For and on behalf of
Higgins Agriculture Ltd and Bellway Homes (03467)
South Yorkshire Housing Association (05214)
Mr K Honcharenko (0234)

DONCASTER LOCAL PLAN EXAMINATION
STAGE 4 HEARING SESSION REPRESENTATION
MATTER 7 SPECIFIC TYPES OF HOUSING

Site Ref: 189 - Higgins Site, Old Bawtry Road, Finningley
Site Ref: 446 – Mosham Road / land east of Hurst Lane, Auckley
Site Ref: 315 – Land west of Station Road, Blaxton

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Various Clients
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1.0 INTRODUCTION

1.1 This representation has been prepared by DLP Planning Ltd on behalf of Higgins Agriculture Ltd* and Bellway Homes, South Yorkshire Housing Association, and Mr K Honcharenko in response to the Stage 4 Examination Hearing Sessions of the Doncaster Local Plan.

1.2 This representation addresses Matter 7 in relation to the following sites:

- Site Ref: 189 - Higgins Site, Old Bawtry Road, Finningley
- Site Ref: 446 – Mosham Road / land east of Hurst Lane, Auckley
- Site Ref: 315 – Land west of Station Road, Blaxton

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 7 – Specific Types of Housing

Issue - 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?
- 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?
- Is the requirement to demonstrate exceptional circumstances and clear community support for development in the Countryside adjacent to the Development Limit of a Defined Village justified and consistent with national policy?
- 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?

2.1 Bullet point 1) It is understood from footnote 5 to policy 3 that the growth limits have been derived by calculating the share of each Defined Villages local needs. Further to this, it is understood from policy 3 that the size limits are defined by whether the Defined Village is small, medium or large. Whilst it is understood that the Defined Villages generally have less readily available service provision than large settlements, it is also understood (as referenced in paragraph 4.46 of the publication version of the draft Plan) that most of the land within the Defined Villages is designated as residential policy area, and a number of the Defined Villages are located in proximity to larger settlements that have a wide range of service provision that can assist in supporting future development at the Defined Villages. Ultimately, the growth limits and size limits are considered to be overly restrictive.

2.2 Bullet point 2) The Council proposes for a Main Modification to be made to part 5 of policy 2 to replace the term “Countryside” with “Countryside Policy Area” to assist with implementation of the policy. Further to this, a Main Modification is proposed to the final part of the table in policy 3 to amend the title of the first column to read “Location: Defined Villages surrounded by Countryside Policy Area”. This change is considered necessary to ensure that readers of the Plan are clear in future about the differences between what is defined as countryside and what is defined as Countryside Policy Area, and what those differences mean when the policy is being interpreted. This change will also, in theory, help to ensure that the policy is effective.
2.3 Further to the above, the Council propose to amend footnote 5 to policy 3 to read as follows:

“… However, in line with and subject to the caveats in Policy 2, some development may be permissible in the Countryside adjacent to the above villages, up to the cumulative growth limit and on sites up to the sizes specified in this table.”

2.4 It is unclear why the term “Countryside” has been used as opposed to “Countryside Policy Area” because it is not consistent with the proposed change to the final part of the table in policy 3 and could therefore cause confusion. In light of this, it is recommended that the term “Countryside Policy Area” is used instead.

2.5 In addition to the above, the Council are also proposing to remove the following sentence from footnote 5, and it is unclear why it is proposed to be removed:

“Any delivery in such locations will be additional to the allocated supply, and not form part of it.”

2.6 Bullet point 3) National policy does not require for exceptional circumstances to be demonstrated for development in the countryside. The references to very special circumstances / exceptional circumstances in national policy are as follows:

- Paragraph 143 of the NPPF sets out that inappropriate development should not be approved in the Green Belt except in very special circumstances.

- Paragraph 172 of the NPPF, which discusses that great weight should be given to conserving or enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, sets out that planning permission should be refused for major development other than in exceptional circumstances.

2.7 Further to the above, national policy does not require community support to be demonstrated for development in the countryside. Therefore, the requirement to demonstrate exceptional circumstances and clear community support for development in the Countryside adjacent to the Development Limit of a Defined Village is not considered to be justified or consistent with national policy.

2.8 Bullet point 4) The Council’s proposed change to the end of policy 26 part 3 is to add the following text:

“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.”

2.9 As currently drafted in the publication version of the plan, policy 26 part 3 reads as though planning permission will only be granted for new dwellings in the countryside if they are to meet the essential needs of agriculture, forestry, or other enterprise which justifies a rural location (where the listed set of criteria can also be met). Therefore, given that paragraph 35 of the NPPF states that Plans are sound if they are (amongst other things) consistent with national policy, it is considered that the Council’s proposed change is necessary for policy 26 to be deemed as sound.

