Hi Graham,

Thank you for the e-mail and apologies for the slightly delayed response to your letter in respect to the Local Plan SA Addendum and the Brownfield Land Register. Please see below for a full response in respect to this matter.

Ultimately, the Local Planning Authority (LPA) does not deem the land appropriate for listing on the Register and the reasons are set out below. Consequentially, the Council maintains that the SA Addendum has rightly not revised the assessment of the site from Greenfield to Brownfield land.

In line with national policy the ‘Brownfield Land Register’ lists previously developed land the LPA considers appropriate for residential development, having regard to criteria in the Town and Country Planning (Brownfield Land Registers) Regulations 2017 as well as the supporting Planning Practice Guidance published in July 2017.

The Council acknowledges the site is a former mineral site and not agricultural land. The definition of previously developed land is identified in Annex 2 of the National Planning Policy Framework (NPPF - extract as per below).

“Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.”

A planning application (83/0703/P) granted in March 1987 for the construction of settlement lagoons includes restoration conditions. As per the statement above, the land should be excluded from the Register as the application included restoration conditions. Conditions 22 to 24 refer to grassland seed, tree planting and a landscaping scheme. Condition 25 refers to the requirement for a restoration scheme.

Based on the NPPF definition we do not consider the land to fall into the definition of previously developed land. The NPPF definition is clear that ‘land which has been developed for minerals or waste disposal with remediation conditions does not constitute previously developed land’.

Notwithstanding the Council’s position above (i.e. that the site does not meet the criteria for inclusion on the Register by definition alone) the site also needs to be appropriate for residential development. To establish this, the Council must have regard to the criteria set out in regulation 4 of the Town and Country Planning (Brownfield Land Register) Regulations 2017 and, in addition to these, section 14A of the Planning & Compulsory Purchase Act 2004 which requires the Council to also have regard to our development plan and, national policy and guidance.

The land submitted for the register is designated Countryside Policy Area in the 1998 Unitary Development Plan and therefore Policies ENV2 and ENV4 apply. The adopted Core Strategy (2012) identifies Auckley and Hayfield Green as...
‘Defined Villages’ where Policy CS2 (Growth & Regeneration Strategy) supports infilling only within existing village boundaries. The site is to remain located in the Countryside as shown in the ‘Regulation 19’ version of the Local Plan Polices Map. The Local Plan was submitted recently to Government and is currently under examination.

The emerging Local Plan retains the Countryside designation in relation to this site and Policy 2 (Spatial Strategy & Settlement Hierarchy) identifies Auckley-Hayfield Green as a Service Village. Part 5 of this policy sets out a number of criteria whereby sites designated Countryside, and adjacent to development limits, could be supported during the plan period; albeit in the Council’s opinion the site does not currently meet the criteria. For example, the Council can demonstrate a deliverable 5-year housing land supply (Part E). Policy 3 (Level & Distribution of Growth) identifies an indicative housing requirement for the settlement of 125 units in total for the plan period to 2035, which equates to an average requirement of 8 new homes per year. Policy 6 (Housing Allocations) identifies that a combination of existing commitments and new allocations at the settlement will deliver 255 net new dwellings which is already well above the requirement by 130 dwellings, or double the settlement’s target for the plan period. Policy 26 Part 3 relates to new dwellings in the Countryside but relates to meeting the housing need of essential rural workers in line with national policy.

Finally, the site falls within the designated neighbourhood area for the Auckley Neighbourhood Plan. A call for sites was undertaken in 2018 and we understand that this site was submitted. Work remains ongoing on the Neighbourhood Plan but is at an early stage and no decisions have been formally made in relation to housing or submitted housing sites.

Kind regards

Jonathan Clarke
Principal Local Plan Delivery Officer
Planning Policy and Environment Team
Doncaster Council

Phone 01302 735 316
Address Floor Four, Civic Office, Waterdale, Doncaster DN1 3BU
Email jonathan.clarkeplanning@doncaster.gov.uk
Website www.doncaster.gov.uk

Please note that owing to current circumstances relating to Covid-19 there will inevitably be disruption to the day to day running of the Planning Service and this will include the processing of planning and building regulation applications and other work areas. Officers are still working remotely and have full access to emails but may be required to assist other essential Council services during this challenging time. We are confident our contingency plans enable us to operate effectively, but we may need to make difficult choices in relation to other priorities if required. Public safety and Dangerous Structures remains the priority of our Building Control Team and the normal reporting procedures in this regard should continue to be followed. Thank you for your understanding.

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http://www.doncaster.gov.uk/services/the-council-democracy/planning-service-privacy-notice

Please treat the content of this e-mail as confidential. If you have received this e-mail and it is not addressed to you please accept my apologies and inform me as soon as possible.
Dear Mr Clarke,

You may be aware of the situation regarding the brownfield status of the land at Auckley, as set out in the attached letter and submissions.

