INSPECTOR’S NOTE NO. 2:
PRELIMINARY QUESTIONS TO THE COUNCIL

Introduction

In order to provide clarity and potentially narrow down the focus of the examination, the Council is asked to provide a brief response to the following Preliminary Questions, with reference to the main relevant evidence.

If consideration of any of the questions leads the Council to conclude that a main modification may be needed to the Plan, please draft suggested changes to the relevant part of the Plan.

Given the coronavirus emergency, I am not setting a specific deadline for the Council to respond. When the response is available, it will be published on the examination website.

Preliminary Questions

Duty to Cooperate

PQ1. What were the strategic matters\(^1\) that the Council needed to address during the preparation of the Plan by working cooperatively with neighbouring authorities, prescribed bodies and other relevant parties? Please briefly summarise the main mechanisms that were used to ensure effective and ongoing joint working.

Strategic Priorities

PQ2. What are the strategic priorities for the development and use of land in the Borough? Which policies in the Plan are intended to address those priorities\(^2\)?

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\(^1\) “Strategic matters” are defined in section 33A(4) of the Act and include sustainable development or use of land that has or would have a significant impact in at least two planning areas or, in a two-tier area, is, or would have a significant impact on, a county matter.

\(^2\) Sections 19(1B and 1C) of the 2004 Act.
**Climate Change**

PQ3. Which policies in the Plan are designed to secure that the development and use of land in the Borough contribute to the mitigation of, and adaptation to, climate change³?

**Equalities**

PQ4. In what ways, positive and negative, are specific policies in the Plan expected to affect the three aims expressed in section 149(1) of the *Equality Act 2010* and in particular affect people from groups with “protected characteristics”⁴.

**Neighbourhood Plans**

PQ5. I note that there are made neighbourhood plans for Armthorpe, Bawtry, Bughwallis, Edlington and Tickhill⁵. Please provide a brief update on progress with other neighbourhood plans in the Borough.

PQ6. Why does the Plan not set out a housing requirement for each designated neighbourhood area as required by NPPF 65?

**Plan Period**

PQ7. The Plan seems to cover the period 2015 to 2035. NPPF requires strategic policies to look ahead over a minimum 15 year period from adoption. It is unlikely that the Plan will be adopted before 2021. Do the strategic policies relating to housing and economic development identify sufficient land to meet needs to at least 2036?

**Green Belt**

PQ8. Please provide a list and maps of all changes to the Green Belt proposed in the Plan (other than minor changes to correct cartographical errors etc). For each site, include a brief bullet point summary of the exceptional circumstances (strategic and site-specific, as appropriate) that justify the change.

PQ9. Section 7.6 of the *Green Belt Topic Paper*⁶ seems to suggest that the creation of a country park and adding 19 hectares of land to the Green Belt south of the former Rossington Colliery would represent compensatory improvements to the environmental quality and accessibility of remaining Green Belt land to offset the harm that would be caused by the removal of other land from the Green Belt⁷. Paragraph 16.123 of the Plan refers to a new country park at Rossington “in accordance with the permissioned scheme” but does not refer to compensatory improvements to the Green Belt. (a) Should the Plan set out

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³ Section 19(1A) of the 2004 Act.
⁴ Age; disability; gender reassignment; marriage and civil partnerships; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.
⁵ Submitted documents OTH10 to OTH14.
⁶ DMBC3.
⁷ NPPF 138.
specific requirements for that proposal to ensure that it is effective in securing compensatory improvements in this part of the Borough? (b) Would that particular scheme provide effective compensation in relation to land to be removed from the Green Belt in other parts of the Borough, for example at Conisbrough, Harlington, and Carcroft/Skellow, having regard to engagement with landowners and other interest groups?

PQ10. Should the development requirements for any of the housing allocations set out in Appendix 2 of the Plan include specific reference to creating readily recognisable Green Belt boundaries and/or making compensatory improvements to the environmental quality and accessibility of remaining Green Belt land close to the site?

**Flood Risk**

PQ11. Are any of the allocations in the plan wholly or partly in flood zones 2 or 3 such that an exception test is required by national policy and guidance? If so, please list all allocations, the flood zone, uses proposed, and a brief summary of the justification for the proposal in terms of the sequential and exception tests. For any sites that require an exception test to comply with national policy requirements, please summarise how parts (a) and (b) of NPPF 160 have been passed.

PQ12. Policy 58 part C confines the sequential test area of search for housing, business and industrial development on windfall sites to the settlement in question. The allocations for housing and economic development in the Plan are intended to meet identified needs and are based on a spatial strategy that concentrates growth at the larger settlements with remaining growth delivered elsewhere to support the function of other sustainable settlements and to help to meet more local needs. So what is the justification for potentially allowing housing, business and industrial development on windfall sites in areas of high flood risk when such development may not be necessary to meet identified needs and sites at lower risk of flooding may be available elsewhere in the Borough?

