Doncaster Local Plan Examination
Mr Don Parkinson, Mr Kim Parkinson and Wilton (Thorne) Ltd (ID 05293)
Matter 1 Statement – Legal and Procedural Requirements and Other General Matters

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 Questions Q1.5 and Q1.12 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.

Sustainability Appraisal

Q1.5: Did the sustainability appraisal consider and compare reasonable alternatives as the Plan evolved, including for the broad spatial distribution of housing, economic and other development? Was the Plan informed by the findings of the sustainability appraisal?

1.5 This response relates solely to the approach taken in respect of the approach taken towards economic development and employment allocations.

1.6 A Sustainability Appraisal (‘SA’) has been prepared by an independent consultant on behalf of DMBC with the objective of integrating sustainable development into the emerging Local Plan. The need to prepare a SA is established by Section 19 of the 2004 Planning and Compulsory Purchase Act and the process to be undertaken is defined by the Environmental Assessment of Plans and Programmes Regulations 2004.

1.7 As illustrated on Table 1 at Appendix 1, the SA has been conducted at every stage of the Plan with the most recent version being that published in August 2019 along with an Addendum which was issued in March 2020. The assessment is based upon a SA framework which includes 14 main objectives. Each stage of the plan from its initial scoping establishes the main objectives of the assessment process as including a review of reasonable alternatives.
1.8 The PPG defines reasonable alternatives as “the different realistic options considered by the plan-maker in developing the policies in the plan” [Paragraph: 018 Reference ID: 11-018-20140306, Revision date: 06 03 2014] and explains that in preparing an SA that it is important to:

- “outline the reasons the alternatives were selected, and identify, describe and evaluate their likely significant effects on environmental, economic and social factors using the evidence base (employing the same level of detail for each alternative option)....
- as part of this, identify any likely significant adverse effects and measures envisaged to prevent, reduce and, as fully as possible, offset them;
- provide conclusions on the reasons the rejected options are not being taken forward and the reasons for selecting the preferred approach in light of the alternatives.”

1.9 Applying these tests to the broad distribution of economic development, and specifically to the consideration of site 001, it is concluded that reasonable alternatives have been taken into account through the process of SA and as the Plan has emerged. This is reviewed further below.

1.10 The initial stages of the SA are non-site specific and focus on the scoping of the assessment (SA scoping stage) and an initial appraisal on a non-site specific basis of growth options for the area (SA of Growth Options, July 2015 and March 2016). These documents identify the need to allocate sufficient land to accommodate a range of employment uses to meet long term requirements in a variety of locations across the borough. The SA of growth options including areas around Thorne performed best against the sustainability criteria of the SA and each SA includes a defined chapter to explain the justification why other alternative growth options were rejected at each stage.


1.11 Section 8.3 considers a number of possible alternative employment sites (including site: 001) and table 8.27 explains the justification why each site has been either selected or rejected for allocation in the Draft Local Plan. Each site is treated equally and in the same level of detail with possible mitigation required to address impacts identified where relevant. The measures that may apply to site: 001 include a need for the use of best practice construction techniques in relation to storage of chemicals on site and treatment of wastewater and for any scheme to include on-site landscaping.

1.12 Site: 001 is rejected for allocation in the September 2018 SA (and the associated draft Local Plan) despite scoring similar to a number of other sites assessed in the SA. The assessment notes as reasons a view that the site fails the flood risk sequential test as it is within Flood Zone 3; its location within the Countryside Policy Area as designated by the UDP; and questions over deliverability. Ultimately, the alternative site proposed as an allocation at that point in time was also in Flood Zone 3 and within the Countryside Policy Area.


1.13 The SA of the Publication Version of the Local Plan adopts a similar structure to the previous iteration with Section 8.3 considering the various possible alternative employment sites (including site: 001) and table 7.28 setting out the reasons for accepting or rejecting different options. Each site is treated equally and in the same level of detail. The March 2020 Addendum
considers the reasons behind some of the reasonable alternatives accepted or rejected in further detail as a response to representations received.

1.14 Site: 001 is accepted for allocation in the August 2019 noting that it provides an excellent job creation opportunity in the north of the borough to complement existing industrial areas to the north of Thorne. Deliverability concerns were addressed through further discussions with our client and Wilton (Thorne) Limited becoming involved as the landowner’s chosen delivery partner. The 2019 SA also reflects that the site benefits from flood defences. These factors represent a differentiation of site: 001 from others which may have scored equally in earlier versions of the SA.