We wrote to Mr Scott Cardwell on 28th May requesting clarification on the Sustainability Appraisal's mis-assessment of the Site as agricultural and now Greenfield land. This assessment was directly contrary to all the representations submitted for the Site, but which provided no justification for adopting this contrary view.

Please could you review the attached brownfield register submissions and letter to Mr Cardwell. I understand the brownfield register will not be published for some time. Therefore, at this moment, our client is seeking assurances from the Council regarding the brownfield status of the Site at Auckley.

Kind regards,

Graham.

Graham Whiteford
Senior Planner

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33 Wellington Street, Leeds, LS1 4DL

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M:+44 (0)739 213 0512
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The Covid-19 outbreak is affecting us all. Like all responsible businesses, we’re monitoring the situation closely. You can read about the procedures we have in place here.
Dear Jane,

Thank you for confirming the Council are looking into the matter set out in our letter (attached).

Please also note, I have this morning confirmed to the Programme Officer that Walker Morris will be attending the EiP Hearing sessions for M1. Legal and Procedural Requirements and M2. Green Belt in relation to this specific matter.

My clients would therefore appreciate the Council's early response to the matters raised in the attached letter and to the Brownfield Register submission.

Kind regards,

Graham

From: Stimpson, Jane [mailto:Jane.Stimpson@doncaster.gov.uk]
Sent: 04 June 2020 16:23
To: Graham Whiteford <Graham.Whiteford@walkermorris.co.uk>
Cc: Cardwell, Scott <Scott.Cardwell@doncaster.gov.uk>; Clarke, Jonathan (Planning) <Jonathan.Clarke1@doncaster.gov.uk>
Subject: RE: BROWNFIELD REGISTER SUBMISSION - FORMER SAND AND GRAVEL QUARRY, LAND EAST OF HURST LANE, AUCKLEY, DONCASTER DN9 3EJ - MR AA LUND

Dear Graham,

Thank you for your letter and for your client's recent brownfield register submission for the land east of Hurst Lane, Auckley.

I just wanted you to be aware that we are looking in to the issues that you have raised and will get back to you with a full response shortly.

Kind regards,

Jane

Jane Stimpson
Planning Policy and Environment Manager
Planning
Economy and Environment
Doncaster Council

Phone 01302 734886
Address Civic Office 4th Floor, Waterdale, Doncaster, South Yorkshire, DN1 3BU
Email Jane.Stimpson@doncaster.gov.uk
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Please treat the content of this e-mail as confidential. If you have received this e-mail and it is not addressed to you please accept my apologies and inform me as soon as possible.

From: Cardwell, Scott <Scott.Cardwell@doncaster.gov.uk>
Sent: 28 May 2020 17:58
To: Stimpson, Jane <Jane.Stimpson@doncaster.gov.uk>; Clarke, Jonathan (Planning) <Jonathan.Clarke1@doncaster.gov.uk>; Graham.Whiteford@walkermorris.co.uk
Subject: FW: BROWNFIELD REGISTER SUBMISSION - FORMER SAND AND GRAVEL QUARRY, LAND EAST OF HURST LANE, AUCKLEY, DONCASTER DN9 3EJ - MR AA LUND

Hi Graham
Thanks for this
Jane/Jonathan - can you respond please

Regards

Scott Cardwell
Assistant Director for Development
Doncaster Metropolitan Borough Council
Civic Office, Waterdale, Doncaster DN1 3BU
Tel: 01302 862321 Email: scott.cardwell@doncaster.gov.uk

From: Graham Whiteford <Graham.Whiteford@walkermorris.co.uk>
Sent: 28 May 2020 17:31
To: Cardwell, Scott <Scott.Cardwell@doncaster.gov.uk>
Cc: OLIVER LUND <ollylund@hotmail.com>
Subject: BROWNFIELD REGISTER SUBMISSION - FORMER SAND AND GRAVEL QUARRY, LAND EAST OF HURST LANE, AUCKLEY, DONCASTER DN9 3EJ - MR AA LUND

Dear Mr Cardwell,

You are in receipt of our client’s recent brownfield register submission for the land east of Hurst Lane, Auckley (see attached).

Please also find attached our letter to you requesting clarification on the Sustainability Appraisal Addendum and crucially on the status of the land.

I am of course happy to provide any information you consider necessary, for the Council to provide a reasoned opinion on the site and its status.

Kind regards,
The Covid-19 outbreak is affecting us all. Like all responsible businesses, we’re monitoring the situation closely. You can read about the procedures we have in place [here](#).