For and on behalf of
Mr RJ Ogley (03008)
Minerals Investments Ltd (Mr Ian Brealey) (03116)
Higgins Agriculture Ltd and Bellway Homes (03467)
A J Atkinson & Sons (05284)

DONCASTER LOCAL PLAN EXAMINATION
STAGE 4 HEARING SESSION REPRESENTATION
MATTER 4 GREEN BELT

Site Allocation Ref: 040 - Land off Sheffield Road, Conisbrough
HELAA Site Ref: 184 - Brodsworth Quarry, Green Lane, Doncaster
Site Ref: 189 - Higgins Site, Old Bawtry Road, Finningley
Planning Permission Refs: 17/02585/FULM and 17/02586/LBCM – Manor Farm, Marr

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1.0 INTRODUCTION

1.1 This representation has been prepared by DLP Planning Ltd on behalf of Mr RJ Ogley, Minerals Investments Ltd (Mr Ian Brealey), Higgins Agriculture Ltd* and Bellway Homes, and A J Atkinson & Sons in response to the Stage 4 Examination Hearing Sessions of the Doncaster Local Plan.

1.2 This representation addresses Matter 4 in relation to the following sites:

- Site Allocation Ref: 040 - Land off Sheffield Road, Conisbrough
- HELAA Site Ref: 184 - Brodsworth Quarry, Green Lane, Doncaster
- Site Ref: 189 - Higgins Site, Old Bawtry Road, Finningley
- Planning Permission Refs: 17/02585/FULM and 17/02586/LBCM – Manor Farm, Marr

1.3 This document should be read alongside previous representations on the publication version of the Plan, as submitted in September 2019.

*NB - The representor (03467) previously referred to as Higgins Agriculture Ltd is herein referred to as M Higgins Ltd.
2.0 RESPONSE TO INSPECTORS QUESTIONS

Matter 4 – Green Belt

Issue - Accommodating Development in Non Green Belt Locations

Q4.1. Were all reasonable options for meeting identified development needs in non Green Belt locations fully examined during the preparation of the Plan? In particular:

a) Does the Plan make as much use as possible of suitable brownfield sites and underutilised land?

2.1 No, the plan does not make as much use as possible of suitable brownfield sites and underutilised land. An example which provides evidence of this is site 189 in Finningley, which is located within a Countryside Policy Area and is not allocated for housing (after promotion through the Local Plan process) despite the fact that it is a partially brownfield parcel of land located immediately adjacent to Doncaster Sheffield Airport, which is specifically identified as a key driver of economic growth during the proposed Plan period. The landowner has undertaken pre-application discussions with the Council regarding the provision of 221 dwellings supported by Bellway Homes and the site is deliverable in the short term.

2.2 There is also the large site at Brodsworth Quarry, which is underutilised land having been restored to a very low quality of land. This site has been placed before the Council on a number of occasions and while it is within the Green Belt it performs limited Green Belt functions and could clearly provide a long term supply of housing and employment land in this part of the Borough. This site was not subject to assessment in the Sustainability Appraisal (CSD7.1).

2.3 There is also brownfield land at site 446 (Mosham Road / land east of Hurst Lane, Auckley), which is close to the airport and services within Auckley and is defined in the DSA Masterplan as a residential site to support the community railway station in Auckley.

b) Would the Plan be effective in optimising the density of development and making effective use of land in line with chapter 11 of the NPPF?

2.4 The Plan is not as effective as it could or should be in optimising the density of development and making effective use of land. The reasoning for this includes that the Plan does not make as much use as possible of suitable brownfield sites and underutilised land (as referenced above). This is contrary to NPPF paragraphs 117 and 118 which set out the following:
• Planning policies should promote an effective use of land in meeting the need for homes and other uses

• Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land

• Planning policies should (amongst other things) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively

c) What would the consequences be for sustainable development of accommodating all development needed during the Plan period in non Green Belt locations?