1.15 The 2019 SA and 2020 SA Addendum reflected the amended conclusions of the 2019 Employment Land Review (ELR) addendum, which provided revised conclusions in respect of Site 001 Thorne North following public consultation on the earlier version of the ELR published in February 2018.

Key conclusions

1.16 With reference to the key tests in the PPG, we must conclude that alternatives have been considered and compared at each stage of the SA conducted in respect of the Local Plan. A robust and consistent approach has been taken for each option and each stage of the SA includes a clear presentation of why options or sites have been accepted or rejected. It is clear that many of the employment sites considered achieve broadly consistent scoring through the SA process. However, site: 001 has emerged from this process with a clear conclusion that it is available, suitable and achievable within the plan period with measures capable of being brought forward to address any potential impacts that may arise.

Flood Risk

Q1.12: Are the spatial strategy and allocations in the Plan, including those listed above, consistent with national planning policy relating to development and flood risk?

1.17 The overall spatial strategy and specifically the allocation of Site 001 Junction 6, M18 Thorne North (“Site 001”) for employment uses are consistent with national planning policy relating to development and flood risk and specifically the application of a sequential test to site selection and a separate exception test in accordance with the requirements set out at paragraphs 157-161 of the NPPF.

Overall Spatial Strategy

1.18 In setting its overall spatial strategy for employment, DMBC considered a range of growth options as part of the 2015 consultation on Issues and Options. These took into account flood risk as a key consideration alongside a range of other criteria. The consultation included a Sustainability Appraisal (2015) [AE06] setting out how the development options, vision and objectives of the Plan had been considered; this again included flood risk criteria.

1.19 In respect of flood risk, it is clear from reviewing the evidence base that the starting point was to consider the ability and consequences of accommodating the economic development requirements in locations away from the highest flood risk areas. However, given the extent of
land within Doncaster constrained by flood risk (43%), coupled with other factors to be weighed in the balance such as the need to secure the regeneration of certain areas (including Thorne and Moorends) and market demand for employment uses within particular locations such as the M18 corridor and close to a local workforce, it is not possible to deliver the entirety of the identified employment land requirement both in quantitative and qualitative terms within areas at low risk of flooding whilst meeting the overall regeneration and growth objectives for the Borough.

1.20 Given that a substantial part of north eastern Doncaster is constrained by flood risk (including almost all of Thorne), it is not possible to change the spatial policy approach proposed within the Local Plan to overcome the physical flood constraint without sterilising most of the north eastern part of the Borough from development. It is our view that this would not be an appropriate approach to deliver the following strategic employment objectives set out in the Local Plan:

- Provide at least 481 ha of employment land within the Borough over the plan period;
- Accommodate growth in the logistics, light industry and manufacturing sectors in locations that can accommodate large buildings with good access to the M18/M180 motorways and strategic road network, with large scale employment sites focused along the M18;
- distribute growth to the Main Towns, including Thorne and Moorends in the north, to ensure that regeneration benefits are spread across the Borough; and
- Provide employment opportunities close to a local workforce.

1.21 Therefore, when all relevant factors were considered, including flood risk, it was determined that employment growth should be directed to the largest and most sustainable locations in the Borough, including Main Towns such as Thorne and Moorends, which have the largest population and best access to services, employment provision and excellent accessibility via wider transport networks.

1.22 Flood risk has therefore been given priority in developing the spatial strategy for employment land and proper consideration has been given to alternative options in line with national planning policy relating to development and flood risk, including the application of a sequential test. However, given the extent of land constrained by flood risk in Doncaster, it has been robustly demonstrated that it is not possible to progress a spatial strategy that would locate employment development in areas of lower probability of flooding whilst delivering an appropriate economic growth strategy for the Borough over the plan period.

1.23 This approach has been undertaken in consultation with the Environment Agency and Lead Local Flood Authority and consultation has taken place with stakeholders and residents.

1.24 During the examination of the previous Doncaster LDF Sites and Policies Development Plan Document, the Inspector raised concerns about the approach taken to flood risk, including the application of the sequential test. The approach taken by DMBC to flood risk in the emerging Local Plan fully addresses the Inspector’s previous concerns made in relation to the withdrawn Doncaster LDF Sites and Policies DPD (June 2014).

