Examination of the Doncaster Local Plan

Council Hearing Statement

Matter 7.
Specific Types of Housing

September 2020
Housing in the Countryside

Q7.1. Is the approach to housing development in the Countryside set out in policies 2, 3 and 26 justified and consistent with national policy? In particular:

- Are the size limits for an individual scheme/site and cumulative growth limits over the Plan period for residential development adjacent to the 14 Defined Villages set out in policy 3 justified?

1. The Local Plan proposes to allocate substantial but appropriate growth in the top 3 levels of the Plan's Settlement Hierarchy across Doncaster, including the level 3 Service Towns and Larger Villages, which will make up the majority of growth coming forward in these settlements in accordance with the spatial strategy. These allocations are sufficient, with other named sources of housing supply in the Plan, to meet the housing requirement for Doncaster.

2. Allocations have not been specifically identified for the Borough's Defined Villages (both those surrounded by Countryside and Green Belt) which fall within level 4 of the Settlement Hierarchy. In these villages (inside their development limits) development proposals will be considered against other policies of the Plan as shown on the Policies Map (CSD4). The majority of land in such villages is designated as 'Residential Policy Area' where residential development is supported in principle (Local Plan Policy 11). Therefore, appropriate infill proposals within the Development Limits of the Defined Villages will be supported. This is akin to the approach that was adopted in the Core Strategy (OTH3).

3. However, each of the Defined Villages in the Local Plan surrounded by Countryside have been assigned a cumulative growth limit over the plan period (together with individual size limits for any individual scheme/site) to allow for some development outside but adjacent to these villages. This is considered to be a more flexible and positive approach than was adopted in the Core Strategy.

4. Defined Villages have a limited number of services, and their ability to accommodate substantial additional growth in a sustainable manner is limited. (The Settlement Audit 2020 update\(^1\) shows that these villages have considerably lower levels of service provision than the higher level settlements which will deliver housing). Promoting too much development in these villages will inevitably lead to greater levels of commuting, greater reliance on the car, greater levels of isolation and greater costs on public services (health, schools, etc.). Therefore, it is important to ensure that substantial additional growth does not occur in these villages that could harm the village or undermine the spatial strategy.

5. At the same time, development on small sites is a potentially important source of housing supply that allows these villages to grow organically, with limited or no impact (or potentially positive impact) on the village. It is recognised that infill opportunities have with time become increasingly

\(^1\) SDEB2.2 - Settlement Audit (2020 Update)
limited and it is therefore considered appropriate that positive and supportive policy is now adopted to allow for some limited expansion beyond the Development Limits of the Defined Villages surrounded by Countryside. However, this is subject to requirements that proposals demonstrate 'exceptional circumstances', 'clear local community support' and be in an 'appropriate locations' (all as defined in Policy 2). (Proposals beyond the Development Limits of the Defined Villages surrounded by Green Belt rightly remain subject to Green Belt policy). This is discussed further in response to Question 7.1 (third bullet question).

6. Section 4.5 of the Housing Topic Paper\(^2\) explains more of the approach and background to this policy approach. As shown in the table in Policy 3 each of the 14 Defined Villages surrounded by Countryside has been assigned a cumulative growth limit over the plan period (together with individual size limits for any individual scheme/ site).

7. These figures are in addition to the allocated supply for the borough, and will not be accounted for in any calculations. The Defined Villages and other villages (small areas covered by Green Belt and Countryside) percentage of the baseline split of the 585dpa (632 units total in the Defined Villages over the plan period), will still be allocated as part of the economic uplift element of the requirement, and added to the overall requirement which will be shared between the Main Urban Area and Main Towns.

8. The figures identified for the 14 relevant Defined Villages are a percentage split share of the local housing need over the plan period for each settlement based on number of households as at Feb 2018. This is based on the same approach to sharing the baseline used in the larger settlements. Of the 632 units referred to above, 265 are Countryside settlements (as opposed to Green Belt villages).

