

Stainforth Neighbourhood Development Plan 2023 - 2033

Initial Comments of the Independent Examiner

Prepared by

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30th April 2024

Introductory Remarks

1. As you will be aware, I have been appointed to carry out the examination of the Stainforth Neighbourhood Plan. I have carried out my initial review of the Plan and the accompanying documents. I visited Stainforth on Monday 22nd April 2024.
2. I have concluded that I will be able to deal with the examination solely based on the written material or it will not be necessary for me to call for a public hearing.
3. Most of the questions set out in following paragraphs are directed at the Town Council, unless I specifically refer to either Doncaster Council or Gerald Eve – the agents for the Unity Developments. However, if the other two parties wish to respond to other questions raised, I would be happy to receive their contributions.

Regulation 16 Comments

4. I would firstly like to offer the Town Council an opportunity to comment on the representations that were submitted to the plan as part of the Regulation 16 consultation. I would be particularly interested in its response to the Gerald Eve letter dated 23rd February 2024 on behalf of Waystone Hargreaves Land LLP and the comments from Doncaster Council, although some points may be picked up by questions I raise elsewhere in this note.

Strategic Policies

5. Could Doncaster Council set out which of its local plan policies, it considers are strategic policies for the purpose of general conformity, in relation to the basic conditions.

Stainforth Town Deal Board

6. It would be helpful to understand the relationship between the Town Council and the Town Deal Board- is the Town Council a member of the board and does the Town Council support the proposals that are being pursued by the Town Deal Board including its Illustrative Masterplan? Does that masterplan have any status as a development plan document.

HRA Screening

7. Can Doncaster Council confirm whether Natural England has responded to the consultation on the HRA screening report and does that mean the report on the website is the final HRA determination following that consultation?

Neighbourhood Plan Policies

Policy S1: New Housing Development

8. Can the Town Council expand on how it expects the design of new housing to reference “the distinct industrial heritage of the area” in criterion 2? Perhaps it can it give some examples of schemes that have achieved what the policy is looking for.
9. Is the expectation of the policy, in terms of criteria 3 and 4, to require the design of new homes either to meet or be required to exceed the requirements of the Building Regulations?
10. It would be helpful for the Town Council to explain how this policy “adds value” to the policies which are already in the adopted Local Plan.

Policy S2: Improving Housing Choice

11. Is it the Town Council’s expectation, that if a planning application came in for a scheme which reflected the *existing* mix of tenure, type and size of dwellings in the plan area, that it should be refused as the applicant cannot demonstrate how it will be providing *wider* choice. Is it the plan’s expectation that a development which offers wider choice will be encouraged and is that delivered by the second paragraph of the policy?

Policy S3: Improving Accessibility for All

12. It occurs to me that the use of “major” development could be interpreted, as schemes of 10 or more, which is the definition used by the Town and County Planning (Development Management Procedure) Order 2015. Does the Town Council have a view as to whether it should refer to any scheme incorporating a new road hierarchy and that it expects the layout to be designed to prioritise the needs of pedestrian, cyclist and those with mobility impairments?

Policy S4: Station Gateway

13. Is the correct spelling Waggon's Way or Wagons Way as both are used in the policy?

Policy S5: Protecting and Enhancing Open Spaces and Recreational facilities.

14. Paragraph 16 of the NPPF states that plans should “serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area”. It seems that the policy essentially duplicates the protection these features already enjoy via the Doncaster Local Plan. Can the Town Council justify how this policy adds to the existing policy in the development plan?

Policy S6: Protecting and Enhancing Local Community Facilities

15. The policy identifies five local facilities to be retained but Map 3 shows another 3 spaces in yellow. Is the intention that the two schools and the greyhound stadium be included should be included in the list of community facilities within the policy or should they be removed from the map as they are already protected by the Local Plan Community Facilities policy? The list in the policy does not seem to correlate with the facilities referred to in paragraph 7.10. Is there a reason why these are not covered by the policy?

Policy S7: Hot Food Takeaways

16. This reads as a policy requiring a proposal to be considered against the policy in the Local Plan, which already applies to the plan area. Is the policy's intention to direct them to the areas as shown in purple in Map 4?

Policy S8: Development Opportunity Sites

17. Even at the enhanced scale, I find it difficult to identify the boundaries of the proposed opportunity sites. Is it possible to provide individual detailed plans, ideally at a scale of 1:1250, showing the extent and the boundaries of the sites? Is the proposal to treat these sites as allocations, in which case is it possible to indicate the scale of development that would be appropriate for each site? What is the advantage of including a site which is already allocated in the Local Plan?
18. Is it possible to elaborate on the specific residential amenity problems that would render these sites as being unsuitable for a suitably designed housing scheme? I would expect that achieving a residential land value would make it more likely that these derelict or degraded land can be put to some beneficial use.