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1 Site Selection Methodologies Consultation (November 2015)
2 policy 3
3 policy 2
4 paragraph 4.29 of the reasoned justification to policy 3
5 paragraphs 4.28 and 4.31 of the reasoned justification to policy 3
Approach to Employment Allocations

1.25 Turning to Site 001, the allocation of this site for employment development has been informed by a robust sequential assessment consistent with national planning policy relating to development and flood risk. This includes:

- **Sustainability Appraisal Scoping Report consultation** (July 2015) [AE05]: setting out the proposed approach to predict, appraise and monitor the potential effects of the Local Plan. No objections were made (including from the Environment Agency) about how the LPA intended to proceed with flood risk.

- **Site Selection Methodologies Consultation** (November 2015): setting out DMBC’s proposals for appraising employment sites, including details of the flood risk sequential and exceptions tests. This document made clear that in Doncaster, where 43% of its land area is constrained by flood risk (including virtually entire settlements such as Thorne) and a legacy of de-industrialisation, it is unlikely that complete avoidance of flood risk will be possible without the alternatives meaning brownfield sites will not be regenerated, and an increase in travel by non-sustainable modes being likely.

- Potential sites were initially subject to a sequential assessment in the **Doncaster Strategic Flood Risk Assessment Level 1** (2015) [SDEB13]. The SFRA carried out a high level screening exercise overlaying the sites against the flood zones and areas of identified residual risk. Surface water risk was also considered to identify any sites which may have critical drainage problems. DMBC used this assessment to identify sites that should not progress through the sequential test and also to assess whether economic projections could be met by purely allocating areas at low risk of flooding. The SFRA concludes that employment development could be permitted on site 001 subject to a site specific FRA and Exception Test (where relevant) and minimum finished floor levels to address residual flood risk. Such detailed considerations have been undertaken, in consultation with the Environment Agency, as part of the current planning application for employment development on the site. Whilst Site 001 hasn’t been assessed within a Level 2 Strategic Flood Risk Assessment, the matters ordinarily covered by such a document are addressed in detail in the pending outline planning application. This includes further detail on the nature of flood risks; an assessment of residual risk; and details of measures to ensure that the development will be safe for its lifetime and will not increase flood risk elsewhere.

- **Doncaster Employment Land Review** (February 2018 and amendments June 2019) [SDEB10 and 10.1]: this assesses 30 potential employment sites and included an assessment of flood risk. The review did not discount site 001 on the basis of flood risk.

- **Doncaster Housing and Economic Land Availability Assessment** (HELAA) (April 2018 published July 2019) [SDEB45]: this identifies a pool of sites over 0.25ha which are suitable, available and achievable for economic development over the plan period. The HELAA assessments are undertaken by stakeholder groups and include information on flood risk. The HELAA concludes that site 001 is suitable, available and achievable for employment development.

- **Housing and Employment Site Selection Methodology and Results Report** (June 2019) [SDEB46]: sets out the robust approach that DMBC has followed in identifying its draft employment allocations and includes a detailed flood risk sequential test of employment sites. In undertaking the flood risk sequential assessment, DMBC undertook a first sift of employment site options. These sites were ranked in order of flood risk using the following criteria, consistent with the Sustainability Appraisal:
<table>
<thead>
<tr>
<th>Objective</th>
<th>Assessment Criteria</th>
<th>Assessment Outcome</th>
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<tbody>
<tr>
<td>Flood risk from main rivers (objective 11Ai)</td>
<td>Areas with 20%* or greater in flood zone 3b scored - -&lt;br&gt;Areas with 20%* or greater in flood zone 3a scored –&lt;br&gt;Areas with 20%* or greater in flood zone 2 scored 0&lt;br&gt;All other sites (i.e. 20%* or more in flood zone 1) scored +</td>
<td>All potential employment sites within M18 Corridor scored ‘-‘ in terms of flood risk from main rivers; including site 001</td>
</tr>
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<td>Surface water flooding (objective 11Aii)</td>
<td>The Level 1 SFRA was used to identify risk</td>
<td>All potential employment sites within M18 Corridor scored ‘+’ in terms of flood risk from main rivers; including site 001</td>
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<tr>
<td>Sites at risk of flooding - areas benefitting from flood defences (objective 11Aiii)</td>
<td>Sites with areas over 50% benefitting from flood defences score + along with sites with over 80% in flood zone 1</td>
<td>Out of all of the potential employment sites located within the M18 Corridor, only site 001 scored ‘+’ in terms of benefitting from flood defences, the other sites scored ‘-‘</td>
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<td>Sites at risk of flooding – EA flood warning or alert areas (objective 11Aiv)</td>
<td>Sites with areas over 50% within such areas score + along with sites with over 80% in flood zone 1</td>
<td>Out of all of the potential employment sites located within the M18 Corridor, only two sites (including site 001) scored ‘+’ in terms of benefitting from flood warning or alerts, the other sites scored ‘-‘</td>
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* We consider the 20% threshold applied to be appropriate because this retains and reflects the flood zone 1, 2 and 3a classifications in line with national policy and the Environment Agency classifications, whilst also allowing for a small element of flexibility. With the exception of those sites where only a very minimal part of a site is affected, it ensures that sites affected by a particular flood zone are considered on an equal basis. Applying a higher threshold would blur the boundaries between the established flood risk classifications, moving away from national guidance and causing confusion.