2.5 Paragraph 7 of the NPPF states that “the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs”. It is evident (for example - from the housing and employment figure requirements, from large portions of the Borough being located in Flood Zones 2 and 3, and from the fact that Green Belt releases have been required) that all of the development needed during the Plan period cannot be accommodated in non-Green Belt locations only. Ultimately, more housing and employment land is needed to support the growth that is currently taking place and will continue to take place in the Borough, and if sufficient land is not allocated for the needs then the objective of sustainable development will not be being achieved because the needs of the present will not be being met.

2.6 In general terms, the harm to the objectives of the Green Belt has been considered to outweigh the harm of placing dwellings in Flood Zones 2 and 3. Whilst there may be some cases where such additional risk to health and property is acceptable, the approach of the Council appears to have been to tilt the balance in favour of development within areas of Flood Risk as opposed to areas in the Green Belt without a satisfactory analysis undertaken of the balance between the two on a site by site basis.

d) Was the Plan informed by discussions with neighbouring authorities about whether they could accommodate some of the Borough’s identified need for development?

2.7 No further comment.
Issue - Sustainable Patterns of Development

Q4.2. Assuming it is necessary to remove land from the Green Belt, did the approach taken in the Plan give first consideration to land which has been previously developed and / or is well served by public transport?

2.8 No. Brodsworth Quarry is one of the largest areas of underutilised land in the Green Belt, which has been consistently promoted to the Council as a suitable site for comprehensive development. The HELAA identifies Brodsworth Quarry as site ref. 184, and it was submitted to the Call for Sites so it should have been reviewed in the Stage 2 Sustainability Appraisal report. We also know from our previous representation in relation to Brodsworth Quarry, which was assessed as part of the wider Adwick le Street 5 site, that the Green Belt Review Stage 1 (SDEB15.2) assessed the performance of 64 individual, large parcels of Green Belt land against the five purposes. We have previously submitted our own site specific Green Belt assessment because the Council’s Green Belt assessment failed to address the site’s individual characteristics derived from its previous quarry use and its present underutilised state. This site is clearly very different in character to the much wider area which was assessed by the Council and which formed the basis for their decision. These decisions are unsound because the evidence base is not proportionate as they are not the same as the wider area’s characteristics.

2.9 The Council’s Green Belt Topic Paper (DMBC3) sets out how Arup prepared the Green Belt Review Stage 1, Green Belt Review Stage 3, and 2019 Green Belt Review Stage 3 Addendum reports to assist in the preparation of the Local Plan. The Topic Paper (DMBC3) also sets out that Stage 2 of the work was undertaken by the Council in deciding on potential sites which were subsequently assessed at Stage 3. Further to this, the Topic Paper (DMBC3) states that Stage 2 consisted of “an assessment of all the sites submitted through the Call for Sites. Green Belt sites which were adjacent to the 18 growth settlements were filtered out to be assessed in the Stage 3 Report”. The Stage 2 report is not available on the Council’s website in the Green Belt Review folder of the evidence base documents.

Q4.3. Would development on each of the eight housing allocations removed from the Green Belt promote sustainable patterns of development?

2.10 The only Green Belt housing allocation we wish to comment on for Q4.3. in this Statement is site ref. 040 (land off Sheffield Road, Conisbrough). Conisbrough (“Conisbrough and Denaby”) is designated as a ‘Main Town’, which is one of the types of location where new development will be focussed in and around existing urban areas (as set out in the Plan’s
Spatial Strategy and Settlement Hierarchy). Conisbrough is a highly sustainable location which has a range of local transport links and facilities and services. In relation to site ref. 040 specifically, the site is located adjacent to Conisbrough’s existing settlement boundary on its north eastern boundary, and it is in close proximity to Conisbrough’s facilities and amenities. In light of this, it is considered that development of the site would promote sustainable patterns of development, as set out in DLP’s Reg 19 representations regarding this site.

