Examination of the Doncaster Local Plan

Hearing Statement: Matter 11

On behalf of: Waystone Hargreaves Land LLP
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1 Introduction

1.1 This Hearing Statement is prepared on behalf of Waystone Hargreaves Land LLP (WHL) in respect of Matter 11 (Unity Regeneration Project), Questions 11.1 and 11.1.A of the Inspector’s Matters, Issues and Questions (MIQs).

1.2 WHL welcomes the opportunity to positively engage with the Inspector and Doncaster Metropolitan Borough Council (“the Council”) to help achieve a sound Local Plan.

1.3 A Statement of Common Ground has been prepared between the Council and WHL and this should be read alongside this Hearing Statement.
2 Background

2.1 A significant element of the Unity Regeneration Project comprises the outline planning permission (ref. 15/01300/OUTA) granted by the Council on the 21 April 2017 for a major, mixed-use regeneration scheme (“Unity”) comprising the following development:

“Outline application for a mixed use development comprising residential development (3100 units), community facilities, industrial and logistical development, commercial development and a local centre with associated infrastructure and details of access”

2.2 This outline planning permission covers an area of approximately 250 hectares and is split into several ‘zones’ of development comprising the following: Connect, Link, Life, Living and Town. Each zone seeks to focus on a certain form of development, whether that be residential, employment or a mixed-use development.

1.4 In addition, there is a small ‘drop-in’ outline planning permission (ref. 18/00101/OUTM), which covers an area previously not included within the original outline planning permission within the Unity Town ‘zone’, as well as the Marina planning permission associated with Unity life (ref. 10/00398/OUTA and 14/02421/REMM) which has now been lawfully implemented.

1.5 The Unity project is being delivered by WHL - a joint venture between Waystone (a construction and development specialist) and Hargreaves Land (the property development division of Hargreaves Services plc) – acting as master developer for the project.

2.3 WHL is responsible for the long-term delivery of the project, ensuring that each element of development that comes forward contributes to the overall vision of creating a transformational, sustainable, mixed-use community.

2.4 As master developer, it is WHL’s responsibility to deliver serviced plots for housebuilders and potential occupiers. Whilst such an approach requires WHL to incur upfront costs, it minimises risk to the purchasers and helps to ensure that the project can be delivered within the envisaged timescales.

2.5 Servicing a development plot for future development requires WHL to discharge the relevant planning conditions to allow for the development of the relevant plots, the creation of development platforms and the delivery of key pieces of infrastructure such as roads, sewers, utility connections and the wider green infrastructure network.

2.6 Linked to the delivery of this planning permission is the Hatfield Link Road, which is currently under construction with completion expected towards the end of 2020. This key piece of
infrastructure connects the relevant Unity ‘zones’ together but also improves access to the motorway network for those living in Stainforth, Hatfield and surrounding areas.
3 Matter 11: Unity Regeneration Project

Question 11.1

Is the proposal in policy 70 for a mixed use development between Hatfield and Stainforth as shown on the Policies Map and “inset map” justified and is it likely to be developed in the timescales envisaged during and after the Plan period? In particular:

a) The specific developments (including 1,015 dwellings and 33.6 hectares of employment land during the Plan period) and infrastructure set out in part A and indicated on Figure 17 (“Unity Masterplan: approved outline planning application ref 15/01300/OUTA”).

b) The potential uses on the former Hatfield colliery site set out in part D.

c) Is the deletion of part D.4 and insertion of new part G relating to the grade II listed headstocks necessary to make the Plan sound?

d) The relocation of existing gypsy and traveller sites from north of Station Road, Dunscroft to an appropriate site of similar size, proportion and equivalent standard as proposed in part E.

3.1 Policy 70 of the Local Plan supports the ongoing development of the Unity Regeneration Project and provides a set of specific criteria to guide its development for areas that are subject to the outline planning permission as well as those areas that are not (such as the Hatfield Colliery site).

3.2 The overall policy approach is justified and represents an appropriate strategy for the Local Plan. The majority of the site is covered by an extant outline planning permission which is actively being delivered by WHL as master developer, whilst those areas that are not subject to the existing planning permission are within WHL’s control and could in the future be brought into WHL’s ownership.

3.3 The timescales envisaged within the Local Plan are realistic and achievable, and this is evidenced by the significant amount of work undertaken by the Council and WHL to date in delivering the project. A summary of this work is set out in the Statement of Common Ground between WHL and the Council and includes the work associated with the Hatfield Link Road,
reserved matters approval for infrastructure development associated with Unity Connect and
the discharge of relevant planning conditions relating to Unity Connect, Living and Life.

