For and on behalf of
Mr RJ Ogley (03008)
Minerals Investments Ltd (Mr Ian Brealey) (03116)
Higgins Agriculture Ltd and Bellway Homes (03467)
Avant Homes (05259, 05303, and 05304 and 05305)
South Yorkshire Housing Association (05214)

DONCASTER LOCAL PLAN EXAMINATION
STAGE 4 HEARING SESSION REPRESENTATION
MATTER 6 HOUSING DEVELOPMENT REQUIREMENTS

Site Allocation Ref: 040 - Land off Sheffield Road, Conisbrough
Site Allocation Ref: 432 - Former Wheatley Hills Middle School, Leger Way
Site Allocation Ref: 170 – Land at Doncaster Road, Hatfield
Mexborough Residential Policy Area – Land at Pastures Road, Mexborough

HELAA Site Ref: 184 - Brodsworth Quarry, Green Lane, Doncaster
Site Ref: 189 - Higgins Site, Old Bawtry Road, Finningley
Site Ref: 446 – Mosham Road / land east of Hurst Lane, Auckley

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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, Avant Homes, and South Yorkshire Housing Association in response to the Stage 4 Examination Hearing Sessions of the Doncaster Local Plan.

1.2 This representation addresses Matter 6 in relation to the following sites:

- Site Allocation Ref: 040 - Land off Sheffield Road, Conisbrough
- Site Allocation Ref: 432 - Former Wheatley Hills Middle School, Leger Way
- Site Allocation Ref: 170 – Land at Doncaster Road, Hatfield
- Mexborough Residential Policy Area – Land at Pastures Road, Mexborough
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- Site Ref: 189 - Higgins Site, Old Bawtry Road, Finningley
- Site Ref: 446 – Mosham Road / land east of Hurst Lane, Auckley

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

*N.B - 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 6 – Housing Development Requirements

Issue - Site Specific Requirements for Housing Allocations without Planning Permission

Q6.1. Are the development requirements for the housing allocations without planning permission set out in Appendix 2 to the Plan justified? Is there sufficient detail to provide clarity to developers, local communities and other interested parties about the nature and scale of development proposed? Are the Council’s suggested changes to Appendix 2 relating to sites ref 133 (Thorne) and 247 (Rossington) necessary to make the Plan sound?

2.1 The development requirements as set out in Appendix 2 are generally considered to be justified, and the modifications proposed by the Council necessary to ensure consistency with planning permissions and legal requirements.

2.2 Proposed modification - It would be beneficial to include the anticipated quantum of development for each site within the Site Specific requirements for clarity of reference.

Issue - Housing Mix

Q6.2. Is the requirement in policy 8 part A for development to deliver a mix of house size, type, price and tenure to address the needs and market demand in the latest Housing Need Assessment or other robust evidence justified?

2.3 No further comment.

Q6.3. Is the inclusion of Appendix 4 in the Plan justified and consistent with the wording of policy 8? Will it be effective in helping to ensure that the need for different types of homes in different parts of the Borough are met throughout the Plan period?

2.4 Whilst the inclusion of Appendix 4 is consistent with the wording of policy 8 at this time, the inclusion of the Housing Need Study 2019 (SDEB24.1) data will become time expired as it is superseded by updated assessments and should not be included within the Plan.

2.5 Appendix 4 should be deleted to ensure that the policy is clear and remains up to date and reference should instead be made to up to date evidence as available at the time of determining planning applications.

Issue - Affordable Housing

Q6.4. Are the requirements of policy 8 part B for 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 justified by adequate, proportionate and up to date
evidence about need and viability?

2.6 No. For the reasons set out in paragraphs 2.30 - 2.40 of DLP’s Statement on Matter 1, the affordable housing requirements in policy 8 part b, are not justified and will not be effective in delivering the level of affordable or market housing envisaged by the Plan. Recommendations are made in DLP’s Matter 1 Statement as to how this issue can be addressed through a reduction in the 15% affordable housing target to support the delivery of sites in low value areas.

2.7 The supporting text for policy 8 sets out that the required affordable housing percentages have been determined from the Doncaster Local Plan Viability Testing (2016) evidence base (SDEB49), and that the 2019 Viability Testing Update to this evidence (SDEB48.1) also revised the typologies before modelling a number of actual Local Plan allocations. However, despite the unviable outcomes arising from a number of these scenarios within the assessments, the policy threshold of 15% has not been adjusted and there is no acknowledgement within part b of policy 8 that affordable housing requirements will likely remain subject to application stage viability testing in these areas.

2.8 In order to be justified, the 15% threshold affordable requirement in low value areas should be reduced to a viable level supported by clear evidence. Cross-referencing should also be added to policy 67, in terms of the circumstances where viability assessment at the application stage continues to be justified, as envisaged in NPPF (para. 57). This will ensure that the policy is positively prepared in order to meet the housing requirement in the Plan and justified in terms of the evidence base.

