Examination of the Doncaster Local Plan
Council Hearing Statement

Matter 8. Economic Development

September 2020
Q8.1.A. Do policies 4 or 5, 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?

1. Since the Local Plan Policies were prepared the Use Classes Order has been amended to include Use Class E: Commercial, Business and Service which includes those uses previously included in Use Class A but also B1a, b and c. The Local Plan has been specifically designed to be flexible within its employment land needs to respond to these changing circumstances. As a consequence, the Council proposes only limited amendments to both Policies 4 and 5.

2. The changes to the Use Classes Order may result in a higher amount of existing employment land being ‘lost’ to alternative uses which were not previously considered to be appropriate e.g. leisure and food and drink. However this is no longer directly under the control of the planning system. At this time there is no way of analysing the impact of the change on existing uses and how much additional land may be lost, so monitoring will need to take place via the Annual Monitoring Report. It is, however, necessary and appropriate that new employment allocations (some of which will fall into Use Class E) are protected for employment uses.

3. As explained in Question 2.1, the borough’s objectively assessed employment need is 481 ha and includes Offices (B1a); Business and Manufacturing (B1 b/c and B2); non-strategic warehousing (B8); and Strategic Warehousing (B8). The requirement also includes taking additional land factors in to account such as ‘other uses’, ‘churn and frictional vacancy’ and ‘competition and choice’. ‘Other uses’ includes uses such as leisure, and food and drink (as per the previous Use Classes Order – Use Class A) so an element of ‘non-B class uses’ has already been taken into account in assessing need (a total of over 22 ha out of 173 ha of the additional land provision amount)\(^1\).

4. The Employment Land Buffer Note further states that there is 112 ha of additional land above the calculated 481 ha requirement and this is made up by four categories:

- Site allocations having the capacity to provide additional land beyond the plan period if the need is there (37.06 ha);
- Sites with planning permission having capacity to bring forward additional land beyond the plan period if required (35.54 ha);
- Smaller sites with planning permission (which are not included in the land supply) (5.2 ha) and
- ‘washed over’ employment sites which are within existing larger employment sites (35.12 ha).

5. Therefore the total amount of additional land above the calculated 481 ha requirement is 112 ha\(^2\).

\(^1\) SDEB9 Employment Land Supply Buffer Note paragraphs 2.2 – 2.7
\(^2\) SDEB9 Employment Land Supply Buffer Note paragraph 3.2
6. The impact of the changes to the Use Classes Order on employment land (former Class B1(a), (b) and (c)) is unknown at this time. Indeed it is unclear how much of a buffer might be required to ensure that the employment land need is delivered. It is considered reasonable therefore that the Council’s existing buffer of 112 ha, representing 23% of the assessed need, is sufficient for this Local Plan. The Local Plan is flexible and will be able to respond to changing circumstances brought on by Use Class E.

7. The Council will regularly assess the progress of the Local Plan and the extent to which the aims of the policies are being achieved. This will result in the production of an Annual Monitoring Report which will help inform Local Plan Reviews. Appendix 12 of the Local Plan includes a monitoring indicator which will be used to trigger and inform a local plan review regarding employment policies if it is considered that too much land is being lost to ‘other uses’ i.e. including some uses in Use Class E\(^3\).

8. To address the Use Classes Order changes a proposed modification to Policy 4 is set out below. It is the Council’s view that removal of references to the now revoked use classes will be sufficient. It is still possible to use policy to specify what type of use within class E, or other use classes, will be allocated to specific sites. Of course exceptions will apply as per the policy. The changes to Policy 4 are as follows:

In accordance with Policy 4, the sites shown in Table 4 below and on the Policies Map, will be allocated for employment uses in accordance with the following principles:

A) Only research and development, light industrial business (B1 b/c), general industrialy (B2) and storage and distribution (B8) uses will be permitted on these sites unless the proposal is ancillary to the employment use.

9. The proposed modification to the explanatory text of Policy 4 is as follows:

4.62. Employment use for the purposes of the policy are as follows – based on the Use Classes Order 1987 (as amended 1\(^{st}\) September 2020):

- B1a: Business – Offices other than those within A2;
- B1b: Business – Research and development of products or processes;
- B1c: Business – Light Industry;
- B2: General Industrial; and
- B8: Storage and distribution

E g: Offices, research and development, or light industrial.

\(^3\) CSD3 Doncaster Local Plan 2015 – 2035 Regulation 19 Publication Version, Appendix 12, page 372
4.63. **Office B1a** uses are considered town centres uses within national policy. Therefore such proposals must satisfy the requirements set out in Policy 23. However, in some cases (such as airport related offices and ancillary offices) they may be appropriately located on employment sites.