PQ13. Is the meaning of the statement in the sixth paragraph of policy 2 that development will be accommodated in flood zones where sites are safe or can be made safe clear, and is such an approach consistent with policy 58 and national policy?

**Spatial Strategy and Distribution of Growth**

PQ14. Which specific parts of policy 2 make clear how a decision maker should react to a development proposal? What is the purpose of the other parts of policy 2?

PQ15. What is the purpose of the table in policy 3 that sets out the distribution of growth? (a) Is it to explain and justify the distribution proposed through allocations in the Plan? Or (b), is it intended to make clear how a decision maker should react to a development proposal?

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8 PPG ID: 64-003-20190722.
9 Plan paragraph 4.6.
PQ16. The last part of part 5 of policy 2 allows residential development on land in the countryside adjacent to the development limit of Defined Villages in certain circumstances. (a) Is this intended to apply to those Defined Villages that are surrounded by Green Belt? (b) If so, is that consistent with national policy? (c) If not, should this be made clear in the Plan?

PQ17. (a) Are the “size limits for an individual scheme/site” and “growth limits” set out in policy 3 for 14 of the 40 Defined Villages listed in policy 2 intended to be used by decision makers when reacting to development proposals in those settlements and/or adjacent to their development limits? (b) Paragraphs 4.5.7 to 4.5.12 of the Green Belt Topic Paper indicate that figures are provided only for the Defined Villages that are not surrounded by Green Belt. If that is so, should it be made clear in the Plan?

Chapter 16: Spatial Proposals

PQ18. Other than policies 68 to 72, do any parts of chapter 16 materially alter or add to any of the policies in the Plan?

iPort, Rossington

PQ19. Table E4 and the Policies Map identify land west of West End Lane, Rossington (iPort) as an Employment Allocation with planning permission with a gross site area of 178.72 hectares, 158 hectares of which is expected to be developed in the Plan period. Paragraph 16.127 describes iPort as being one of the UK’s largest logistics developments including a rail freight intermodal container facility serving all UK ports and the channel tunnel. Paragraph 16.123 states that the site continues to be washed over Green Belt reflecting the very special circumstances that supported its development as well as the site still being a long way from completion. (a) Is the site an Employment Allocation or an Employment Policy Area? (b) Given the size of the site, and the apparent national significance of the development proposed, would policy 4 or 5 provide an effective framework for determining planning applications that may be submitted during the Plan period in the context of national policy relating to development in the Green Belt?

Housing Completions since 2004/5

PQ20. Figure 16 in the Housing Topic Paper\textsuperscript{10} sets out net completions in the Borough each year between 2004 and 2018 and an average rate of 658 dwellings per year over that period. Evidence included in representations, based on Government statistics, includes significantly different figures, including an annual average of 1,013 net completions in the same period\textsuperscript{11}. Please clarify which figures are correct.

Housing Requirement

\textsuperscript{10} DMBC4.
\textsuperscript{11} Table 4.1 on page 6 of the Pegasus Group representation on behalf of Gascoigne Group Ltd.
PQ21. Policy 3 states that the strategic aim is to facilitate the delivery of 18,400 new homes in the period 2015-2035 (920 per year) and refers to a need for 820 dwellings per annum once supply in the years 2015-2018 is deducted from the overall requirement. Paragraph 4.38 refers to local housing need based on the standard method being 585 homes per year, and to a objectively assessed need for housing of 912 homes per year once economic growth is taken into account. National policy requires strategic policy making authorities to establish a housing requirement figure for their whole area\textsuperscript{12}. Please clarify what the housing requirement is for the period 2015 to 2035 (total number of dwellings and annual average).

PQ22. The “baseline growth” figure of 585 homes per year referred to in paragraph 4.38 of the Plan is derived from the 2014-based household projections. Evidence has been submitted that indicates that the population assumptions include in those projections may be unrealistically low\textsuperscript{13}. Other submitted evidence indicates that household formation rates amongst 15 to 34 year olds could be greater than assumed in the 2014-based household projections\textsuperscript{14}. Does that evidence have any implications for the baseline demographic growth assumed in the Plan?

PQ23. What is the rationale for policy 3 stating that the five year requirement will be based on local housing need derived from the standard method as revised throughout the Plan period? Specifically, what is the local justification for departing from national guidance which states that housing requirement figures in adopted strategic policies should be used for calculating the five year housing land supply figure where the plan was adopted in the last five years or policies have been reviewed within the last five years and found not to need updating\textsuperscript{15}?

PQ24. If I were to conclude that the proposal in policy 3 to express the housing requirement as a range is justified in principle but that, to be effective and consistent with national policy and guidance\textsuperscript{16}, the lower end of the range should be defined numerically, what would the figure be?