2.10 In addition to the Council’s proposed Main Modification, it is considered that the policy should be modified further to include an allowance for an appropriate level of development to also take place on brownfield sites that are located in logical locations and that are currently underutilised within the Countryside Policy Area, in order to be consistent with the wider aims of national policy, namely paragraphs 117 and 118 of the NPPF 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**

2.11 It is considered that the policy would be more effective with the additional proposed modification.

2.12 It is also of note that policy 2 in relation to the countryside is not considered to be wholly consistent with national policy. Policy 2 part 5 of the publication version of the draft Plan sets out that residential development will be supported in the countryside if adjacent to a development limit of a settlement in levels 1 – 3 (Doncaster Main Urban Area, Main Towns,
and Service Towns and Villages) if a five year borough-wide supply of housing land cannot be demonstrated and the development would make a significant contribution to housing land supply, provided that the following criteria are also met:

- **It is consistent with the role and service function of the settlement in the settlement hierarchy;**

- **The site is well related to the existing built form of the settlement and would represent a logical extension to the built up area or is of a scale and nature that is in keeping with the core shape, form and size of the settlement;**

- **It will not cause significant adverse harm to a settlement’s character, setting and appearance (including partial or total coalescence with another settlement) or to the intrinsic character of the surrounding countryside;**

- **It accords with other policies in the Local Plan.**

### 2.13 Paragraph 11 of the NPPF sets out that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

... where there are no relevant development plan policies, or the policies which are most important for determining the applications are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

### 2.14 Further to the above, footnote 7 of the NPPF sets out that, for applications involving the provision of housing, ‘out-of-date’ includes situations where the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites or where the Housing Delivery Test indicates that the delivery of housing was substantially below the housing requirement over the previous three years.

### 2.15 In light of the national policy quoted above, it is considered that the Council’s approach to residential development in the countryside is too prescriptive if the Council is unable to demonstrate a five year borough-wide supply of housing land. Further to this, to require the development to “not cause significant adverse harm to a settlement’s character, setting and
appearance (including partial or total coalescence with another settlement) or the intrinsic character of the surrounding countryside” reads as though the Council is seeking to apply a Green Belt level of protection to the countryside (in relation to the five purposes that the Green Belt serves, NPPF paragraph 134).

2.16 There is also the opportunity make a modification to ensure consistency in the Council’s approach to defining development limits. The Council’s ‘Identifying Development Limits’ document (August 2019) (SDEB1) confirms that the defined settlements in the countryside are proposed to include Finningley. In order to define updated development limits, the Council followed four basic principles:

1. A development limit should, wherever practical, follow a tightly drawn line around the urban form of a settlement, and follow a clearly defined feature on the ground such as a wall, fence, field boundary, hedgerow, road, river, canal, stream etc. It should avoid, insofar as is possible, being drawn to non-existent ground features, although this may be unavoidable in places.

2. The development limit will generally be contiguous within any one settlement. However, it may be appropriate to identify two or more separate areas for a settlement due to its urban form.

3. The development limit will normally include (amongst other things): land within a village envelope, as defined by the main central contiguous built form of a settlement; and brownfield Local Plan allocations on the edge of settlements and other implemented commitments.

4. The development limit will normally exclude (amongst other things): large residential curtilages (where there is potential to significantly extend the built form of the settlement and where their inclusion would free up opportunities for inappropriate and unsustainable back land or infill development); and isolated development which is physically or visually detached from the settlement (which may include community facilities, schools and employment sites not physically related to the settlement, or isolated / sporadic housing which is separated from the wider built form).

2.17 The revised version of the ‘Small Sites Settlement Boundary Review’ at Paragraphs 1.6.1 and 1.6.2 appraised eleven sites on the edge of settlements within the context of the above
principles. Sites 038 at Eastfield Lane and 039 at New Millfield Lane are proposed for redesignation within the settlement boundary to reflect their specific characteristics.

2.18 Site 315 was not appraised despite it being adjacent to the Finningley settlement boundary, separated from the Countryside by clearly defined boundary features and forming a logical rounding off of the settlement, supported by an existing access point.

2.19 As set out in Reg 19 representations, site 315 has existing residential development directly to the east and further to the south beyond the train line, the site is well related to the settlement, and it is considered to form a logical part of the settlement envelope. Therefore, site 315 is considered to be in accordance with principle 3. Due to its size, site ref. 315 would not have the potential to significantly extend the built form of the settlement and it is anticipated would be capable of providing 4-5 new dwellings only to support the existing village. The sites inclusion would not lead to inappropriate and unsustainable backland or infill development and therefore is not considered to be in conflict with principle 4.

2.20 It is suggested for consistency, that the settlement boundary of Finningley should be modified to include site ref. 315. For ease of reference for the Inspector, the location of site ref. 315 (as also referenced in the previous representations for the site) is shown in Figure 1. An aerial image which shows the location of the site in relation to the currently proposed settlement boundary (as per the publication version of the Plan’s policies maps) is also provided in Figure 2.
Figure 1: Location of site ref. 315

Figure 2: Aerial image showing the location of the site in relation to the currently proposed settlement boundary (as per the publication version of the Plan’s policies maps) (Source: Google Maps)
**Issue - 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?

2.21 No further comment.

**Issue - Houses in Multiple Occupation**

Q7.3. Is the approach towards houses in multiple occupation set out in policy 10 justified and positively prepared? In particular:

a) Will it allow the housing needs of all members of the community to be met, including students, young professionals and individuals on low incomes.

b) The approach in part E aimed at preventing over-concentrations of houses in multiple occupation within a community/locality/street/row.

c) Are the changes suggested by the Council to part D and paragraph 6.16 necessary to make the Plan sound?

2.22 No further comment.

**Issue - Gypsies, Travellers and Travelling Showpeople**

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?

2.23 No further comment.

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?

2.24 No further comment.