10. To address the Use Classes Order changes the proposed modification to Policy 5 is as follows:

   **Buildings or land the use of which fall within Use Classes B2 and/or B8 within Employment Policy Areas**, as defined on the Policies Map, will continue to be supported primarily for these employment uses. Where possible existing land and premises used for offices, research and development and light industrial (Use Class E g) will be retained.

   The Council will consider the use of planning conditions for applications which are for offices, research and development or light industrial uses (Use Class E g) to ensure that they remain within that use in perpetuity.

   Other uses will be supported within Employment Policy Areas provided the following criteria are satisfied:

   A) it can be clearly demonstrated they support the existing or permitted employment uses on the site; or

   B) they are a specialist use appropriate to the site; or

   C) are a mix of commercial and/or community uses that provide clear additional benefits to the community.

   If one of the above criteria is satisfied, the following should be demonstrated:

   D) alternative employment sites are accessible from the locality which are suitable in terms of quality and quantity so as to ensure there is still easy access to employment uses;

   E) the proposed use is appropriate in terms of scale, design and location will not adversely affect the operation of adjacent employment land or uses through environmental, amenity or traffic problems; and

   F) there is compelling evidence that the buildings or land site is no longer viable for B2, B8 or E g. employment use.

11. The proposed modification to the explanatory text of Policy 4 is as follows:

   4.65. **Employment Policy Areas** play an important role in ensuring that there is a range of employment land and buildings available to meet employment needs. It is important that these sites are retained whilst having regard to the NPPF which states that **The NPPF is clear**
that employment land should not be protected for employment use if there is no reasonable prospect of the land being used for that purpose and that applications for alternative uses of land or buildings should be treated on their merits.

4.66. B1b/c, Research and development and light industrial, General industrial (B2) and Storage and Distribution (B8) uses will normally be permitted on these sites Any planning application on Employment Policy Areas will need to consider if a greater level of mitigation is required for new proposals to ensure the amenity of surrounding uses are taken into account. Similarly, new development proposals adjacent to or near Employment Policy Areas will need to take account of the existing business activities and ensure suitable mitigation measures are in place so that businesses can operate efficiently and that neighbouring uses are compatible.

4.67. This policy seeks to ensure that any loss of employment land or buildings still provides additional benefits to the community in which it is located. It is important that other uses are not granted permission on employment land just because the land values are more acceptable to the applicant.

4.68. It is imperative that there is compelling evidence that clearly shows that the building or land site is no longer viable for employment use. The applicant will need to demonstrate that the building or land site or premises has been marketed to the Council’s satisfaction for at least 12 months. This should include traditional and web-based marketing as well as regular advertisement in local, regional and national publications as appropriate. In addition to this, opportunities to re-let the building premises need to be fully explored. It should be demonstrated that the building or land premises or site have been marketed at a price commensurate with market values (based on evidence from recent and similar transactions and deals). It should also be demonstrated that the terms and conditions set out in the lease are reasonable and attractive to potential business and that no reasonable offer has been refused.

4.69. In the past the Borough has seen increased pressure on employment sites for community, leisure, specialist retail uses (such as car or caravan showrooms) and service uses which do not have specific allocations or which prefer to be on employment sites where business needs are met. However, these uses will only be permitted where relevant considerations have been addressed such as proving demand for the use, passing a sequential test (if relevant), addressing highways and parking issues and environmental health concerns. It is recognised that the changes to the Use Class Order which came into effect on 1st September now
mean that some uses no longer require planning permission to change to a different use.

12. In summary, it is unclear at this time, what impact the changes to the Use Classes Order will have on existing employment uses and sites. However the Local Plan is flexible and is able to respond to changing circumstances. The existing buffer of 112 ha will help is part of that flexibility. The Policies will also be monitored as part of the Annual Monitoring Report which will then inform Local Plan reviews.

**Employment policy areas**

<table>
<thead>
<tr>
<th>Q8.1. Is policy 5 relating to employment policy areas defined on the Policies Map justified and consistent with national policy? Are the Council’s suggested changes to paragraphs 16.127 and 16.158 necessary to make the Plan sound?</th>
</tr>
</thead>
</table>

13. National Policy states that planning polices and decisions should help create the conditions for businesses to invest, expand and adapt, taking into account local business needs and wider opportunities for development. It also says that planning policies should set criteria for local and inward investment to match the strategy and meet the anticipated needs of over the local plan period.