PQ25. What is the current five year requirement (total number of dwellings from 1 April 2019), including appropriate buffer, calculated (a) as proposed in policy 3; (b) on the basis of the lower end of the range figure referred to in your response to PQ24 above; (c) on the basis of a housing requirement of 920 dwellings per year; and (d) on the basis of 920 dwellings per year adjusted to take account of completions since 2015?

\textit{Housing Supply for the Plan Period}

PQ26. Paragraph 4.83 of the Plan refers to windfalls having been a significant source of supply, and includes various annual average figures in the region of 400 to 550 per year. Furthermore, it states that windfalls will make a significant contribution to five year supply. Paragraph 7.19.6 of the \textit{Housing Topic Paper}\textsuperscript{12}.

\textsuperscript{12} NPPF 65.
\textsuperscript{13} Paragraphs 4.2 to 4.10 of Appendix 3 to the representation by Turley on behalf of Peel Land and Property Management Limited.
\textsuperscript{14} Paragraphs 4.30 to 4.31 of Appendix 1 to the representation by Spawforths on behalf of Firsure Ltd and others.
\textsuperscript{15} PPG ID-68-005-20190722.
\textsuperscript{16} NPPF 65 and PPG ID: 68-005-20190722.
refers to it being appropriate to set a windfall allowance of 200 dwellings per year. So what is the justification for the Plan not including a windfall allowance (that avoids any double counting with any assumptions about supply from small site commitments)?

PQ27. Please provide a summary table setting out supply for the plan period (2015 to 2035) from:

- Net completions 2015-2018
- Expected completions on allocations with planning permission at 2018.
- Expected completions on other commitments at 2018 (eg small sites).
- Expected completions on allocations without planning permission.
- Any other sources of supply expected to be delivered by 2035 (eg windfalls).
- Total number of new homes expected to be built 2015-2035.
- Any other identified sources of supply not expected to be delivered by 2035 (eg allocations continuing to be built after 2035, reserve sites).
- Any other identified sources of supply that would not count towards the aim of accommodating 18,400 homes in the plan period (eg those at Doncaster Sheffield Airport).

PQ28. Paragraph 4.77 of the Plan refers to capped and uncapped supply, with the latter including an additional 2,263 dwellings in the period 2018-2033. Are there any policies in the Plan that would prevent that “capped” supply being delivered before 2033?

PQ29. The Council’s Five Year Deliverable Housing Land Supply Statement 2019-2024 identifies total capacity of 6,870 dwellings on sites considered to be deliverable on 1 April 2019. How many of those dwellings fall into the following categories:

a) Sites of fewer than 10 dwellings with outline or full planning permission.
b) Sites of 10 or more dwellings with detailed planning permission.
c) Sites of 10 or more dwellings with outline planning permission.
d) Sites with a grant of planning permission in principle.
e) Allocations without planning permission.

PQ30. Which parts of which submitted documents provide the clear evidence for the assumptions about the number of dwellings expected to be delivered within five years on each of the sites that fall into categories (c) to (d)?

PQ31. Section 7.13 of the Housing Topic Paper identifies a total of 2,152 dwellings on sites under one hectare that are committed or allocated in the Plan or on the Brownfield Register. It goes on to state that this represents 11.7% of the requirement of 18,400 dwellings for the Plan period and concludes that this meets the requirement in NPPF 68. However, paragraph 4.81 of the Plan sets out different figures, and seems to suggest that 8% of supply is on sites under one hectare. Please clarify, and advise whether you consider that the Plan is consistent with national policy in this regard.
Viability

PQ32. The viability testing report\textsuperscript{18} runs base appraisals for the site typologies, and then applies various sensitivity tests. However, none of these appraise the full set of policy requirements included in the submitted Plan ie 23% affordable housing in high value areas and 15% elsewhere with all of the policy requirements including M4(2) and M4(3). Please carry out that particular appraisal and present the results as in a similar way to section 6 of the report and appendix 3.

PQ33. How many dwellings on allocated sites (a) with and (b) without planning permission that are assumed to be built within the Plan period are within (i) high value market areas (as defined on the map in Appendix 5) and (ii) elsewhere? Please provide lists of the sites in each category in the same order as they are set out in chapter 16 of the Plan.

Affordable Housing

PQ34. How many affordable homes per year are expected to be delivered through the requirements of policy 8 part B in the plan period 2015 to 2035?

Accessible and Adaptable Homes

PQ35. The Housing Design Standards Policy Evidence Paper\textsuperscript{19} projects that the number of 65 year old and over households in the Borough will increase by 705 per year through the plan period. The Evidence Paper also projects an annual increase of 225 households with long term health problems or disabilities during the Plan period. Would the requirement in policy 46 for 65% of all new homes on developments of over 0.5 hectares or 10 or more units to meet Building Regulation standard M4(2) be likely to meet the expected need for accessible and adaptable homes?