9. The Countryside Defined Villages were assessed and separated into three categories based on their share of the Borough's households. The categories are as shown in the Table in Policy 3 and are grouped based on the number of existing households in each village:
   - Large : all above 400 households.
   - Medium : all between 200 and 400 households (all are actually below 300 households).
   - Small : all less than 200 households (and additionally all score '0' in the Settlement Audit – whereas all the other settlements score at least '1').

10. The identified size limits for an individual scheme or site, within the three categories of the Defined Villages, are selected as a considered appropriate size that is most likely to be successfully accommodated with an 'appropriate location' as is defined within Policy 2\(^3\). Sizes are proposed on the basis that larger villages are better able to accommodate larger

\(^2\) DMBC4 Topic Paper 4 - Housing
\(^3\) see * on page 22 of CSD3 Doncaster Local Plan 2015-2035 Regulation 19 Publication Version
developments. Particularly in the case of the Larger Defined Villages, the site size limits will prevent unduly large extensions to prevent detrimental impact on settlement character, size and form. (An added benefit is that this Policy could encourage small-scale house builders to bring forward small sites in the spirit of NPPF para 68a).

11. Limits of the nature proposed can never been seen as absolute limits. They are proposed as guides to the overall amount, and sizes of individual schemes, that are considered appropriate to satisfy the requirements of this policy.

- Are the Council’s suggested changes to the title of the first column of the table in policy 3 and footnote 5 relating to the site/scheme and cumulative growth limits for the 14 Defined Villages necessary and would they make the policy effective?

12. Changes have been proposed to both Local Plan (CSD3) Policy 2 and 3 to make sure they are more clearly written and unambiguous so it is evident how a decision maker should react to development proposals in the Countryside around the 14 Defined Villages listed in the table for Policy 3.

13. Part 5 of Policy 2 applies to the area defined as "Countryside". Definition is given in the opening sentence to Part 5 - i.e. land "outside of the Green Belt and beyond defined 'Development Limits' as shown on the Policies Map"; relevant explanatory text is also included in paragraph 4.10. Therefore, by definition, this does not apply to Defined Villages which are surrounded by Green Belt. However, to make this totally clear changes are proposed.

14. First, and in response to the Inspector's Preliminary Question (INSP2) PQ16, it is proposed that a change be made to Policy 2, Part 5, to replace the term 'Countryside' with 'Countryside Policy Area'. This also requires consequential amendments to all other references to 'Countryside' throughout the Local Plan and on the Policies Map.

15. Second, and in response to the Inspector's Preliminary Question PQ17⁴, it is proposed that the title of the final part of the table in Policy 3, first column, be amended to read: “Location: Defined Villages surrounded by Countryside Policy Area”.

16. Third, and also in response to the Inspector's Preliminary Question PQ17, it is proposed that the footnote 5, linked from the final part of the table in Policy 3, be amended to read:

“The growth limit has been derived by calculating the share of each Defined Village’s local needs. As in the settlement hierarchy the local needs in these areas have been reallocated to the Main Urban Area and Main Towns, there is no requirement to allocate land at these locations. However, in line with and subject to the caveats in Policy 2, some development may be permissible in the Countryside adjacent to the

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⁴ Don INSP2 PQs Inspector’s Note No. 2: Preliminary Questions to the Council
above villages locations, up to the cumulative growth limit and on sites up to the sizes specified in this table. Any delivery in such locations will be additional to the allocated supply, and not form part of it.”

17. This policy is in addition to the policy, given in Policy 2, Part 4, which is specific to development proposals within all Defined Villages, both those surrounded by Countryside (now proposed to be renamed Countryside Policy Area) and by Green Belt.

18. The Council considered Policy 2 and 3 were both sound in the form submitted for examination. However, it is content to suggest the above changes if it is considered it would make them more clearly understood.