14. For the above to take place, it is important that existing businesses, and employment sites are protected for the future. It is not just about providing new sites for inward investment but also about protecting and growing the economy through supporting existing businesses (local, regional and national) and many of those are on existing employment sites across the borough. Therefore Policy 5 seeks to protect those sites primarily for employment uses. The Employment Policy Areas are shown on the Policies Map and there are a number of them across the Borough. This approach is therefore justified and consistent with national guidance.

15. National guidance states that alternative uses should be considered on a site where there is no reasonable prospect of the land being developed for that use. The Council considers that Policy 5 is justified and consistent with national guidance in this regard as it includes criteria against which a planning application for an alternative/change of use from employment can be considered. It allows other uses which: either support the existing employment uses on site; are an appropriate specialist use; or a mix of commercial and/or community uses that provide clear benefits. Planning applications for other uses must also demonstrate that a number of issues have been addressed/evidenced.

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4 NPPF paragraph 80 and 81, page 23
5 CSD4 Doncaster Local Plan 2015 – 2035 Regulation 19 Publication Version Policies Map
6 NPPF 120 & 121 & PPG 001 Reference ID: 66-001-20190722
16. The Council’s suggested amendments to paragraphs 16.127 and 16.158 (as shown in Schedule of Suggested Main Modifications – June 2020) are required to help clarify which sites are existing Employment Policy Areas as covered by Policy 5 and which are allocations with planning permission (as stated in paragraph 4.60). These amendments ensure that the explanatory text for Askern and Rossington is consistent with other settlements listed and described in Chapter 16.

**Employment allocations with planning permission**

| Q8.2. | Are each of the employment allocations with planning permission listed in Tables E1 to E8 likely to be developed during the Plan period as assumed in the Plan? |

17. All the sites listed in Tables E1 to E8 have been assessed through the Housing and Employment Land Availability Assessment. The methodology for the HELAA had regard to national guidance which states that development on a site is achievable where there is reasonable prospect that the particular type of development will be developed on the site at a particular point in time. It is recognised that it is a judgement to assess the economic viability of a site, and the capacity of the developer to complete and let or sell the development over a certain period.

18. The HELAA sets out how sites, including those with planning permission have been assessed and it shows that employment sites have been assessed on their: Suitability; Availability; and Achievability. As well as their marketability. The HELAA methodology and approach was agreed by the Employment Land Availability Stakeholder Group.

19. The Employment Land Availability Stakeholder Group included a number of private sector specialists who were able to give an independent view and opinion on the achievability of sites. Indeed the Group was involved in all the site assessment data.

20. It is the achievability of sites which assesses the lead in times and build out rates. For larger sites, this included using assumptions from the build out rates of two large successful sites at Redhouse, Adwick and West Moor Park, Armthorpe as a guide.

21. The 2018 HELAA update includes all the extant permissions which therefore means that they have a reasonable prospect of coming forward for employment use by 2035.

22. The Council will regularly assess the progress of the Local Plan and the extent to which the aims of the policies are being achieved. This will result in a regular review of the progress of the Local Plan and the extent to which the aims of the policies are being achieved.

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7 DMBC15 pages 32 & 34
8 SDEB45 Housing and Employment Land Availability Assessment
9 Planning Practice Guidance, paragraph 020 Reference ID: 3-020-20190722, revision date 22 07 2019
10 SDEB45 Housing and Employment Land Availability Assessment 2015 report section 7, page 27-36
11 SDEB45 Housing and Employment Land Availability Assessment 2015 report page 42
12 SDEB45 Housing and Employment Land Availability Assessment 2015 report Appendix 1, page 42-44
13 SDEB45 Housing and Employment Land Availability Assessment 2015 report section 7.2.6, page 30
in the production of an Annual Monitoring Report which will help inform Local Plan reviews. The progress of the Plan will include updating those sites which have extant planning permission and those which have built out. This will include looking at those permissions which have the capacity or additional land to some forward after the Local Plan period. If these develop out quicker than originally assessed, these sites could provide more land in the plan period (up to 2035)\textsuperscript{14}.

23. By taking the approach described above, it is considered that the Council has used its best judgement to assess the sites using a transparent consistent methodology. This has then produced results to show that the sites in Table E1 to E8 will be developed during the Plan period as assumed in the Local Plan.

Q8.3. Should the Plan include a policy to make clear how a decision maker should react to development proposals that may come forward during the Plan period on employment allocations that had planning permission in 2018?