**Issue - Green Belt Purposes**

Q4.4. How would development on each of the eight housing allocations removed from the Green Belt affect the purposes of including land in the Green Belt?

2.11 The only Green Belt housing allocation we wish to comment on for Q4.4. in this Statement is site ref. 040 (land off Sheffield Road, Conisbrough). Paragraph 134 of the NPPF sets out that the purposes of including in the land in the Green Belt are as follows:

- To check the unrestricted sprawl of large built-up areas
- To prevent neighbouring towns merging into one another
- To assist in safeguarding the countryside from encroachment
- To preserve the setting and special character of historic towns
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

2.12 It is not considered that the development of site ref. 040 will create unrestricted sprawl or cause neighbouring towns to merge. The site has strong and defensible boundaries as it is bound by Old Road and Sheffield Road on its north western and southern boundaries respectively, by residential development on its north eastern boundary, and by a limited amount of development on its south western boundary before Old Road and Sheffield Road join. The boundaries being strong and defensible also helps to ensure that the surrounding countryside is safeguarded from encroachment.

2.13 Given that site ref. 040 is located adjacent to the settlement’s boundary on the western side, which is substantially separated from the historic centre and the Conservation Area by the
notable twentieth century development, it is not considered that development of the site will have any impact on the setting or special character. Overall, it is not considered that the site supports any of the purposes of including land within the Green Belt and therefore the removal of the site from the Green Belt will not be harmful to these purposes.

**Issue - Green Belt Boundaries**

**Q4.5.** Are the suggested changes in the Council’s response to PQ10 necessary to make the Plan sound, and would they ensure that the proposed boundaries around each of the eight housing allocations removed from the Green Belt are clearly defined using physical features that are readily recognisable and likely to be permanent?

2.14 No further comment.

**Q4.6.** Will the proposed Green Belt boundaries around each of the eight allocations removed from the Green Belt need to be altered again at the end of the Plan period?

2.15 It is highly probable that the Green Belt boundaries will need to be altered again at the end Plan period based on the anticipated requirement for additional housing and employment land needs / requirements, and because there are large portions of the Borough where flood risk prevents development from being located.

**Issue - Compensatory Improvements to the Green Belt**

**Q4.7.** Are the suggested changes set out in the Council’s responses to PQ9 and PQ10 necessary to make the Plan sound, and would they be effective in securing compensatory improvements to the environmental quality and accessibility of remaining Green Belt land that would offset the impact of removing the eight housing allocations from the Green Belt?

2.16 In accordance with national policy (NPPF paragraph 138) plans should set out ways that the impact of removing land from the Green Belt can be offset through compensatory improvements to remaining Green Belt land. Within this context the principle of the Council’s suggested modifications in response to PQ9 (DMBC7) regarding the expansion and enhancement of the Green Belt at Rossington is considered to be justified in order to provide the opportunity for compensatory measures to be achieved within the Borough.

2.17 However, there is a lack of evidence to demonstrate that an assessment has been carried out regarding specific measures achievable in this area to proportionately offset the Green Belt release elsewhere, over and above any works required in this area in association with the adjacent planning permissions at Rossington Colliery.
2.18 The Council acknowledges in their response to PQ9b that ‘There is nothing in the NPPF or PPG that specifies that compensatory improvements must be local to the area where land will be removed from the Green Belt.’ Within this context, and taking account of the proposed modification to support compensatory Green Belt provision at Rossington Country Park, the Council’s proposed modifications at PQ10 to the Developer Requirements are not considered to be justified, and could result in double counting if applied together with contributions towards compensatory improvements to the Rossington Country Park.

2.19 The requirement for localised improvement of land outside of the allocation site is likely to require land outside of landowners control and the cost of acquiring this land and providing compensatory works has not been accounted for within the viability appraisal to ensure that the allocations remain deliverable and ensure that the plan is sound.