3.4 The remainder of this section addresses thee specific queries raised within parts a) to d) of
Question 11.1.

>a) The specific developments (including 1,015 dwellings and 33.6 hectares of
employment land during the Plan period) and infrastructure set out in part A and
indicated on Figure 17 (“Unity Masterplan: approved outline planning application ref
15/01300/OUTA”).

Residential

3.5 Policy 70 (A) (1) currently states that up to 1,015 dwellings could be delivered within the Unity
Regeneration Project during the Plan period up to 2035.

3.6 It is understood that the specific wording of Policy 70 (A) (1) is proposed to be amended by
the Council to reflect that this is a minimum, rather than an upper limit of development within
the Plan period. This proposed amendment reflects the existing outline planning permission
at the site which permits, through Condition 17, up to 1,200 homes by 1 January 2028 with
no restriction on the remainder of the units thereafter.

3.7 In terms of delivery, WHL is in advanced discussions with several national and regional
housebuilders in respect of the Unity Regeneration Project, including specific development
plots within Unity Living. This includes:

• A reserved matters application to be submitted to the Council by the end of Autumn
2020 by a regional housebuilder for approximately 169 dwellings on an approximate
9-hectare plot;

• A reserved matters application likely to be submitted to the Council by Spring 2021
by a national housebuilder for approximately 265 dwellings on an approximate 5.5-
hectare plot; and

• Initial commercial discussions with a further regional housebuilder relating to an
approximate 5-hectare plot.
3.8 In its role as master developer, WHL has already discharged several pre-commencement conditions associated with Unity Living (ref. 17/01215/COND) in order facilitate the delivery of these developments.

3.9 Alongside this, WHL has implemented the Marina planning permission (ref. 10/00398/OUTA and 14/02421/REMM), which forms an important element of the wider Unity Life zone. The progression of this will further assist in the wider delivery of homes within this zone over time.

3.10 Considering the above, the minimum delivery of 1,015 within the Plan period and delivery of the remaining dwellings post-Plan period is considered to be both justified and achievable.

Employment

3.11 The Council’s Main Modification to Policy 70 (ref. DMBC15) confirms that approximately 66 ha of land will be delivered within the Unity Regeneration Project and that up to 33.6 ha of land will delivered over the Plan period. This is also reflected within the Main Modification to Table E3.

3.12 It is understood that the specific wording of Policy 70 (A) (2) is proposed to be amended by the Council to reflect that these areas are minimum thresholds, rather than upper limits of development within the Plan period. This reflects the extant planning permissions at the site.

3.13 The trajectory for employment land over the Plan period is considered reasonable and realistic. WHL has recently exchanged contracts with a national retailer to build a regional distribution centre and training facility on approximately 31 hectares of land at Unity Connect. This demonstrates the suitability the Unity site to accommodate significant employment development.

3.14 In addition, WHL has secured reserved matters approval (ref. 20/01197/REMM) for a primary estate road from the Hatfield Link Road into Unity Connect, which is a critical piece of infrastructure that will unlock the delivery of the Unity Connect zone. WHL are currently in the process of discharging the outstanding pre-commencement planning conditions to allow the scheme to be implemented in autumn 2020.

3.15 In light of this, it is considered that the quantum of development and timescales envisaged during and after the Plan period for employment development are justified and achievable.
Other Infrastructure

3.16 Alongside the residential and employment development, WHL and the Council are progressing key pieces of infrastructure associated with the project as set out in Policy 70 (A). To date, this includes:

- The construction of the link road between junction 5 of the M18 motorway and Waggons Way in Stainforth is underway and is expected to be completed in autumn 2020. This key piece of infrastructure will unlock the development site and will facilitate the delivery of new homes and commercial land uses.

- The commencement of development in relation to the Marina planning permission (ref. 10/00398/OUTA and 14/02421/REMM), which forms an important element of Unity Life.

3.17 In addition, WHL can confirm that there is active interest from several parties in relation to land associated within the local centre within Unity Town.

3.18 Other key pieces of infrastructure, such as the primary school, and other requirements of Policy 70 (A) are controlled by the conditions attached to the outline planning permission and the Section 106 agreement. WHL is in regular and ongoing discussion with the Council to ensure such elements come forward on schedule and in response to up-to-date requirements/evidence and will therefore deliver such elements as the project progresses.