24. The employment land supply of at least 481 ha is made up of 3 different components: land developed between 2015 and 2018; sites with planning permission; and allocated sites\textsuperscript{15}. The six allocations are listed in Table 4 of the explanatory text of Policy 4. The total of these sites equates to 164 hectares. However a large part of the overall supply is made up from sites with planning permission (201 ha) and these are broken down by settlement in Chapter 16 under the heading ‘Employment Allocations (Policy 4)’ and are listed in Tables E1 to E8. The explanatory text of Policy 4 explains this approach.

25. As all the employment sites in Chapter 16 have either Outline or Full permission, the Council supports uses which are envisaged as part of those permissions and expects reserved matters (where appropriate) to come forward in line with those permissions.

26. With regard to the above, the Council does recognise that further clarity is required to ensure that it is clear how a decision maker should react to development proposals on sites with planning permission. Therefore it is proposed that a Main Modification is made to Policy 4 which includes reference to Tables E1 and E8 so that it is clear that sites with planning permission are included as part of the employment land supply and should be treated as such. It is then also necessary to show that the development requirements set out in Appendix 2 apply only to those sites listed in Table 4. The proposed modification to Policy 4 is as follows:

In accordance with Policy 3, the sites shown in Table 4 below and set out in Tables E1 to E8, and on the Policies Map, will be allocated for employment uses in accordance with the following principles:

\textsuperscript{14} SDEB9 Employment Land Supply Buffer Note, paragraph 2.9 and Table 3
\textsuperscript{15} Policy 4 explanatory text, paragraph 4.60
A) Only business B1 b/c), general industry (B2) and storage and distribution (B8) uses will be permitted on these sites unless the proposal is ancillary to the employment use.

B) The employment sites in Table 4 will be developed in accordance with the development requirements set out in Appendix 2 and other relevant Local Plan policies.

C) ......

27. This Main Modification will also create internal consistency with Policy 6: Housing Allocations.

28. It is recognised that Use Class B1 has now been subsumed into new Use Class E as of 1st September 2020. See response to Qu 8.1.A for the Council’s suggested amendments to the Use Class changes regarding Policy 4.

**Employment allocations without planning permission**

<table>
<thead>
<tr>
<th>Q8.4. Are each of the employment allocations without planning permission listed in Table 4 suitably located and likely to be developed during the Plan period as assumed in the Plan?</th>
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<tbody>
<tr>
<td>• Thorne North, M18 junction 6 (001)</td>
</tr>
<tr>
<td>• RHADS site 1, Phase 4 Business Park (941)</td>
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<tr>
<td>• Carcroft Common (441)</td>
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<tr>
<td>• Bankwood Lane, Rossington (1032)</td>
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<tr>
<td>• Balby Carr (092)</td>
</tr>
<tr>
<td>• Middle Bank, Balby (258)</td>
</tr>
</tbody>
</table>

29. The allocations listed in Table 4 have been allocated with regard to and are in conformity with Policies 2 and 3 (further information can be found in the Council’s response to Q3.3). The justification for the individual sites is set out in the Housing and Employment Site Selection Methodology and Results Report\(^{16}\).

30. For employment uses and sites there are two key issues: businesses often have specific locational needs; and the Issues and Options consultation showed that many people no longer wish to live close to where they work.

31. To address the locational needs issue, the site selection took marketability into account i.e. market attractive locations (particularly important for logistics uses). The finding and conclusions of the Employment Land Review (which was written by independent consultants), and the Housing and Employment Land Availability Assessment marketing scores (which were also undertaken independently through the Employment Land Availability Stakeholder Group)\(^{17}\) were used.

32. The sites also have strong accessibility and connectivity between where people live and the employment opportunities. They make best use of

\(^{16}\) SDEB46 Section 9, 9.4, pages 205-228

\(^{17}\) SDEB10 Employment Land Review and SDEB45 Housing and Employment Land Availability Report
road and rail links as they are along the M18 corridor or will benefit from proposed road improvements (e.g. North Doncaster A1-A19 Link). The Sustainability Appraisal process also assessed the sites in terms of: distance to train station; distance to bus stop; and, access to cycle network. These findings were then taken into account in the site selection findings\(^\text{18}\).

33. Flood risk has also been addressed as this is a key consideration for site selection. This is discussed in Q1.12.

34. The employment allocations in the Table 4 which were submitted as part of the Call for Sites and Informal Consultation (Sites 001, 441, 941, 1032) have been promoted through the Local Plan process and therefore have willing developers/landowners. Evidence of availability and achievability of the sites has been provided by landowners, developers and their agents as part of their supporting evidence. Subsequent consultation responses and representations have also provided supporting evidence of site availability, indicative schemes and capacities, and build out rates.

