airport, connecting to the East Coast Main Line, is an aspiration, there is insufficient evidence to show that there is a reasonable prospect of it being provided either as an alternative, or in addition, to the Hayfield Green community station. Policy 7 should, therefore, be modified to protect a site for the community station (which needs to be indicated on the policies map) and delete reference to a new station connected to the East Coast Main Line. Consequential modifications are required to policy 13 in the transport chapter of the Plan, and to appendix 2 to ensure that the site area reflects the site of the proposed station at Hayfield Green (development requirements for Hayfield Lane housing allocation site ref 223).

229. The meaning of, and justification for, "improved access from the M18" is unclear. Access to the airport from the M18 was significantly improved a few years ago through the construction of the Great Yorkshire Way. There is no evidence to indicate that further road improvements between the airport and the motorway are needed or would be delivered during the Plan period. Policy 7 should therefore be modified to delete reference to that proposal.

230. Policy 7 part I needs to be modified so that it is effective and consistent with national policy with regard to the provision of additional car parking in the Airport Policy Area. This clarifies that the provision of passenger parking should take account of improving opportunities to travel to the airport by sustainable modes, rather than "to meet demand".

*Masterplanning and development requirements at the airport*

231. Part J of policy 7 requires development proposals to be informed by comprehensive airport area-wide masterplanning. To be effective, the strategic objective for this approach needs to be set out through reference to achieving a high quality, well designed and sustainable place and mitigating potential impacts.

232. Modifications are also required to sections 1 and 3 of part J to ensure that they are consistent with national policy and effective with regard to public safety and safeguarding areas relating to the airport.

### *Conclusion*

233. The main modifications that I have described to policy 7 and other related parts of the Plan are necessary to ensure that it provides an effective and justified framework for determining development proposals at Doncaster Sheffield Airport consistent with national policy.

**Issue 19: Are policies 13 to 21 justified and consistent with national policy, and will they be effective in ensuring that developments are provided with safe and suitable access for all users, promoting sustainable transport, and providing a framework for the provision of transport infrastructure?**

### *Proposed road improvements*

234. Policy 13 part A supports proposals to improve key routes and connections to the strategic road network and effectively manage traffic and relieve congestion. Eleven road improvement schemes are listed, and further information about those "major road network enhancement priorities" is set out in table 7 with indicative routes shown on the key diagram. Some of the schemes are committed and/or justified by robust evidence<sup>112</sup>, and some are medium term with a reasonable prospect of being delivered in the Plan period. However, others are long term aspirations which are not required to facilitate development proposed in the Plan or justified by evidence about their costs and benefits and reasonable alternatives.

235. Modifications are therefore required to ensure policy 13 is justified and consistent with national policy by deleting reference to the longer term priorities and amending the reasoned justification to clearly describe their status and how they may be taken into account in a future review of the Plan including through sustainability appraisal [**MM114** and **MM116** to **MM119**]. Consequential modifications are required to Figure 4 (key diagram) and Figure 6 (strategic transport network) [**MM59** and **MM123**]. I have amended the detailed wording of MM119 to take account of comments from Highways England.

### *Proposed rail improvements*

236. Policy 13 parts B and C support improvements to bus and rail transport, some of which could involve a significant amount of development. As with part A, changes are needed to this part of the policy and the reasoned justification to ensure that it only supports schemes that are justified and have a reasonable prospect of delivery during the Plan period, that those schemes are clearly defined, and that the status of any others is made clear. For the reasons set out in the previous main issue, reference to a new main line rail connection and station at Doncaster Sheffield Airport needs to be deleted, and a proposed

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<sup>112</sup> NPPF 104(e).

community rail station on the Lincoln line at Hayfield Green added [**MM115** and **MM120** to **MM122**].