19. The Council's response to 7.1 (first bullet question) explains the purpose of the policy that allows for development adjacent to Defined Villages in the Countryside subject to demonstration of exceptional circumstances and clear local community support.

20. The interpretation of ‘exceptional circumstance’ will be a matter for the decision maker, and is likely to be only exercised on a very limited basis, and likely only for small schemes where, for example, a natural rounding of a settlement for a few houses would cause no harm and potentially create positive benefits. The definition of ‘exceptional circumstance’ is deliberately non-prescriptive and is positively prepared to allow sustainable forms of development to come forward over the plan period. This approach is considered to be appropriate given the range of settlements and variety of development opportunities that occur across Doncaster's Defined Villages. As such the policy is considered to be justified and effective.

21. As the Borough's housing requirement is effectively met by the higher levels (1-3) of the Settlement Hierarchy, and further development can occur within Defined Villages (according to Policy 2, Part 4), the strategic need for growth in these villages has effectively been satisfied. Providing clarity about the level of growth within Defined Villages provides certainty for developers and local communities, but the approach advocated in Policy 2, Part 4, also allows for additional positive exceptions to come forward where the local conditions are right and community support can be obtained. Objections against development typically occur where a site is less suitable for development or where there are sustainability issues, so achieving community support will likely be aligned with land use planning issues. Any community derived objection (or indeed support) would only be given weight if it is a sound planning matter. The policy aligns with the wider national policy of localism and neighbourhood planning. As such the policy is considered to be justified and effective.
• Is the Council’s suggested change to the end of part 3 of policy 26 (to clarify that other proposals for new dwellings in the Countryside will be supported in line with national policy) necessary to make the Plan sound?

22. In paragraph 1.10 of the Local Plan (CSD3) (in the section on 'How to Use the Local Plan') clear explanation is given that policies in the Local Plan should be read in conjunction with national planning policy given in the NPPF (OTH39). This is to avoid undue repetition of national policy where further local planning policy is not considered necessary to aid local interpretation and implementation.

23. The Council considered Policy 26 was sound in the form submitted for examination. However, in response to the Inspector's Preliminary Questions (INSP2, PQ36) a change is suggested to the end of Policy 26, Part 3, to clarify that other proposals for new dwellings in the Countryside will be supported in line with national policy for entry level exception sites (NPPF paragraph 71); rural exception sites (NPPF paragraph 77); and isolated new homes of exceptional design quality (NPPF paragraph 79e).

24. To stress that Policy 26 should be read in conjunction with the NPPF, a change is proposed to insert the following at the end of Policy 26, Part 3:

"Other proposals for new dwellings in the Countryside will be supported in line with national policy for 'entry level' exception sites for housing, rural exception sites for housing and for isolated homes of exceptional design quality."

25. The Council is content to suggest this change if it is considered it would make Policy 26 more clearly written and unambiguous so it is evident how a decision maker should react to development proposals; and that the Policy would be more focussed, concise and as accessible as possible.

Custom and self build housing

Q7.2. Will the encouragement to the provision of opportunities for custom build and self build homes given in policy 8 part F, along with the requirement in policy 70 part A.1, be effective in ensuring that sites will be available for people wishing to commission or build their own homes?

26. The Council, working in partnership with Homes England (then the Homes & Communities Agency) has been actively bringing forward land for self-build well in advance of the Self-Build and Custom House Building Act 2015 and subsequent legislation in 2016. In March 2013, part of the Carr Lodge, Woodfield development was granted full permission (Ref: 13/00073/REMM) which included a large area (1.5ha) of serviced land specifically for self-build homes alongside a supporting design code for their development.