35. All the sites listed in Table 4 have also been assessed through the Housing and Employment Land Availability Assessment\(^\text{19}\). The methodology for the HELAA had regard to national guidance which states that development on a site is achievable where there is reasonable prospect that the particular type of development will be developed on the site at a particular point in time. It is recognised that this includes judgement to assess the economic viability of a site, and the capacity of the developer to complete and let or sell the development over a certain period\(^\text{20}\).

36. The HELAA sets out how sites, including those submitted through the Call for Sites and informal consultation have been assessed and employment sites have been assessed on their: Suitability; Availability; and Achievability. As well as their marketability\(^\text{21}\). The HELAA methodology and approach was agreed by the Employment Land Availability Stakeholder Group\(^\text{22}\).

37. The Employment Land Availability Stakeholder Group\(^\text{23}\) included a number of private sector specialists who were able to give an independent view and opinion on the achievability of sites. Indeed the Group was involved in all the site assessment data.

38. It is the achievability of sites which assesses the lead in times and build out rates and the HELAA lists the assumptions used\(^\text{24}\). For larger sites, this included using assumptions from the build out rates of two large successful sites at Redhouse and West Moor Park (both within Doncaster Borough) as a guide\(^\text{25}\).

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\(^{18}\) CSD7, CSD7.1 and SDEB46, Table 6.36, pages 90-93
\(^{19}\) SDEB45 Housing and Employment Land Availability Assessment 2015
\(^{20}\) Planning Practice Guidance, paragraph 020 Reference ID: 3-020-20190722, revision date 22 07 2019
\(^{21}\) SDEB45 2015 report section 7, page 27-36
\(^{22}\) SDEB45, 2015 report page 42
\(^{23}\) SDEB45, 2015 report Appendix 1, page 42-44
\(^{24}\) SDEB45 2015 report section 7.2.6, page 30
\(^{25}\) SDEB45 2015 report section 7.2.6, page 30
39. The Council will regularly assess the progress of the Local Plan to the extent to which the policies are being achieved. This will result in the production of an Annual Monitoring Report which will help inform Local Plan reviews. The progress of the Plan will include updating and assessing sites to look at permissions, build out rates. It will additionally include looking at those allocations which have the capacity or additional land to some forward after the Local Plan period. If these develop out quicker than originally assessed, these sites could provide more land in those plan period (up to 2035). The available amount is up to 37 ha.

40. By taking this approach it is considered that the Council has used its best judgement to assess the sites using a transparent consistent methodology. This has then produced results to show that the sites in Table 4 will be developed during the Plan period as assumed in the Plan.

**Overall employment land supply**

<table>
<thead>
<tr>
<th>Q8.5. Collectively, will the employment allocations and employment policy areas be sufficient to meet anticipated development needs over the Plan period and provide enough flexibility to accommodate needs not anticipated?</th>
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</table>

41. The overall employment land requirement is 481 ha. This total amount comprises of three categories of land. The table below sets out the categories and the amount of land within them:

| Land developed between 2015 – 2018 | 117 ha |
| Sites with planning permission | 201 ha |
| Allocated sites | 164 ha |
| **Total** | **482 ha** |

42. The Council’s response to Q8.2 and Q8.4 demonstrates that the employment allocations, which comprises sites with planning permissions and new allocations, will be developed within the plan period and will therefore contribute to meeting that target set out above. As described in Employment Land Supply Buffer Note there is also a total of 112 ha of additional land above the calculated 481 ha requirement.

43. The plan period runs from 2015 to 2035, with the evidence base being updated in 2018. The Employment Land Needs Assessment details the calculation of the additional land requirement for the extension of the plan period. Therefore development which has taken place between 2015 and 2018 is counted towards meeting development needs. In the period 2015 to 2018, 117 ha was developed. These sites are now included within Employment Policy area (except where they are completed plots within a larger site (e.g. iPort site ref 747)), so are already contributing to the

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26 SDEB9 paragraph 2.8 and Table 2
27 Local Plan, paragraph 4.61, page 38
28 SDEB9 Employment Land Supply Buffer Note
29 SDEB8 paragraph 6.25, page 52
employment land supply. These sites are shown in the Housing and Employment Site Selection Methodology and Results Report.\textsuperscript{30}

44. In conclusion, the Council can demonstrate that employment allocations and the employment policy areas will collectively meet the anticipated development needs over the plan period.

**Offices**

|Table 9.25, pages 206-207|

45. The response to Question 2.3 in Matter 2 shows that there is need for 13 ha (gross site area) for office use which equates to 2.82% of the total identified land requirement. This equates to approximately 125,000 m\(^2\) of floor space which is low in comparison to other locations in the region.