3.19 Given this work to date, it is considered that the wider infrastructure associated within the Unity project will be developed in the timescales envisaged during and after the Plan period.

\[b) \text{The potential uses on the former Hatfield colliery site set out in part D.}\]

3.20 The vacant Hatfield Colliery site falls outside, but adjacent to the existing outline planning permission for the area (although part of the former colliery tip does lie within the planning boundary). Policy 70 seeks to regenerate this area in order to, a) create sustainable and beneficial uses for the area which complement the wider Unity development activities, and b) secure the long-term conservation of the listed headstocks.

3.21 It is common ground between the Council and WHL that the site is suitable for a range of potential uses, including:
1. employment/industrial uses such as business, light industry and distribution/warehousing;
2. technological, manufacturing or research uses;
3. ancillary uses including local facilities provided that they are of a scale that is needed to serve the occupiers of the former Hatfield Colliery site; and
4. other uses, including leisure.

3.22 The current wording of Policy 70 supports the uses set out at 1-3, but the flexibility provided by point 4 has been removed in the Council’s latest Main Modification. It is understood that the Council is proposing an additional Main Modification to reinstate this criterion back into the list of acceptable uses.

3.23 WHL considers that the flexible list of uses for this site within Policy 70 provides an appropriate policy basis to guide the successful regeneration of the colliery site. Such flexibility is important as it allows a range of uses to come forward to compliment the site’s surroundings, which includes Unity Town and Unity Energy (which falls outside the scope of planning permission 15/01300/OUTA), whilst also ensuring sufficient flexibility to allow for imaginative proposals that secure the long term conservation of the headstocks.

3.24 The deletion of the heritage related wording from Policy 70 (D.4) and creation of a new part G is an appropriate policy approach that improves its effectiveness. The amendment makes it clear that the headstocks are a matter that all development within the area should consider, regardless of land use.

3.25 However, whilst the creation of the new part G is considered appropriate, the removal of part D.4 in its entirety is not considered to be necessary since it relates to the list of potential uses within Hatfield Colliery. It is understood that the Council is proposing a Main Modification to allowing part D to read as follows:

“D)......

3. ancillary uses including local facilities provided that they are of a scale that is needed to serve the occupiers of the former Hatfield Colliery site; and,
4. Other uses, including leisure.”

3.26 This amendment is supported by WHL.

\[ \textit{d) The relocation of existing gypsy and traveller sites from north of Station Road, Dunscroft to an appropriate site of similar size, proportion and equivalent standard as proposed in part E.} \]

3.27 Policy 70 (E) is a duplication of Condition 42 of the outline planning permission, which specifically refers to plots R4, R5 and TH1 of Unity Town.

3.28 It is considered unnecessary to include a copy of the condition within policy, as it is a detailed development control matter specifically imposed upon the planning permission. It is therefore suggested that a reference to the requirement is moved to the policy’s Explanation, confirming that this forms part of the site’s planning permission and must therefore be adhered to.

3.29 If the Inspector considers it to be necessary to keep the provision within the policy itself, it is suggested that the wording be changed to objectify the requirement. Suggested wording for part E is set out below:

“To ensure the development does not harm the supply or occupation of gypsy and traveller sites in the borough, the developer will be responsible for identifying an alternative site of a similar size, proportion and standard to accommodate 20 gypsy and traveller pitches to be transferred to the Council or its nominee in accordance with the planning permission.”

Question 11.1.A

\[ \textit{Does policy 70, or associated reasoned justification, need to be modified to reflect the changes to the Use Classes Order that will come into effect on 1 September 2020?} \]

3.30 The introduction of Use Class E through the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 is not considered to make a material difference to the objectives of Policy 70. The reasoning for this is provided below:
1.) Policy 70 predominantly relates to the implementation of the existing planning permission at the site. In such cases, the planning permission must be implemented in accordance with the uses in effect at the grant of planning permission (i.e. the 'old' use classes).

2.) Where Policy 70 relates to areas that are not subject to the existing planning permission at the site, such as the Hatfield Colliery site, the policy wording is considered to provide a suitable and effective basis to guide future development through descriptions of the acceptable land uses without the need to refer to specific use classes.

3.31 It is recognised that the supporting text to Policy 70, particularly at Figure 17 and Table 16 refer to the older use classes. As these relate to the existing planning permission it is not considered that these require amending for the reasons set out at point 1 above.

3.32 For completeness, it is also recognised that the changes to the Use Classes Order are the subject of an ongoing legal challenge. As such, the suggested approach of omitting any references to specific use classes within the policy text would also future-proof any potential further changes to the Use Classes Order that may occur following resolution of the legal challenge.