Submissions to Matter 1  Legal and Procedural Requirements and other General Matters

on behalf of

Mr G Turnbull
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We act for Mr W Turnbull of Skellow Grange who is part landowner of the following sites

- Site ref 164/130 Warning Tongue Lane Doncaster
- Site ref 165/186 Skellow/ Carcroft

We are instructed to attend the examination on his behalf and to comment on the issues that affect the development of these sites and the associated matters that have been set out in our original submissions to the Doncaster Local Plan.

Our client supports the allocation of both of the above sites and wishes us to contribute at the examination to assist in finding the plan sound with relevant modifications.

We have addressed the relevant questions in this Matter 1 and set out our comments below.

In response to the Inspectors questions :-

Q1.8. Is the Plan consistent with national planning policy that expects strategic policies to look ahead over a minimum 15 year period from adoption, or is it otherwise justified?

The plan period is expressed as 2015 to 2035. If the Plan is adopted in 2021 at the earliest then the Plan period should run for at least 15 years from that date until 2036, this is a minimum requirement [NPPF para 22]. The housing and economic land requirement should be assessed until 2036 and the Plan should ensure that there is sufficient land available to meet the requirement [including any necessary buffers].
The issue of there being a mandatory review does not alter the fact that as matters stand the Plan does not comply with the NPPF. The Plan should be clear that the period is 2015-2036 and the inclusive table within the plan on land requirements and supply should be amended accordingly to ensure the plan reads as a comprehensive document.

**Q1.9. Will the approach set out in paragraphs 15.12 to 15.14 and Appendix 12 ensure that the Plan can be effectively monitored so that the extent to which its policies are being achieved will be clear?**

It is important that the 5 year deliverable land supply of housing land is published in a timely manner after the end of March in every year. The publication should not only assess the supply but should also publish at the same time the details of the sites that are relied upon to constitute the supply, in order that the document is robust and capable of being checked by the industry. Lengthy delays in the publication of the information is unhelpful to all concerned and does not allow for clear and transparent monitoring of the plan, and the establishment of any shortfalls in the supply of land. In the past regular publications have not been the norm in the Borough.

**Q1.13. Is the Council’s viability evidence proportionate and up to date having regard to relevant national policy and guidance32? Are the policy requirements set at a level such that the cumulative cost of all relevant policies will not undermine deliverability of the Plan?**

Policy 67 of the plan deals with viability assessments at planning application stage. It is considered vital that such assessments can be made at this time, when the full technical appraisals of sites have been carried out to establish the full and realistic costs of developing the site in addition to the planning costs that will be associated with meeting the objectives of the Plan. It is often the case that the full planning
contribution costs are not known until this time and certainly the full technical detail is not available at plan making stage.

The Policy is generally in line with the PPG guidance Paragraph: 010 Reference ID: 10-010-20180724 which specifically talks about plan making and decision taking being informed by viability and the balance to be struck between all the relevant parties. In the case of Doncaster the CIL is currently not in force, if this is brought in within the Plan period then clearly this is an added cost on development over and above S 106 site specific items. The Plan needs to retain the flexibility of a policy that allows for viability assessments at application stage to deal with the variety of changed circumstances that can arise.

The whole plan viability Document SDEB48.1 has assessed site 165/186 Crabgate Lane Skellow, to be a viable development proposal including the range of policy requirements set out in the Plan. This is based on the residual land value being above the bench mark land value. The documents set out the anticipated contributions and requirements, in a medium value housing area. The assumptions made in the appraisal does not always relate to real world costs, for example the archaeology costs are simply a guess, and effectively indicates that viability testing at application stage remains a necessity.