Rural Housing

PQ36. Policy 2 part 5 states that all non Green Belt land outside the development limits of the Main Urban Area, Main Towns, Service Towns and Villages and Defined Villages is to be treated as countryside meaning that development proposals will be subject to policy 26. Policy 26 seems to only allow new dwellings if they are essential for rural workers. Does that mean that new dwellings in all parts of the countryside (as defined in policy 2) would be “isolated”?\textsuperscript{20}

Local Labour Agreements

PQ37. Policy 4 part C states that for developments that propose 20 or more direct jobs, the Council will seek to enter into a local labour agreement with the developer. How is that particular policy intended to be implemented? If it would

\textsuperscript{18} SDEB48.1.
\textsuperscript{19} SDEB25.
\textsuperscript{20} NPPF 79(a).
involve the use of planning conditions or obligations, would that be compliant with relevant legal requirements and national policy?

**Major Road Network Enhancement Priorities**

PQ38. Policy 13 part A supports proposals to improve key routes and connections and effectively manage traffic and relieve congestion in a number of locations. Table 7 provides information about eleven major road network enhancement priorities. The broad locations of some of those are shown on the Key Diagram. (a) Is it the intention that the Plan protects any sites and routes for new roads? (b) If so, which specific policies would effectively achieve that, and (c) what is the robust evidence as required by NPPF paragraph 104(c)? (d) If not, what is the purpose of policy 13 part A?

PQ39. Which, if any, of the road improvements listed in policy 13 part A and Table 7 are essential to (a) facilitate development proposed in the Plan, and (b) address highway safety during the Plan period?

**Open Space and Local Green Space**

PQ40. To be clear and consistent with policy 28 part D, should part A refer to “open space policy areas” (rather than “the open spaces”)?

PQ41. Policy 28 part C protects Local Green Space defined on the Policies Map in accordance with national policy, and paragraph 10.17 refers to a number of areas having been identified by local communities. Please provide a list and maps of all Local Green Spaces designated on the Policies Map, and give a brief summary of the justification for each in terms of the criteria in NPPF paragraphs 99 and 100. To be effective, should policy 28 part C or the reasoned justification refer to the specific areas of Local Green Space designated on the Policies Map?

PQ41. (a) What is the justification for policy 29 referring to development proposals addressing deficiencies in open space provision? (b) Are the requirements in parts A to E intended to make up for existing deficiencies to benefit the wider community, or to meet the needs of future residents of the development site in ways that take account of existing deficiencies in the local area?

**Appendix 10: Draft Criteria for Locally Listing Buildings and Structures**

PQ42. Policy 41 provides protection to buildings and structures of local historic interest. Paragraph 11.40 refers to Appendix 10 which sets out criteria that will be used to decide which buildings and structures the policy will apply to. (a) Are those criteria still “draft”? (b) If so, what is the purpose of including them in the Plan?

**Backland and Tandem Development**

PQ43. Policy 45 part C states that, in particular, Bessacarr, Sprotbrough and parts of Thorne Road at Edenthorpe will be “protected from” backland and tandem development. (a) How is that intended to be taken into account by a decision maker; (b) what are the specific geographical areas to which that part of
the policy applies; and (c) what is the justification for identifying those particular areas?

Noise

PQ44. Policy 55 indicates that when determining planning applications, particular consideration will be given to noise. Paragraph 13.20 states that guidance in the accompanying Noise Annex will be applied. A minor amendment clarifies that the Annex is actually Appendix 11 in the Plan. This sets out specific thresholds, and states that they will be applied to determine the acceptability of proposals. Should the second sentence of policy 55 part B be modified along the lines of “A noise assessment will be required ... planning application, and this should have regard to the thresholds set out in Appendix 11”?

Wind Energy Development

PQ45. Is the Area of Search for Wind Energy Development defined on Figure 13 in the Plan based on relevant and up to date evidence having regard to national guidance\(^1\)? In particular, does the landscape capacity assessment take appropriate account of changes to the landscape that have occurred since 2006/7, including through the introduction of wind turbines?

Agricultural Land

PQ46. (a) Is the reference to “overriding need” in policy 61 consistent with NPPF 170(b) and footnote 53? (b) Would compliance with part E of policy 2 (residential development adjacent to development limits of level 1-3 settlements when a five year supply of housing cannot be demonstrated) be likely to be sufficient to demonstrate “overriding need”?

Glossary

PQ47. Are all of the definitions in Appendix 1 to the Plan consistent with those in the NPPF?

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8 April 2020

\(^1\) PPG ID: 5-005-20150618.