**Issue - Exceptional Circumstances for Changes to the Green Belt**

Q4.8. Have exceptional circumstances to justify removing each of the eight housing allocations from the Green Belt been fully evidenced and justified?

2.20 The Green Belt covers the western and southern part of the Borough. This includes areas of high demand and low affordability. The Green Belt also encloses tightly some of the most sustainable settlements in the Borough which have seen some of the higher levels of employment growth and importantly are areas which are not subject to flooding. The release of Green Belt sites to secure sustainably located development can, and in this case does, amount to very special circumstances, especially when the alternative might be to allocate additional land in Flood Zones 2 and 3.

2.21 The only Green Belt housing allocation we wish to comment on specifically for Q4.8. in this Statement is site ref. 040 (land off Sheffield Road, Conisbrough).

2.22 As demonstrated in the Regulation 19 representations (and in the previous representations), site 040 is located in a sustainable location, in close proximity to local transport links and several facilities and services. For example, Conisbrough train station which provides access to Northern services to Hull, Doncaster and Sheffield is located approximately 2 kilometres to the north east of the site, and there are six bus stops (three per direction) located 400 metres or less to the north / north east of the site which provide access to the X78 service which runs regularly on all 7 days of the week between Doncaster, Rotherham, Meadowhall and Sheffield. The facilities and services that are located in close proximity to the site include,
but are not limited to, Conisbrough Ivanhoe Primary Academy, food stores, Conisbrough community centre, Conisbrough Baptist Church, Conisbrough post office, and a pharmacy.

2.23 Further to the above, in relation to Conisbrough as a settlement, the Council’s Settlement Audit (2020 update) (SDEB2.2) assessed the Borough’s settlements against thirteen “primary” and “secondary” services which are deemed desirable to have in a settlement and which indicate a settlement may be sustainable. There were 14 categories which the settlements could score against; however, the maximum score was 13 because if a settlement scores as being on the primary bus network then it cannot also score for being on the secondary network. Conisbrough and Denaby scored 12 which is the highest score out of all of the settlements that were assessed. Only one other settlement (Edlington) also scored 12.

2.24 As highlighted in the Council’s Appendix PQ8 document (DMBC9) and expanded upon in full detail in the Council’s Green Belt Topic Paper (DMBC3) exceptional circumstances have been demonstrated in Conisbrough and Denaby to justify the allocation of site 040. Six non-Green Belt sites were initially promoted with a total capacity of 546 units; however, only one of these was deemed suitable for allocation to accommodate 125 units, whereas the remaining sites were ruled out due to issues such as access and surface water. When the one non-Green Belt allocation was combined with sites with planning permissions that have capacity remaining, Conisbrough and Denaby is only able to deliver 328 units overall on non-Green Belt sites. This is short of the bottom of the range for the settlement by 137 units, which means that Conisbrough and Denaby are unable to achieve their housing target without utilising Green Belt land. In light of this, seven proposed Green Belt sites were assessed by the Council and site 040 was found to be the most suitable for allocation (in part because its allocation helps the settlement get into its target range alone due to its capacity).

Q4.9. Have exceptional circumstances to justify making the other changes to the Green Belt referred to in the Council’s response to PQ8 been fully evidenced and justified?

2.25 No further comment.

Q4.10. Assuming that I conclude that the Plan identifies sufficient land to ensure that justified development needs can be met in suitable locations throughout the Plan period, would there be exceptional circumstances to justify taking additional land out of the Green Belt at the present time, for example to try to ensure that Green Belt boundaries will not need to be altered again at the end of the Plan period?
2.26 The NPPF (paragraph 139 c) is very clear that when defining Green Belt boundaries Plans should, where necessary, identify areas of safeguarded land between the urban area and the Green Belt in order to meet longer-term development needs stretching well beyond the Plan period.