1 Don INSP2 PQs Inspector’s Note No. 2: Preliminary Questions to the Council
6 OTH39 NPPF paragraph 16(d) and OTH41 PPG Paragraph 002 ID:61-002-20190315
7 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.
8 OTH39 NPPF paragraph 61 and footnote 26 and OTH41 PPG ID:67-003-20190722.
27. With respect to self-build in the Local Plan, the Unity scheme (Policy 70) includes a requirement that at least 0.4 Ha of land suitable for self-build be identified along with a design guide for the development of such plots. The area could be greater than 0.4 based on demand. The scheme was granted Outline permission in 2017 (15/01300/OUTA).

28. The Doncaster Self-Build Register was started in 2016. It has been widely promoted via various Council media outlets and is registered with the National and Custom Self Build Association (NaCSBA).

29. None registered self-build - Analysis of house building figures shows that over the last five years there have been on average 50 single dwelling developments completed annually. There has been no specific site by site analysis however it is likely that a significant number of these single plot developments could be considered as self-builds.

30. Analysis of demand - As at June 2020 there are 23 entries on the Doncaster Register. All of the entries are from individuals. There are no groups or organisations. The low number of registrations suggest that demand for self-build in Doncaster is either very low or that that demand is being met locally via other channels.

31. The 2013 permission at Carr Lodge had an area of 1.5 ha available for self-build. However there was very little interest. No plots were taken by self builders and this area was subsequently sold off for development by a single developer.

32. Currently there are 23 entries on the Doncaster Register. The stated preferred area for development breaks down as follows.

<table>
<thead>
<tr>
<th>Preferred Area</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Already have a plot</td>
<td>4</td>
</tr>
<tr>
<td>Rural/Rural village/Countryside</td>
<td>7</td>
</tr>
<tr>
<td>Bawtry</td>
<td>4</td>
</tr>
<tr>
<td>Main Urban Area</td>
<td>7</td>
</tr>
<tr>
<td>Anywhere</td>
<td>2</td>
</tr>
</tbody>
</table>

33. Analysis of the preferred locations as listed above would suggest that the Carr Lodge development and Unity locations would only be of interest to 9 entrants on the Register (those preferring ‘Main urban area’ or ‘Anywhere’). Rural, rural village and countryside locations (7 entrants) are more difficult to satisfy in terms of conformity with National Policy and the Local Plan. There are likely to be limited availability of plots in these locations that would be suitable for residential development and would be able to gain planning permission.

34. In summary:
- The Council has granted planning permission for self-build opportunities that exceeds the number of Register applications.
The Carr Lodge development provided building plots for self-build but did not attract any interest.

The Unity scheme will provide an area for self-build with a minimum size of 0.4 ha.

Demand in some of the preferred locations will be difficult to meet when considered against National Policy and the Local Plan.

Current demand (in terms of the number of Registrations) is low but will be continually monitored and the response to any demand reappraised.

**Houses in multiple occupation**

<table>
<thead>
<tr>
<th>Q7.3.</th>
<th>Is the approach towards houses in multiple occupation set out in policy 10 justified and positively prepared? In particular:</th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
<td>Will it allow the housing needs of all members of the community to be met, including students, young professionals and individuals on low incomes.</td>
</tr>
<tr>
<td>b)</td>
<td>The approach in part E aimed at preventing over-concentrations of houses in multiple occupation within a community/locality/street/row.</td>
</tr>
<tr>
<td>c)</td>
<td>Are the changes suggested by the Council to part D and paragraph 6.16 necessary to make the Plan sound?</td>
</tr>
</tbody>
</table>

35. The Council considers Policy 10 of the Local Plan to be justified and positively prepared in line with NPPF para 61 and 91. The NPPF has nothing specific to say on the subject of multiple occupation, however within Doncaster Houses of Multiple Occupation (HMOs) perform a useful function; they provide relatively cheap furnished accommodation without restrictions.