- Following the assessment of individual employment sites, sites in flood zone 1 and not constrained from surface water flooding were all deemed to have passed the first sift of the sequential test. Sites that scored a neutral (flood zone 2), single negative (flood zone 3a), or double negative (flood zone 3b) for main river flooding (criteria 11ai); or a single negative (medium/high risk) for surface water flooding (criteria 11aii) were identified as failing the first sift of the sequential test. This included all of the potential employment sites located along the M18 corridor which is an identified growth area in the emerging Local Plan.
• Sufficient remaining sustainable and deliverable/developable sites could not be found to meet DMBC’s employment requirements as all of the sites in the M18 corridor in this area are located within flood zone 3a. As a result the original pool of sites were then given further consideration in relation to their wider planning and sustainability objectives, including through the Sustainability Appraisal. It was through this process that led to the allocation of site 001 Thorne North.

• The independent Sustainability Appraisal (SA) of the Doncaster Local Plan Draft Policies and Proposed Sites was undertaken by Wood 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. The SA also confirms that in Thorne and Moorends, new employment opportunities will need to be accommodated within medium to high risk flood zones; as both areas are almost entirely located within medium to high flood risk areas and so development within them is unavoidable.

1.26 The above process demonstrates that DMBC’s decision to allocate Site 001 for employment uses has been informed by a robust flood risk sequential assessment through which proper consideration has been given to reasonable alternative options in line with national planning policy and practice guidance relating to development and flood risk in order to steer new development to areas with the lowest risk of flooding where possible. This approach has been undertaken in consultation with the Environment Agency and Lead Local Flood Authority and consultation has taken place with stakeholders and residents.

1.27 However, given the extent of land constrained by flood risk in Doncaster and along the M18 corridor where the spatial strategy seeks to focus employment development, it has been robustly demonstrated that it is not possible to deliver the necessary employment allocations to meet the spatial strategy in areas of lower probability of flooding than Site 001 whilst delivering an appropriate economic growth strategy for the Borough over the plan period.

1.28 As employment allocation 001 proposes 'less vulnerable' uses, there is no requirement to demonstrate accordance with the Exception Test.

1.29 The Flood Risk Assessment submitted with the outline planning application demonstrates that the development will be safe for its lifetime taking account of the vulnerability of its users, and that flood risk will not be increased elsewhere. Mitigation measures are also proposed to minimise potential flood risk; these include minimum finished floor levels and sustainable urban drainage systems.

1.30 Overall, it is concluded that both the spatial strategy and employment allocation of site 001 Junction 6, M18 Thorne North are consistent with national planning policy relating to development and flood risk.
### Appendix 1

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<th>Date</th>
<th>Local Plan Stage</th>
<th>SA Stage</th>
<th>Other Relevant Documents</th>
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<tbody>
<tr>
<td>2016</td>
<td>Doncaster Local Plan: Draft Revised Vision, Aims and Objectives (March 2016)</td>
<td>SA of Doncaster’s Growth Options (Re-Appraisal) (March 2016) (included appraisal of the Homes and Settlements Document)</td>
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<td>Doncaster Local Plan Consultation: Homes and Settlements (March 2016)</td>
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<td>Doncaster Economic Forecasts and Housing Needs Assessment (June 2018)</td>
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<td>Housing &amp; Economic Land Availability Assessment (HELAA) 2018 Update (Published July 2019)</td>
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