46. Within the above land requirement there are 23 sites with planning permission. Of those 23 sites, seven have permission (either wholly or in part) for office use. The seven sites are at the Airport (2 sites 734 & 748), Wheatley Hall Road (2 sites 746 & 984), Marshgate (Doncaster town centre 2 sites 1096 & 1110) and the Unity project (site 418). The total floor space for office use within those seven sites is 46,000 sq. m. with over 40,000 sq. m. being within the plan period. Of the total amount of office space with planning permission 14,000 sq. m. has been developed in the 2015 to 2018 period over 3 sites at the Airport (sites 734 and 748) and Wheatley Hall Road (site 746).

47. There are six allocated sites without planning permission. One of those sites (site 92 Balby Carr Bank) has an element of potential office development of 3,400 sq. m.

48. Regarding further capacity, there are a number of opportunities for office development highlighted in the Doncaster Urban Centre Masterplan\textsuperscript{31}. Although it is not part of the development plan, the Doncaster Urban Centre Masterplan is a prospectus for investment and change and it aims to create a thriving centre which will support the right conditions for the continued economic growth of Doncaster. Doncaster will attract a diverse range of businesses and opportunities and the development of offices is seen as necessary to assist with that. The areas which are seen as being attractive to offices are: City Waterfront; Minister Canalside; Enterprise Marketplace; City Gateway; Civic and Business District; and the Innovation Quarter. These are then reflected in Local Plan Policy 69.

\textsuperscript{30} SDEB46 Table 9.25, pages 206-207

\textsuperscript{31} SDEB43 Doncaster Urban Centre Masterplan
Requirements and standards relating to economic development

Q8.7. Are the site specific requirements for employment allocations set out in Appendix 2 justified? Is there sufficient detail in the Plan to provide clarity to developers, local communities and other interested parties about the nature and scale of development proposed on all employment allocations?

49. The developer requirements set out in Appendix 2 meet national policy where it states that a development plan should give sufficient detail to provide clarity about the nature and scale of development. The detail in Appendix 2 provides overarching detail as to what will be expected when developers submit planning applications and relevant supporting evidence.

50. The design section for each site is important as it helps to understand the scale and nature of development. This is particularly necessary for employment sites as by their very nature are on large areas of land and are often very large scale buildings. The three employment sites listed in Appendix 2 will require masterplans and design guides. This section includes the most detail. The other sections: archaeology; biodiversity; transport; and trees and hedgerows include less information as they will be addressed and resolved through the planning application process including an agreed masterplan. However there is sufficient information for the decision maker to be aware of the issues.

51. The Council considers the requirements to be justified, and they reflect the preliminary thoughts on site requirements from officers across the Council who would usually be consulted on their relative disciplines were a planning application to be submitted. They build in a locationally specific manner on other polices in the plan, and are clear on what is expected from the outset, but the requirements are also concise, providing sufficient details as per national guidance, without stifling design or covering matters that can otherwise be resolved at application stage.

Q8.8. Are the design requirements for all non-residential, commercial and employment development set out in policy 47 justified?

52. Please refer to introductory paragraph in response to Matter 6 and Question 6.10 which sets the NPPF and NPPG context for design policies. In line with the NPPF and to support Local Plan objectives 2 and 5, policy 47 aims to ensure these types of non-residential development are designed to be high quality, attractive, and make a positive contribution to the area in which they are located.

53. At part A the policy provides a framework of design principles as considerations to assess the design quality of non-residential development types and provide a strong steer to applicants on key design issues to address. The design principles in part A reflect established objectives of good urban design as also set out in the National Design Guide. These

include; accessibility and legibility (M1 and M2 of National Design Guide, p.23), continuity and enclosure of streets with active building elevations (B2, p19), appearance (I2 and I3, p.15-16), well-designed landscaping, servicing and parking (M3, N3, p.24, 28), etc. These overarching good design objectives are translated into what is hopefully a more helpful and less abstract set of locally defined design principles for the specific types of development covered by policy 47.

54. Like the National Design Guide, these principles seek to address common pitfalls in the design of non-residential developments such as; bland ‘big box’ retail and commercial sheds with little architectural quality, interest or character, poorly sited buildings with a poor relationship to existing street frontages, inactive elevations, parking dominated schemes, poor landscaping, obtrusive servicing areas, etc.

55. Part B of the policy focuses upon sustainable construction requirements to help improve the sustainability and energy use of new development and help achieve objectives 17, 18 and 19 of the Local Plan33. The NPPF encourages development to be designed to help reduce carbon emissions, and encourages plans to provide a positive strategy for low carbon and renewable energy34. PPG highlights objectives to mitigate and adapt to a changing climate and suggests promoting such approaches in design policies35 and suggests Council’s should consider the use of nationally described sustainability standards for non-residential uses36. BREEAM37 (Building Research Establishment Environmental Assessment Method) represents a nationally established flexible assessment tool to do this.