36. From the evidence drawn upon for the recently ‘made’ Article 4 Direction, there are approximately 1000 known HMOs within Doncaster, but the real number is likely to be much higher; those that do not require planning permission and/or licensing cannot be accounted for. They are mainly concentrated around the central wards and have been a cause for concern. This area sees a large amount of enforcement activity, with over 60% of all complaints received about HMOs concerning anti-social behaviour. Criticism and evidence (from the A4D) suggests that the standards in these houses are low, some needing major repairs, or lack amenities or adequate fire escape provision. Although these types of issues are best regulated via the environmental health and licensing departments, the Council is leading a multi-disciplinary approach to HMOs, and considers Policy 10 is justified towards ensuring no harm is caused in localities/communities/street/rows of existing housing and therefore manages the concentrations of HMOs raising the standards of communities.

37. The Council considers that the disproportionate amount of complaints and interventions in the central part of Doncaster together with the large number of conversions also removes much needed larger family housing and somewhat creates an imbalance of communities. It is considered that the negative effects of high concentrations of HMOs on local communities must be taken into account. Therefore, the approach to part E involves
the sizing up of the realistic impact of intensification of uses with a sensible assessment of the amenity neighbours should expect to enjoy and the character of the whole area. Thereby creating mixed and balanced communities in line with the NPPF.

38. The changes suggested Policy 10, part d, are in response to an outstanding objection from a statutory consultee (Environment Agency). Doncaster’s flood risk is unique and this suggested change will ensure HMOs, self-contained rooms at ground floor or basement level are provided with satisfactory mitigation measures when in flood zones or at risk from flooding.

**Gypsies, travellers and travelling showpeople**

<table>
<thead>
<tr>
<th>Q7.4. Is policy 12, which aims to meet the accommodation needs of gypsies, travellers and travelling showpeople on existing sites/yards with capacity in the Borough, justified and consistent with national policy and would it be effective in ensuring that identified needs for such accommodation can be met over the Plan period?</th>
</tr>
</thead>
</table>

39. The evidence that supports Policy 12 has been prepared in accordance with Planning Policy for Traveller Sites (PPTS). It meets the requirements of PPTS paragraphs 7 and 9, and provides evidence of sites sufficient to provide 5 years’ worth of sites (2018 – 2023), as well as longer term projections on need up to the year 2032.

40. The evidence shows that there is sufficient capacity on existing sites to meet the five year accommodation requirements for Gypsies and Travellers, and an increasing surplus of Gypsy and Traveller pitches between 2018 and 2032. As such, no new allocations are required, as newly arising need can be accommodated on existing sites.

41. For Travelling Showpeople, there is sufficient capacity to meet the five year accommodation requirements, and to the year 2032 there is a modest shortfall of 5 pitches calculated in the Borough overall.

42. In line with PPTS paragraph 11, the policy provides criteria to judge planning applications should they come forward, and mechanisms to deliver additional sites when the need arises. Therefore given this and the modest long term projected needs, the Council do not feel it is necessary to allocate additional land at this time to meet the needs of Travelling Showpeople, nor would any sites that the Council provide necessarily suit future requirements and needs specific to the community. The Council believes the best approach is therefore to continue to monitor need and

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9 SDEB22 Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment (GTANA / TSPANA)
10 OTH44 Planning Policy for Traveller Sites August 2015
11 SDEB22 Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment (GTANA / TSPANA), paragraph 161, page 30
12 SDEB22 Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment (GTANA / TSPANA), paragraph 121, page 23
13 SDEB22 Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment (GTANA / TSPANA), paragraph 155, page 29
resolve arising need through the planning application process on a case by case basis and in line with the circumstances related to that need.

43. Furthermore, the Council acknowledges that in reality, the existence of capacity on sites does not necessarily mean that members of the traveller community will always wish to move onto these sites if the need arises. There may be a number of reasons for this including familial ties, unique needs related to the occupants, or disputes – all of which mean that it may not be practical for the Council to rely on existing capacity to provide for new pitches, and therefore mean it is necessary to include the flexibility provided by Policy 12 part c for decision making purposes, which is in line with how planning applications should be considered in PPTS.\textsuperscript{14} This will ensure that over the plan period identified needs can be met if and when proven need arises – either on existing sites with capacities, or when circumstances prove necessary, on extensions to or intensification of existing sites.