Policy S9: Former Hatfield Main Colliery Holistic Approach to Development

19. Can the Town Council help me understand what it sees as the relationship between the masterplan that is sought by this policy, which will cover the area shown within the blue line in the neighbourhood plan's Proposals Map and the approved illustrative masterplan for the Unity scheme, that has been approved under reference 15/01300/OUTA?
20. I feel that it is important for me to fully understand what schemes have planning permission and how that compares with the neighbourhood plan's ambition. Would it be possible for a plan to be prepared showing the neighbourhood plans proposals for the Policy S9 area superimposed with the red line for the 2015 application, including the Lay Down area? Can the plan also show the illustrative masterplan

for the Unity Park area which I believe covers the Hatfield colliery part of the site which is covered in more detail in Policy SNP02? I hope to understand whether the proposed country park extends into the Lay Down area and by how much. That area is the subject of an existing planning condition requiring the submission of a scheme for the restoration and aftercare of the land by 31st May 2027. Is there a difference between the neighbourhood plan proposals and the scheme that has extant planning permission? It would be helpful if the Town Council could explain how it envisages the neighbourhood plans proposals will be delivered, bearing in mind there is an existing approved masterplan.

21. I also would like Doncaster Council to confirm whether all the planning consents have been implemented and not now in a position where that consent could lapse. Clearly if any planning consents do lapse, for example, if the timescale for the submission of reserved matters are not met, then the neighbourhood plan will be a material consideration when there is an application to renew or extend a consent. It is the usual expectation that a neighbourhood plan policy to be used to determine planning applications, but it seems that the plan's submission may have been overtaken by planning consents. This is not unusual, but it does affect the effectiveness and delivery of some specific policies and allocations.
22. I would request Doncaster Council to provide me with copies of the following planning consents with the accompanying planning officer reports, namely 15/01300/OUTA, 22/1934/OUTA, 22/01107/ FULM and 23/02492/ MAT.
23. I would particularly like to invite the agent, Gerald Eve on behalf of the Unity developers, to elaborate on the following sentence from its Regulation 16 letter, which states:

“Whilst our clients support the general principles of the Country Park and employment land on these areas, there needs to be recognition of the ongoing commitments across this area which could have significant implications for the design and time to timescales for the delivery of the scheme”.
24. Is this suggesting that the country park proposed in Policy SNP01, and the employment land proposed by Policy SNP03, will not be available until the necessarily extraction of material to level other sites has been completed? Is that likely to be outside of the plan timeframe of 2035? **I would request Doncaster Council to forward this note to Dominic Page at Gerald Eve and ask that his response be sent to the Council and then subsequently**

forwarded to me within the timescales I set out at the end of this note.

25. Furthermore, I would ask Gerald Eve to comment in that response whether it would be possible for the proposals for the aftercare and use of the Lay Down area to take account of the Country Park and employment allocations, proposed in the neighbourhood plan.
26. Can the Town Council expand on which party it considers should be preparing the master plan for the Policy S9 area. The supporting text refers to the developer, but as I understand it there are in fact different ownerships and the sites may not be developed by one party. Does Doncaster Council have a view as to who would be best placed to produce such a masterplan?

Policy SNP01: Stainforth Country Park

27. Can the Town Council clarify what is expected by way of “a community area sited near the headstock”. Is this a building or an area of land, for example, an event space. How does this area and its use differ from aspirations for the headstock area covered by Policy SNP02?

Policy SNP02: Community Use Redevelopment of the former pit head site

28. How does the Town Council envisage that the community use of the former pit head site, as suggested by the heading, can be delivered when the site already has planning permission for over 35,000 square metres of B2, B8 and E (g) floor space as well as 2,700 square metres of community leisure and commercial uses?
29. What is the justification for business uses to be restricted to “small scale businesses”. This is not reflected in the planning permission that has already been granted on this site. Can Doncaster Council offer a view whether this policy is in general conformity with Local Plan Policy 69 D)?

Policy SNP03: Employment Allocation land between Kirton Lane and Railway Line

30. Can Doncaster Council confirm whether any of the existing planning consents which affect the land within Stainforth parish are subject to a local labour agreement and if there is, whether that agreement is specific to Stainforth? In the absence of achieving this local labour agreement, would the Town Council expect permission to be withheld. I note the local plan refers to “seeking” a local labour agreement whilst the neighbourhood plan policy “requires” it.
31. Does Doncaster Council have a view on whether the requirements undermine Policy 69 of the Local Plan and should the requests for financial contributions be covered by Local Plan Policy 65 -

Developer Contributions? This question equally applies to Policy SNP04.

Concluding Remarks

32. I am sending this note direct to both Stainforth Town Council, and Doncaster Council. I have asked Doncaster Council to forward this note to Gerald Eve and to coordinate its response. I would request that responses to my questions should be sent to me by 5 pm on **24th May 2024** and also be copied to the other parties.

33. I would also request that copies of this note and the respective responses are placed on the Town Council's Neighbourhood Plan's and Doncaster Council's website.

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Independent Examiner to the Stainforth Neighbourhood Plan

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