*Promoting sustainable transport in new development*

237. Policy 14 expects all new development to make appropriate provision for access by sustainable modes of transport and sets out a number of particular requirements including parking standards for cars, disabled motorists, electric vehicles and motorcycles (appendix 6) and thresholds for transport statements, transport assessments and travel plans in appendix 7. To ensure that the Plan is justified and effective, modifications are required to part A(4) so that it refers to appropriate levels of car parking provision, having regard to the standards contained in appendix 6, the factors described in paragraph 7.35, and the findings of transport statements and assessments [**MM124**]. For the same reasons, a modification is required to appendix 6 to clarify the requirements for electric vehicle charging points in all forms of non-residential development [**MM340**].

*Cycling and walking*

238. To ensure that the Plan is effective in promoting and facilitating the increased use of bicycles as a sustainable mode of transport, modifications are required to policies 14 and 17 and appendix 6. These will ensure that the requirements for the provision of appropriate cycle storage facilities in developments are clear, and that employment developments provide changing and showering facilities [**MM124**, **MM125** and **MM340**].

239. The requirement in policy 19 part D to consider unrecorded public paths crossing development sites is justified subject to a modification to paragraph 7.59 to clarify that this only applies to routes that are clear and obvious on the ground, such as well-worn desire lines linking public places or highways [**MM126**].

*Conclusion*

240. Subject to the main modifications that I have described, policies 13 to 21 are justified and consistent with national policy, and will be effective in ensuring that developments are provided with safe and suitable access for all users, promoting sustainable transport, and providing a framework for the provision of transport infrastructure.

**Issue 20: Are the Plan's policies relating to the natural and built environment justified, effective and consistent with national policy?**

*Green infrastructure, open space and local greenspace*

241. Policy 27 aims to protect, improve, and create new green infrastructure and includes particular requirements for major developments. In most respects these are sound, but a modification is required to delete reference to "green infrastructure masterplans". This is because such a specific requirement is not justified or necessary to ensure that the aims of the policy are met, given that policy 43 includes a number of other relevant tools and mechanisms. Furthermore, the requirement to address existing deficiencies is not clear or justified, and should be replaced by addressing local needs. Finally, the

reference to "30 or more family homes" should be deleted as the policy should apply to all developments of one hectare or more in order to be effective, and associated modifications need to be made to the reasoned justification [**MM150** to **MM153**].

242. To ensure that policy 28 part A is clear and therefore effective, it needs to be modified so that it refers to "open space policy areas as defined on the policies map". An additional criterion in part B is needed to ensure that it is effective in protecting non designated open space that contributes to the character of a conservation area or the setting of a designated heritage asset [**MM154** and **MM155**].
243. Policy 28 part C protects three sites identified on the policies map as Local Green Spaces. These sites were selected using a consistent and proportionate methodology in line with national policy<sup>113</sup>. Whilst other policies may be effective in protecting the setting of heritage assets and other interests from development on those sites, the Local Green Space designation is justified as it ensures that each is kept permanently open. This is necessary given their particular characters and value to the local community. Modifications are required to delete reference to "local" policy and guidance in part C, and to the reasoned justification to identify the three sites. This will ensure consistency with national policy and effectiveness [**MM156** and **MM157**].
244. It may be the case that other sites in the Borough could potentially also meet the national criteria for designation as Local Green Space. However, that does not mean that the Plan as submitted is not sound. The Council's decision not to assess the site at Rosehill, Cantley as Local Green Space was reasonable in this respect as it was allocated in the existing development plan for housing development, and proposed for that use in the Plan in order to help meet housing needs in the main urban area and minimise the loss of Green Belt.
245. In order to address open space needs and deficiencies, policy 29 sets out requirements for open space provision in various types of housing development, including that developments of 20 or more family dwellings contribute "10% or 15%" of the site as open space. Such developments close to a large open space, and all developments of between 10 and 20 family dwellings, may instead be asked to provide a commuted sum equivalent to 10% or 15% of the land value. In order to ensure that the requirements are directly related to the development and necessary to make it acceptable in planning terms, reference to addressing "deficiencies" needs to be deleted. Whilst the Council has suggested that the reference to "10% or 15%" be replaced by "15%", I do not consider that being so specific is justified or necessary to make the Plan sound. However, to avoid ambiguity, whilst retaining a reasonable degree of flexibility, I recommend that reference be modified to "10% to 15%". Whilst this would not allow all types of open space to be provided by every development, it would represent a reasonable and proportionate contribution that could be tailored to the specific circumstances of each site, having regard to types of open spaces that already exist in the local area.