Q6.5. Is the reference in paragraph 6.9 to 75% of the affordable homes being for rent and 25% for low cost home ownership justified? Is it consistent with the national policy expectation that 10% of homes on major sites should be available for affordable home ownership? If the 75%/25% split is justified and consistent with national policy, should it be referred to in policy 8 rather than the reasoned justification?

2.9 No further comment.

Issue - Internal Space Standards

Q6.6. Is the requirement in policy 46 part A for all new housing to meet the Nationally Described Space Standard as a minimum justified by adequate, proportionate and up to date evidence about need, viability and timing?

2.10 No. There is insufficient evidence presented to justify the application of NDSS within the
policy. There is a significant risk that the imposition of space standards alongside other design and technical requirements, and planning contributions will negatively impact the deliverability of allocations and undermine the soundness of the plan. Whilst the Council’s viability evidence does test the level of planning requirements and contributions proposed including NDSS, there were no adjustments made to the anticipated site yields to reflect the additional land take required to achieve these standards. To the contrary, the appraisal has assumed higher yield from sites where viability is an issue, which is unachievable if NDSS is applied.

2.11 The viability appraisal addendum (SDEB48.1) also assumes a low cost developer model in a number of the appraisals in lower value areas. However, in reality these low cost models do not adhere to NDSS requirements. The number of planning requirements within the draft Plan, when taken together, will place an undue burden on the least viable housing allocations and will necessitate extensive justification (in accordance with policy 67) to enable additional viability assessment to be undertaken at the application stage, despite issues of viability already being acknowledged in the Council’s evidence.

2.12 The application of NDSS requirements is not supported by sufficient evidence and is therefore not justified.

Issue - Housing for Older People and People with Disabilities

Q6.7. Is the requirement in policy 8 part C for developers to demonstrate how the provision of housing types suitable for older people can be increased, especially bungalows, extra care facilities and supported living accommodation, justified?

2.13 No further comment.

Q6.8. Is the requirement in policy 46 part B for at least 65% of all new homes on developments of over 0.5 hectares or 10 or more units to meet Building Regulation standard M4(2) justified by adequate, proportionate and up to date evidence about need, viability and site specific factors such as vulnerability to flooding, site topography, and other circumstances?

2.14 No further comment.

Q6.9. Is the requirement in policy 46 part C for at least 5% of all new homes on developments of over 0.5 hectares or 10 or more units to meet Building Regulation standard M4(3) justified by adequate, proportionate and up to date evidence about need, viability and site specific factors such as vulnerability to flooding, site topography, and other circumstances?
2.15 No further comment.

**Issue - Design of Housing Developments**

Q6.10. Are the requirements in policies 42 to 45 relating to the design of housing developments justified? In particular:

a) The approach to “standardised or off the shelf” designs in policy 42 part B.

b) The requirement in policy 43 for all major developments to make use of pre application engagement with the Council, Design Review and urban design tools including masterplans, design guides, and design codes.

c) The requirement in policy 45 part D for all major developments to utilise Building for Life throughout the design process.

d) The requirement in policy 42 part D for the provision of public art in all major urban extensions and high profile and prominent developments, particularly in the key priority areas listed and shown on the Policies Map.

e) The requirements in policy 44 part C relating to all edge of settlement developments.

2.16 In part. The objective of achieving good design is understood. However, it is unclear how large parts of these policies offer further clarity over and above the guidance set out at paragraphs 124-131 of the NPPF.

2.17 Policy 42 part a and policy 43 parts a and b are generic objectives that largely replicate national guidance and it is suggested that for the clarity and effectiveness of the policies they should focus on specific requirements relating to matters including public art and Building for Life assessments that lead to tangible outputs that developers and landowners can provide. This will ensure consistency with paragraph 125 of the NPPF which suggests that Plans should set out a clear design vision to provide applicants with as much certainty as possible about what will be acceptable. Overarching design objectives are set out in national guidance and matters of details should be left to documents such as the South Yorkshire Design Guide or future SPDs.

2.18 In response to Q6.10.a specifically, we object strongly to the requirement for applicants to provide rigorous justification for the application of a ‘standardised’ design. There is a significant body of evidence to suggest that the Government’s ambitious housebuilding targets will not be reached without the input and growth of the major housebuilding sector. There will of course be areas of specific character or sensitivity where a bespoke approach to design is appropriate. However, in other areas, where such character is less evident, it is important that an unduly prescriptive approach to design is avoided as this will challenge viability and the deliverability of the Plan. There are measures such as layout and
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landscaping that can contribute to the creation of character within areas, and resistance to standardised housing design as a starting point within the Local Plan does not provide clarity to applicants in respect of what design details are required (as set out in paragraph 125 of the NPPF).