44. Policy 12 Parts B, C & D set out criteria for judging applications, and locations / circumstances where new sites (including sites for unmet or newly arising need) are justified, in accordance with PPTS para. 11 and 13. Crucially, paragraph 6.22 of the Local Plan requires the Policy to be read in conjunction with the latest evidence on need, which the Council will periodically update. Should the local situation change throughout the plan period, the Council will react to this and applications will be judged against the criteria set out in Policy 12. At the time of writing, neither the bi-annual caravan count nor planning applications indicate there is an upward trend in need. This will continue to be monitored through these means and updated gypsy, traveller and travelling showpeople accommodation needs assessments.

45. As such, the evidence base that supports the policy is in line with national guidance and indicates no need to allocate additional land at this time. The policy gives sufficient direction to the decision maker on judging planning applications for new sites over the plan period, which will ensure that any newly arising need can be met, and updates to the gypsy, traveller and travelling showpeople accommodation needs assessments will help monitor this need and allow the Council to react to changes.

Q7.5. Is the approach described in paragraph 6.23 to development at existing designated sites in the Green Belt consistent with national policy, and will it be effective in ensuring that needs associated with the occupants of those sites can be met? Should the Plan be modified to inset the designated sites from the Green Belt and allocate them specifically as traveller sites?

46. The Council has reviewed its approach to traveller sites in the Green Belt in light of Q7.5 and considers that as it stands, the approach set out within Policy 12 is not consistent with national policy.\textsuperscript{15}

\textsuperscript{14} OTH44 Planning Policy for Traveller Sites, paragraph 24c, page 6
\textsuperscript{15} OTH44 Planning Policy for Traveller Sites, paragraphs 16 & 17, page 5.
47. Paragraph 16 of Planning Policy for Traveller Sites (PPTS)\textsuperscript{16} is clear that traveller sites in the Green Belt are inappropriate development, and the Council acknowledge that by continuing to wash sites over with Green Belt designation, it risks facilitating inappropriate development in the Green Belt through the Local Plan.

48. In accordance with paragraph 17 of PPTS, which allows local planning authorities to make Green Belt amendments to accommodate traveller sites in the Green Belt for this purpose solely, the Council would like to propose the following amendments, which are set out in the tables of modifications for matters 1 – 7 (full details provided in the modification document):

- All authorised sites in the Green Belt (including those of less than 5 pitches and therefore not in Table 6) will be removed from the Green Belt and shown as a “Green Belt Traveller Site” on the Local Plan Policies Map.

- Amend paragraph 6.23 of the Local Plan to reflect the change / explanation:

  “6.23. Authorised sites in the Green Belt have been removed from the Green Belt and allocated as “Green Belt Traveller Sites” on the policies map, and in Table 7. These sites are allocated for this use only and no alternate uses are acceptable. When Green Belt boundaries are next reviewed, if the site is no longer a traveller site, it will revert back to Green Belt.

  6.24. Within the Green Belt, there will be a presumption against the development of new sites except in ‘very special circumstances’. Designated sites in the Green Belt are washed over by Green Belt policy designation because such sites will still need to demonstrate ‘very special circumstance’s to justify proposals, e.g. the authorisation of an unauthorised pitch. ‘Very special circumstances’, as referred to in the policy, may include a small scale extension to, or intensification of, a well-managed site to meet a need arising from that site, in which case an occupancy condition would normally be attached to the planning permission. In the ‘Countryside’, that is, outside of the Green Belt and defined development limits, the designation takes preference.”

- Add new table (7) (referenced in 6.23) underneath Table 6 in the Local Plan, which lists all the authorised traveller sites removed from the Green Belt.

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\textsuperscript{16} OTH44 Planning Policy for Traveller Sites