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<sup>113</sup> NPPF 99 to 101.

246. The requirement for a commuted sum instead of on-site provision is reasonable as there are deficiencies in some types of open space in all parts of the Borough, it would be used to improve existing open space nearby, and policy 66 relating to developer contributions would also apply. However, the policy and reasoned justification needs to be modified to refer to "market value" and to clarify how this will be calculated. I have altered the modification suggested by the Council to refer to input from the applicant as well as the Council's in-house property surveyors [**MM158** to **MM166**]. These modifications will ensure that this part of the Plan is justified, consistent with national policy and effective.

#### *Biodiversity and geodiversity*

247. Policies 30, 31 and 32 deal with ecological networks, biodiversity, geodiversity and local wildlife and geological sites, including those designated on the policies map. Appendix 8 contains the site selection guidelines that were used to designate the sites on the policies map and would also be used to consider whether non-designated sites that may be affected by development should be protected. Modifications are required to policy 31 and its reasoned justification so that references to the mitigation hierarchy and sites of special scientific interest are consistent with national policy and effective, including through reference to wider ecological networks and the Council's biodiversity map [**MM167** to **MM170**].

#### *Landscape*

248. To be consistent with national policy and effective in protecting landscape character, policy 34 needs to be modified to refer to cumulative impact [**MM171**].

#### *Historic environment*

249. Policy 35 supports proposals which preserve or, where appropriate, enhance the significance and setting of the Borough's heritage assets. Policy 36 sets out requirements for heritage statements and other information to support proposals that affect heritage assets. Policies 37 to 40 deal with particular types of designated heritage assets and archaeology. Whilst differing in detail to the wording of relevant national policy<sup>114</sup>, I am satisfied that these policies are not inconsistent and will be justified and effective provided that a number of modifications are made.

250. The Council's *Heritage Strategy 2015-2019* is now out of date and reference to it needs to be deleted from the reasoned justification [**MM172**]. Policy 38 part B needs to be clear that proposals that harm conservation areas will not be allowed unless the harm is outweighed by public benefits [**MM173**]. Policy 41, and references to appendices 9 and 10 which set out criteria for identifying parks and gardens of local historic interest and locally listed buildings, need to be modified to ensure effectiveness and clarify the status and purpose of the appendices [**MM174** to **MM177** and **MM342**]. I have amended the detailed wording of MM175 as recommended by Historic England.

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<sup>114</sup> NPPF section 16.

## *Conclusion*

251. Subject to the above main modifications, the Plan's policies relating to the natural and built environment are justified, effective and consistent with national policy.

### **Issue 21: Are the Plan's policies relating to pollution; contamination; low carbon and renewable energy; and agricultural land, soil and water resources justified, effective and consistent with national policy?**

#### *Pollution*

252. Policy 55 sets out requirements relating to development that may cause or be affected by various forms of pollution. To be consistent with national policy and effective, the opening paragraph of policy 55 needs to be modified to refer to the "agent of change principle"; and part D to needs to refer to contamination to source protection zones. The reasoned justification needs to make clear how the noise standards in appendix 11 are intended to be used to inform noise assessments and determine any mitigation that may be needed [MM192 to MM194]. Part E, relating to pollution from artificial lighting, requires additional reasoned justification with reference to relevant guidance [MM197].

#### *Contamination and unstable land*

253. To be consistent with national policy and effective, policy 56 needs to be modified to refer to preliminary risk assessments for development on land that is or potentially contaminated or unstable. Additional reasoned justification is required in relation to this, and to explain how groundwater will be protected from contamination [MM195, MM196 and MM198].