56. PPG and the provisions in the Planning and Energy Act 2008 allow development plan policies to impose reasonable requirements for a proportion of energy used in development in their area to be energy from renewable sources and/or to be low carbon energy from sources in the locality of the development38. 10% is considered reasonable and has been proven viable since the Core Strategy policy CS14 part C39 adoption in 2012.

57. Policy 47 closely reflects the Council’s existing design requirements for commercial uses as set out in the adopted Development Guidance and Requirements SPD40. Part B of policy 47 reflects the existing sustainable construction requirements of Core Strategy policy CS14 part C. Therefore these requirements have been applied to decision making since the Core

33 CSD3 - Doncaster Local Plan 2015-2035 Regulation 19 Publication Version, para 3.5, p.15
34 NPPF, paragraph 150 b) and 151
35 PPG Para 003 ID: 6-003-20140612 (12.06.2014)
36 PPG Para 009 ID: 6-009-20150327 (27.03.2015)
37 https://www.breeam.com/
38 PPG Para 012 ID: 6-012-20190315 (15.03.2019) & https://www.legislation.gov.uk/ukpga/2008/21/contents, section 1 para 1
39 OTH3 - Adopted Core Strategy Development Plan Document (2012) paras 6.1, policy CS14 part c, p.70-71
40 OTH5 - Development Guidance and Requirements SPD, sections 2.2-2.3, p.10-14
Strategy was adopted in 2012 and the SPD was adopted in 2015. It has not led to major viability issues or gained significant resistance from the development industry during the past 5 years, evidenced by the Council’s high rates of planning approvals and delivery of new non-residential development including many BREEAM very good (or equivalent) schemes. Likewise it is understood there has not been any significant objection to this proposed Local Plan policy from the development industry.

Q8.9. Is the Council’s suggested change to policy 27 part A requiring all non residential development on sites of one hectare or more to provide green infrastructure masterplans necessary to make the Plan sound and is it justified?

58. Please also see response to question 6.12 paragraph 70 for justification. With regard to policy 27 the proposed change will clarify that all major residential and non-residential development proposals will provide a masterplan to show how the development will contribute to Green Infrastructure. The provision of a masterplan will ensure all development proposals through policy 27 will achieve the aims of NPPF, which emphasise healthy, inclusive and safe places, and the provision of safe and accessible green infrastructure. NPPF paragraph 150 emphasises ‘new development’, which the Council interprets as an inclusive statement and not one just relating to housing proposals. It also goes on to say ‘...When new development is brought forward in areas which are vulnerable (to climate change), care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure...’. The Council’s interpretation of this is the requirement for a masterplan.

59. The Green Space Audit identifies a number of different standards and associated open space deficiencies within our communities. It takes account of five different open space types (which can contribute toward GI) including formal and informal open space, allotments, public parks, woodlands and nature conservation areas. On-site open space provision within new development proposals will have direct regard to these open space types. The provision of green (open) space around the Borough also varies greatly both by type and by community. It is important therefore to look at provision, accessibility, quality and value of green space and other GI assets when looking at a community’s needs and requirements as part of an overall green infrastructure masterplan.

Q8.10. 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 employment 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?

41 Policy 27 – NPPF justification. 91, 92a, 98, 102c, 149, 157, 165, 170 a and b, 171, 174a,
42 Doncaster Council declared a climate change emergency in Sept 2019 Full council (DMBC1, paragraph 25, page 7)
43 SDEB18 The Green Space Audit
60. Please refer to response to question 6.15. Policy 55 refers to all development proposals.

61. For new economic developments, the noise limits are taken from the established standard BS4142 that is the recognised method for rating noise from industry determining its impact.

Q8.11. Is the suggestion in policy 4 part C that for developments that propose 20 or more direct jobs the Council will seek to enter into local labour agreements with the developer/applicant compliant with relevant legal requirements and national policy?

62. Policy 4 Criterion C will be implemented using Section 106 obligations and supported by a Supplementary Planning Document after the Local Plan has been adopted. The implementation of the policy will also be undertaken with the assistance and guidance of Business Doncaster (the Inward Investment Team for Doncaster). A number of local planning authorities have implemented the use of local labour agreements through Section 106 Agreements and have been implementing them for a number of years. The Council also has some experience in dealing with such issues through two schemes: iPort where the developer has funded the iPort Academy to help meet training and recruitment needs; and also at Unity, where a training centre will also be provided through the Section 106 Agreement.