**Issue - Backland and Tandem Development**

Q6.11. Is the approach to backland and tandem development set out in policy 45 part C justified? Are the Council’s suggested changes to the policy and the Policies Map necessary to make the Plan sound and would they be effective in so doing?

2.19 No further comment.

**Issue - Green Infrastructure, Open Space and Landscaping in Housing Developments**

Q6.12. Are the requirements in policies 27, 29 and 49 relating to the provision of green infrastructure and open space and the landscaping of housing developments justified and would they be effective? In particular:

a) The requirement in policy 27 part A for all major developments of 30 or more family dwellings to provide a green infrastructure masterplan which demonstrates how ten specified criteria will be met. Is the Council’s suggested change to apply the requirement to all sites of one hectare or more necessary to make the Plan sound and, if so, is it justified?

b) The requirement in policy 29 for development to address open space deficiencies. If it is not sound, would the Council’s suggested change ensure that it is?

c) The requirement in policy 29 part A for developments of 20 or more family dwellings to provide 10% or 15% of the site as on site open space. If it is not sound, would the Council’s suggested change ensure that it is?

d) The requirement in policy 29 part B for developments of 20 or more family dwellings close to a large open space to provide a commuted sum of 10% or 15% of the residential land value of the development site. If it is not sound, would the Council’s suggested change ensure that it is?

e) The requirement in policy 29 part C for developments of between 10 and 20 family dwellings to provide for a commuted sum of 10% or 15% of the residential land value of the development site to improve existing open spaces within the vicinity of the site. If it is not sound, would the Council’s suggested change ensure that it is?

f) The requirement in policy 29 part D for 16 square metres of open space per person in retirement living schemes and/or aftercare facilities.

g) The requirement in policy 49 part C for generous tree, shrub and hedgerow planting and the reference in paragraph 12.38 to a minimum of one tree per dwelling.

2.20 a) No further comment.

2.21 b) c) d) e) The Council has suggested a main modification to the wording of policy 29 to remove reference to new open space provision addressing existing ‘deficiencies’, as the
Council’s response to PQ41 (DMBC7) confirms that the policy is not intended to remedy existing deficiencies in the local area. The modification ensures that the policy is in accordance with national guidance in this respect.

2.22 However, the deletion of this reference does not demonstrate that the 15% blanket open space requirement sought, following a separate modification, is justified. The Council’s evidence base on this matter is the Green Space Audit 2013 (SDEB18) which is not considered to constitute up to date evidence upon which to base policy.

2.23 The Council should provide evidence that the level of provision is justified to meet the needs of new development only, and, importantly, that the proposed amendment to a 15% requirement of POS in new developments is taken into account in the viability appraisal evidence supporting the Plan.

2.24 The approach to calculating commuted sums in lieu of on-site POS provision, based on residential land value also creates an ineffective circularity issue to the policy (as the land value is rarely agreed at planning application stage).

2.25 The Council’s proposed changes to the wording of policy 29 (the removal of “and deficiencies” and “10% or”) alone will not address the issues in relation to soundness as referenced above.

2.26 g) No further comment.

**Issue - Health and Education Facilities in Association with Housing Developments**

Q6.13. Are the development requirements set out in policy 51 aimed at improving and promoting strong, vibrant and healthy communities justified and will they be effective? In particular, is the meaning of the requirement in part D for relevant development proposals to consider and assess healthcare infrastructure implications clear?

2.27 No. Where it is considered that new development will have an impact on healthcare and education facilities it is for the providers of those services to assess the impact on the operations of those services and the level of planning contributions that can be reasonably requested to mitigate this impact. The requirements of part D as drafted are unclear and place an unjustified onus on the developer to undertake an assessment of impact. Paragraph 20 of the NPPF places the onus on plan-makers to make provision for community facilities including healthcare centres. However, it is unclear how policy 51 fulfils this objective.
Q6.14. Is the approach to the provision of education facilities in association with residential development set out in policy 53 part B clear, such that it will be effective?

2.28 No further comment.

**Issue - Pollution and Noise Affecting Housing Developments**

Q6.15. Are the requirements in policy 55 for mitigation measures relating to noise, air quality, water and artificial lighting justified in so far as they relate to residential development? In particular, are the noise standards in appendix 11 justified, and is the change suggested by the Council needed to ensure that the Plan is clear about how they are intended to be taken into account by decision makers?

2.29 No. These requirements are overcomplicated and should be simplified to require compliance with the relevant industry standards unless justification can be provided to support a departure.

**Issue - Telecommunications and Utilities in Housing Developments**

Q6.16. Are the requirements in policy 22 for telecommunications and utilities infrastructure provision in housing developments justified and consistent with national policy? In particular, the requirement for connectivity to the fastest technically available broadband network unless this is not possible.

2.30 No further comment.