#### *Low carbon and renewable energy*

254. Policy 59 aims to increase the supply of low carbon and renewable energy produced in the Borough by identifying various types of scheme that will be supported. To be effective, community energy schemes should be added to that list [MM201].

255. Policy 60 identifies parts of the Borough to which medium to large (over 55 metres hub height) and small to medium scale wind energy schemes will be directed, and sets out additional criteria (to those in policy 59) that such forms of development would have to comply with. The area of search for medium to large wind energy developments is shown on the policies map and Figure 13. However, this was based on a landscape capacity assessment undertaken in 2006/7 since when significant changes have occurred including through a number of wind farm developments.

256. In order to ensure that this part of the Plan is informed by relevant and up to date evidence, the Council commissioned further work during the examination<sup>115</sup>. Figure 13, and the reasoned justification to policy 60, need to be modified to reflect the latest evidence, and the policies map needs to be

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<sup>115</sup> Doncaster Landscape Character Assessment Update: Sensitivity to Wind Energy Development (August 2020) [AE16.1 to AE16.4].

changed accordingly. Excluding the parts of the Borough that are in the Green Belt from the area of search is justified as very special circumstances would need to be demonstrated for wind energy developments in accordance with national policy. I have altered the modification suggested by the Council to take account of the findings of the updated Habitat Regulations Assessment and advice of Natural England. This will ensure that the Plan is effective in protecting the integrity of nightjar populations in the area around the Thorne Moor and Hatfield Moor Special Protection Areas [**MM202** to **MM205**].

#### *Agricultural land, soil and water resources*

257. Part A.1 of policy 61, which requires proposals that involve the significant loss of best and most versatile agricultural land to demonstrate an overriding need for the development, should be deleted to ensure consistency with national policy [**MM206**]. To be effective in protecting water resources, an additional clause needs to be added to policy 61 to refer to the Water Framework Directive and promoting water efficiency, along with an additional monitoring indicator [**MM207** and **MM344**].

#### *Conclusion*

258. Subject to the above main modifications, the Plan's policies relating to pollution; contamination; low carbon and renewable energy; and agricultural land, soil and water resources are justified, effective and consistent with national policy.

#### **Issue 22: Does the Plan contain justified policies that will be effective in facilitating the sustainable use of minerals in accordance with national policy?**

259. Aggregate, industrial, and energy minerals are produced in Doncaster and contribute towards meeting local, regional and national needs. The two main aggregate minerals currently extracted in the Borough are limestone and sand and gravel. Clay is sometimes worked alongside sand and gravel, and industrial limestone is also extracted. A limited amount of building stone is produced. Gas is stored underground at two former hydrocarbon reservoirs. There are significant deep coal reserves which are not currently worked. The provision of adequate mineral resources is one of the Council's strategic priorities, and the approach to meeting the need for aggregate minerals in Yorkshire and Humber and the East Midlands was one of the main strategic matters addressed through the duty to cooperate<sup>116</sup>.

260. Policies 62 to 65 set out the approach to extraction, production and safeguarding of mineral resources; safeguarding minerals infrastructure; and the reclamation of mineral sites. In most respects, these policies are based on proportionate and up to date evidence<sup>117</sup>, and are consistent with national policy and effective. Thus, whilst some would wish for a different approach towards minerals development in order to tackle climate change, there is no need to make fundamental changes to ensure that this part of the Plan is

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<sup>116</sup> Council response to PQ1.

<sup>117</sup> SDEB29 to SDEB34.

sound. That said, a number of main modifications are required to the detailed wording and I set these out below.

### *Supply of minerals*

261. Policy 62 supports the extraction and production of aggregate, industrial, building stone and energy minerals. Policy 63 supports all forms of minerals development provided that all impacts are addressed and appropriately mitigated in accordance with other policies in the Plan, national policy and planning practice guidance. Modifications are required to ensure that these policies are effective in making it clear how a decision maker should react to a proposal for mineral development on existing mineral sites with planning permission (Table 11); "new mineral allocations" / "preferred areas" (Table 12); areas of search (Table 13); and other locations [**MM208, MM212, MM218, MM224, MM225** and **MM226**].
262. Table 10 sets out the quantities of crushed limestone and sand and gravel that the Council expects to be extracted in the Borough in the period to 2035. To ensure clarity and therefore effectiveness, modifications are required to the table and associated paragraphs. These do not alter any of the quantities set out in the submitted Plan [**MM213 to MM217**].

