Doncaster Local Plan Examination  
Mr Don Parkinson, Mr Kim Parkinson and Wilton (Thorne) Ltd (ID 05293)  
Matter 14 Statement – Other Environmental Issues

Issued September 2020

1.1 This Hearing Statement has been prepared on behalf of Mr Donald Parkinson, Mr Kim Parkinson and Wilton (Thorne) Ltd (ID 05293). The Statement responds to Question Q14.4 only.

1.2 Donald and Kim Parkinson are the majority landowners of draft employment allocation 001: J6 M18, Thorne North and Wilton (Thorne) Ltd are their development partner. Wilton (Thorne) Ltd is part of Wilton Developments Ltd, who has a long established track record of delivering employment sites in the region.

1.3 The Thorne North site comprises 73.63ha of land and is located off Selby Road to the north west of Thorne, to the west of the M18 and to the north of M18 Junction 6.

1.4 The site also is the subject of a pending outline planning application (ref. 16/02136/OUTM) for the development of employment uses. A comprehensive suite of updated plans and documents was submitted to DMBC in April 2020. This information is currently undergoing assessment and the application remains before DMBC for consideration.

Matter 14: Other Environmental Issues

Question 14.4: Are policies 57 and 58 consistent with national policy and would they be effective in ensuring that development is safe from the risk of flooding and would not increase flood risk elsewhere? Is the approach to windfall sites in areas of flood risk set out in policy 58 part C consistent with national policy or otherwise justified? Is the Council’s suggested change necessary and would it make the policy sound?

1.5 The following comments are made solely in respect of the elements of Policy 58 which are relevant to sites that form development allocations in the Local Plan.

1.6 Policy 58 is a development management policy which is to be applied by the Local Planning Authority in the determination of planning applications. Part A of Policy 58 states:

“All development proposals will be considered against the NPPF, including application of the sequential test and, if necessary, the exception test” (our emphasis).

1.7 In relation to sites that are allocated for development in a Local Plan, national planning policy set out at paragraph 162 of the National Planning Policy Framework (NPPF) states:
“Where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again. However, the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan making stage, or if more recent information about existing or potential flood risk should be taken into account”.

1.8 Paragraph 162 of the NPPF is reflected in paragraph 14.7 of the reasoned justification to Policy 58 which states:

“As development allocations have been made in accordance with the sequential approach, an application for a use that accords with the allocation will be deemed to have passed a sequential test, although any ‘more vulnerable’ uses on employment and mixed use allocations will still need to pass a sequential test at planning application stage”.

1.9 Therefore, in respect of sites that are allocated for development in the Local Plan, the requirements of Policy 58 and the reasoned justification at paragraph 14.7 are entirely consistent with national planning policy set out in NPPF paragraph 162. This confirms that where sites have been allocated for development in a Local Plan, following the application of the sequential test, the sequential test has been passed and there is no requirement to undertake this again.

1.10 This is the case in respect of employment allocation Site 001: Junction 6, M18: Thorne North. As is set out in detail in our response to Question 1.12 (Flood Risk) contained within our separate Hearing Statement on Matter 1, the allocation of Site 001 for employment development has been informed by a robust sequential assessment consistent with national planning policy relating to development and flood risk. This includes:

- Consulting on the proposed approach to predict, appraise and monitor the potential effects of the Local Plan in the Sustainability Appraisal Scoping Report consultation (July 2015) [AE05]. No objections were made (including from the Environment Agency) about how the LPA intended to proceed with flood risk.
- Consulting on DMBC’s proposals for appraising employment sites, including details of the flood risk sequential and exceptions tests in the Site Selection Methodologies Consultation (November 2015).
- Undertaking a sequential assessment of potential employment sites in the Doncaster Strategic Flood Risk Assessment Level 1 (2015) [SDEB13].
- Assessing potential employment sites in the Doncaster Employment Land Review (February 2018 and amendments June 2019) [SDEB10 and 10.1]; this included an assessment of flood risk. The review did not discount Site 001 on the basis of flood risk.
- Assessing and identifying a pool of sites which are suitable, available and achievable for economic development over the plan period in the Doncaster Housing and Economic Land Availability Assessment (HELAA) (April 2018 published July 2019) [SDEB45]. The HELAA assessments include information on flood risk. The HELAA concludes that Site 001 is suitable, available and achievable for employment development.
- Undertaking a detailed flood risk sequential assessment of potential employment sites as set out in the Housing and Employment Site Selection Methodology and Results Report (June 2019) [SDEB46] which led to the allocation of Site 001 Thorne North. The robust approach undertaken is set out in detail in our Matter 1 Statement.
Undertaking an independent **Sustainability Appraisal** (SA) of the Doncaster Local Plan Draft Policies and Proposed Sites in June 2018 [AEO8.1] followed by the SA of the Publication Version in August 2019 [CSD7.1] and an addendum in 2020 [CSD7]. The SA documents the flood risk sequential approach undertaken and confirms that Site 001 has been subject to, and has passed, the sequential test at the plan making stage.

Further details of this robust process are set out within paragraphs 1.25 to 1.30 of our Statement for Matter 1. This approach accords with national planning policy set out in paragraphs 155 to 161 of the NPPF.

Therefore, as the employment allocation of Site 001 has been reached following a robust sequential assessment undertaken at the plan making stage, no further sequential assessment is required at the planning application stage in line with NPPF 162, Policy 58 of the Doncaster Local Plan and paragraph 14.7 of its reasoned justification. The exception test is not applicable in this instance as the application proposes ‘less vulnerable’ uses.

In line with the requirements of NPPF paragraph 163, an updated site specific Flood Risk and Drainage Assessment (FRA), dated September 2020, has been submitted with the pending outline planning application; this has been formulated in consultation with the Environment Agency (EA). The FRA takes account of the most up to date flood modelling for this part of the River Don, as agreed with the EA, and concludes that although the site is located in Flood Zone 3, it benefits from extensive EA maintained defences on the River Don (unlike other locations around Thorne), which provide protection from flooding for the 1 % Annual Exceedance Probability (AEP) event including climate change. Given the standard of protection provided by the EA flood defences, the FRA further concludes that the actual risk to the site from the 1% AEP event including climate change is low. Notwithstanding this low level of risk, the FRA also proposes a series of mitigation measures which take account of a modelled breach of the defences, including the provision of a Flood Management and Evacuation Plan, signing up to the Environment Agency flood warning service and also setting minimum floor levels for buildings. The EA has confirmed its agreement with the proposed mitigation measures, subject to planning conditions, in a letter dated 8th September 2020 (enclosed at Appendix 5 to our Hearing Statement on Matter 8).

The FRA demonstrates that the development is appropriately flood resistant and resilient; that sustainable drainage systems will be incorporated into the scheme; that any residual flood risk can be safely managed and that safe access and escape routes will be provided. The FRA also demonstrates that the development will be safe from the risk of flooding for its lifetime taking account of the vulnerability of its users, and that flood risk will not be increased elsewhere. This accords with the requirements of national planning policy set out at NPPF paragraphs 155 and 163.

Overall, in respect of sites that are allocated for development in the Local Plan, Policy 58 is entirely consistent with national planning policy set out in NPPF paragraph 162. This confirms that where sites have been allocated for development in a Local Plan, following the application of the sequential test, the sequential test has been passed and there is no requirement to undertake this again. This element of Policy 58 is therefore consistent with national planning policy, it is positively prepared, justified and effective and is therefore considered sound in accordance with paragraph 35 of the NPPF.

We have no comments to make with regard to any other element of Policy 58 at this stage.