63. National guidance states that the planning system has three overarching objectives to achieve sustainable development: economic; social; and environmental. The economic objective is to help build a strong, responsive and competitive economy; and the social objective is to support strong, vibrant and healthy communities.

64. The Employment Land Needs Assessment shows that the borough has significant levels of deprivation with 36% of the population living in areas rated in the top 20% deprived in England. It is considered that implementing local labour agreements will greatly benefit the borough through helping communities access local employment and training opportunities. The overall outcome will be to help reduce deprivation and social exclusion. So by encouraging and implementing local labour agreements, it is considered that Criteria C of Policy 4 will meet national guidance.

65. Local Plan Policy 66 (Developer Contributions) also identifies the principle of local labour agreements and it is considered that asking for such provision meets and complies with the statutory tests i.e. necessary; directly related; and fairly and reasonably related in scale and kind. In line with Policy 66, local labour agreements will only be sought "where necessary, directly related to the development, and fair and reasonable in

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44 Local Plan paragraph 4.64
45 NPPF paragraph 8, page 5
46 SDEB8 Employment Land Needs Assessment, section 3, pages 21-37
scale and kind” (Criteria A). It is therefore not the case that a development could be acceptable in all other respects but unacceptable if a local labour agreement is not in place. As with any planning application, the Development Management process will need to be satisfied that individual applications can meet the statutory tests included in Policy 66 and therefore local labour agreements will be sought on a site by site basis and secured where it is reasonable to do so.

66. Policy 4 also states that “...the Council will seek to enter in a local labour agreement...” (Council’s emphasis) meaning that although reasonable attempts will be made for employment and other developments that propose 20 or more jobs, to enter into a local labour agreement, it is recognised that it will not be possible for all such developments to secure a such an agreement (potentially for a variety of reasons). The requirement for a local labour agreement is one of many considerations that Development Management will need to take into account.

**Rural economic development**

Q8.12. Would policy 26 parts 1 and 4 be effective in enabling the sustainable growth and expansion of all types of business in rural areas through the conversion of existing buildings and well-designed new buildings?

67. The Council considers that Parts 1 and 4 of Policy 26 are effective in enabling the sustainable growth of all types of business in rural areas through the conversion of existing buildings and well-designed new buildings.

68. Being limited to only two paragraphs specific national policy in the NPPF on supporting a rural economy is succinct\(^{47}\); and there is no accompanying planning practice guidance.

69. Policy 26, Parts 1 and 4 is the local interpretation of national policy in Chapter 6 of the NPPF and specifically paragraph 83 and particularly parts a-c of that paragraph. Local Plan Policy 52: Protection of Education, Community and Leisure Facilities was part prepared to provide further local interpretation of NPPF Paragraph 83d on the retention of local services and community facilities.

70. Following the lead set by national planning policy, Policy 26 was prepared as succinct local policy which was restricted to the main issues that a decision maker needs to consider when assessing relevant planning proposals. Both parts seek to avoid undue repetition of national policy which explains the reference to the need to 'support a prosperous rural economy in accordance with national policy in the NPPF'.

71. Policy 2, Part 5, refers to Policy 26 as policy for considering development in the Countryside and whilst Policy 2 directs the majority of new development to the higher levels of the settlement hierarchy, it is appropriate that Policy 26, Part 4, recognises that sites to meet local

\(^{47}\) NPPF, paragraphs 83 and 84
business and community needs in rural areas may need to be located adjacent to, or beyond existing settlement limits, where they can demonstrate that there is an overriding benefit to the local economy and/or community and/or environment for locating development away from built up areas. This is consistent with national policy\textsuperscript{48}.

72. As with all Local Plan policies, each should be read in conjunction with all other relevant policies (together with NPPF). Together, the policy approach is effective in enabling the sustainable growth of all types of business in rural areas by conversion or new build.

73. Part 6 to Policy 2 states that within Doncaster's Green Belt national planning policy will be applied. Paragraph 4.14 of the explanatory text to Policy 2 further clarifies that the Local Plan does not repeat national Green Belt policy set out in the NPPF and that the Council will apply this when considering relevant planning applications.

74. It is considered that national Green Belt policy is self-explanatory and relatively detailed allowing the application of national planning policy locally. The guidance in national policy, on assessing the potential impact of development on the openness of the Green Belt, is also useful\textsuperscript{49}.

\textsuperscript{48} NPPG, paragraph 84
\textsuperscript{49} PPG, Reference ID: 64-001-20190722