### *Safeguarding mineral resources*

263. Policy 62 part B sets out a number of requirements that non-mineral development would need to meet if proposed within the mineral safeguarding areas listed in Table 15 and designated on the policies map (or within a 250 metre buffer zone where relevant). Paragraph 14.55 explains that this is to prevent the sterilisation of mineral resources during and beyond the Plan period. Policy 62 and its reasoned justification need to be modified so that it is clear that sites allocated for non-mineral development are excluded from the mineral safeguarding areas. Modifications are also required to clarify the types of development that are exempt from the requirements of part B, including proposals at Doncaster Sheffield Airport that comply with policy 7. This will ensure clarity and therefore that the Plan is effective in facilitating the delivery of the development it proposes in a timely manner [**MM210, MM211, MM222 to MM224**].

### *Safeguarding minerals infrastructure*

264. Table 14 lists nine sites that are used to handle, process and transport minerals and/or manufacture concrete products, and policy 62 part A(7) states that they will be safeguarded from non-minerals development. Modifications are required to ensure that the proposed approach is clear and consistent with national policy including through reference to the agent of change principle [**MM209, MM219 to MM221**].

### *Reclamation of minerals sites*

265. Policy 64 sets out requirements for a phased sequence of extraction, restoration, reclamation and planned aftercare of mineral sites that specifically benefits climate change mitigation, biodiversity, green infrastructure, informal recreation, agriculture and/or geodiversity. Modifications are required to the

reasoned justification to ensure consistency with national policy and that the policy is effective and justified [**MM227** and **MM228**].

### *Energy minerals*

266. Policy 65 states that applications for the exploration, appraisal and development (including production) of on-shore gas and oil in licenced areas (which are identified on the policies map) will be determined in accordance with national policy, guidance and relevant policies in the Plan. Whilst other plans may set out a more detailed approach, and some may wish to see such development restricted, this is consistent with national policy<sup>118</sup>. However, the definition of "hydraulic fracturing" included in appendix 1 needs to be modified to be consistent with the *Infrastructure Act 2015* [**MM318**].

### *Conclusion*

267. Subject to the main modifications described above, the Plan contains justified policies that will be effective in facilitating the sustainable use of minerals in accordance with national policy.

### **Issue 23: Other matters.**

268. There are a number of other parts of the Plan that need to be modified to ensure soundness.

269. Paragraph 4.22 needs to be modified to reflect the fact that Neighbourhood Shopping Parades are identified on the policies map [**MM13**].

270. Factual corrections are required to the housing trajectory in table H1(N) [**MM306**] and to the area for one housing allocation in table H2(Q) [**MM317**].

271. To be consistent with national policy and effective, policy 10 relating to houses in multiple occupation needs to be modified to prevent the creation of self-contained rooms at ground floor or basement level in areas of flood risk, and the word "or" needs to be added between the criteria in part E. Text also needs to be added to the reasoned justification to ensure that the policy is adequately justified [**MM102** to **MM106**].

272. Appendix 1 to the Plan includes definitions of various terms and abbreviations. Modifications are required to several of these to ensure consistency with national policy and that relevant policies in the Plan can be effectively applied [**MM318**].

## **Overall Conclusion and Recommendation**

273. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.

274. The Council has requested that I recommend main modifications to make the Plan sound and capable of adoption. I conclude that with the recommended

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<sup>118</sup> NPPF 209.

main modifications set out in the Appendix the *Doncaster Local Plan 2015-2035* satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the *National Planning Policy Framework*.

*William Fieldhouse*

Inspector

This report is accompanied by an Appendix containing the Main Modifications.

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