2.27 Firstly, safeguarded land should be identified where necessary to safeguard land for future long term needs.

2.28 In the case of Doncaster there are clear long-term needs. There is no evidence that the present economic and demographic growth will not continue and as such there will continue to be the need for development land to provide for the future population and the needs of the economy. The long-term sustainability of the growth settlements currently enclosed by the Green Belt is likely to improve and as such there will be a continuing pressure to provide sustainable locations for development.

2.29 There are clear candidates for identification for safeguarded land such as Brodsworth Quarry. If we are wrong with regard to the need for it to be released to meet the employment led housing requirement then the site’s relatively low performance in meeting the five objectives of the Green Belt suggests that this is a suitable site to be safeguarded.

2.30 There is also the opportunity to remedy clear and obvious minor adjustments to the Green Belt boundary, including at Marr in order to reflect existing buildings and development permitted (see figure 1).
2.31 As set out in Reg 19 representations, this site benefits from permission for conversion of listed buildings including enabling development of 7 new dwellings to support the long established presence and preservation of built form in this part of the village. In short, the proposal constituted very special circumstances, and A J Atkinson & Sons are committed to bringing the development forward given the long associated history with the site. Annex 2 of the NPPF sets out that all sites with detailed planning permission should be considered to be deliverable until the permission expires unless there is clear evidence that homes will not be delivered within five years (which there is not for Manor Farm).

2.32 It is understood from Chapter 5 of the Council’s Green Belt Topic Paper (DMBC3) that the Council have taken the approach that planning permissions for housing which are connected
to defined settlements but have yet to be fully developed or delivered will not be considered for removal from the Green Belt. A summary of the Council’s justification for this approach is as follows:

- **Until the site has been fully developed and completed it is not possible to draw an accurate boundary that will not be subject to further change;**

- **It is not suitable to draw a boundary around the extent of the permission’s boundary because, if undeveloped, this may not exist in a form which makes it possible to definitively say where the best and most suitable boundary is; and**

- **It is not suitable to draw a boundary around the extent of the permission’s boundary because, if undeveloped, this would remove land from the Green Belt that could potentially be developed more freely when released from Green Belt constraints for other reasons as opposed to those assessed as contributing towards very special circumstances in the planning permission.**

2.33 In the case of Manor Farm, Marr, we do not agree with the Council’s approach as the site includes existing built form. In this case it is considered entirely appropriate to amend the settlement boundary to at the very least include the existing buildings, but more appropriately to include the whole site, as the new built form will support the retention of the Listed Building and the site should therefore be considered collectively.

2.34 Furthermore, if Manor Farm, Marr is removed from the Green Belt then it will reduce the likelihood of the Marr Green Belt boundary needing to be altered again at the end of the Plan period.

**Issue - Development in the Green Belt**

Q4.11. Is policy 2 part 6 justified and consistent with national policy relating to development in the Green Belt, in particular that related to “limited infilling in villages”?

2.35 Paragraph 145 of the NPPF sets out that Local Planning Authorities should regard the construction of new buildings as inappropriate in the Green Belt, although there are a limited number of acceptable exceptions. The exceptions that are of particular relevance in relation to Q4.11. are as follows:

- **Limited infilling in villages**
• Limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites)
• Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
  - Not have a greater impact on the openness of the Green Belt than the existing development; or
  - Not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

2.36 Policy 2 part 6 firstly states that within the Green Belt national planning policy will be applied, including the presumption against inappropriate development except in very special circumstances. The following is then stated in regard to infill development:

“Infill development in villages in the Green Belt (i.e. covered by Green Belt policy) is defined as the filling of a small gap in an otherwise built up frontage – a small gap is defined as a gap which fronts onto a highway and has a width of less than 20 metres between existing buildings.”

2.37 Infilling / limited infilling is not defined in Annex 2 (Glossary) of the NPPF, nor is it defined in the Green Belt section of the PPG. Therefore, this definition in policy 2 part 6 is not wholly consistent with national policy.