



The Planning
Inspectorate

Report to Bassetlaw District Council

by C J Anstey BA(Hons) DipTP DipLA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

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PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

REPORT ON THE EXAMINATION INTO THE BASSETLAW CORE STRATEGY AND DEVELOPMENT MANAGEMENT POLICIES DEVELOPMENT PLAN DOCUMENT

Document submitted for examination on 31 January 2011

Examination hearings held between 17 and 25 May 2011

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Non-Technical Summary

This report concludes that the Bassetlaw District Council Core Strategy and Development Management Policies Development Plan Document provides an appropriate basis for the planning of the District over the coming years. The Council has sufficient evidence to support the strategy and can show that it has a reasonable chance of being delivered.

A limited number of changes are needed to meet legal and statutory requirements. These can be summarised as follows:

- take account of the current position with regard to the Regional Spatial Strategy;
- increase emphasis in the Vision for Bassetlaw on creating a sustainable pattern of development;
- extend the Plan Period to 2028 & revise housing and employment targets accordingly;
- delete detailed tables relating to housing and employment growth targets;
- specify that the development boundaries are for an interim period pending their finalisation in the Site Allocations Development Plan Document;
- include a contingency policy that will apply if sites fail to come forward as anticipated;
- revise criteria for gypsy and traveller site provision in Policy DM6;
- clarify applicability of Policies DM1-3
- revise Policy DM9 as regards the protection of open space and sports facilities and remove these designations from the Proposals Map;
- delete Figures 5.1, 5.2 & 5.3;
- delete Policy DM14.

All of the changes recommended in this report are based on proposals put forward by the Council in response to points raised and suggestions discussed during the public examination and subsequent correspondence with the Inspector. The changes do not alter the thrust of the Council's overall strategy.

Introduction

1. This report contains an assessment of the Bassetlaw District Council Core Strategy and Development Management Policies Development Plan Document (the plan) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004. It considers whether the plan is compliant in legal terms and whether it is sound. Planning Policy Statement 12 (paragraphs 4.51-4.52) makes clear that to be sound the plan should be justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the plan submitted to The Planning Inspectorate on 31 January 2011, as amended by the Council's Proposed Minor Changes submitted at the same time.
3. This report deals with the Proposed Focused Changes that are needed to make the plan sound and they are identified in bold in the report (**FC**). All these changes have been proposed by the Council, as a result of discussions at the hearing and subsequent correspondence from the Inspector, and are presented in the attached **Appendix A**. These changes were subject to public consultation after the hearings and the consultation responses have been taken into account in writing this report. The changes have also been the subject of sustainability appraisal by the Council. The only focused change not recommended for inclusion in the DPD is FC40 which is dealt with below under Policy DM10.
4. Other changes put forward by the Council are additional explanatory text, factual updates, corrections of minor errors or other amendments in the interests of clarity. As these minor changes do not relate to soundness they are generally not referred to in this report although the Council's view that they improve the plan is endorsed. These are shown in the attached **Appendix B**. It is also permissible for the Council to make any additional minor changes, including points of clarification, page, figure, paragraph numbering and correction of any typographical errors, prior to adoption. The Council's minor changes drawn up in response to representations received on the Proposed Focused Changes would appear to fit into this category.
5. None of the above-mentioned changes fundamentally alter the direction of the plan and its policies, or undermine the sustainability appraisal and participatory processes undertaken.
6. During the examination the government's *Plan For Growth* was published along with the statement by the Communities Secretary on 23 March 2011 entitled *Radical Changes in Housing and Planning will Drive Growth*, and the statement by the Minister for Decentralisation, also on 23 March, entitled *Planning for Growth*. Those who made representations on the Core Strategy and Development Management Policies DPD, together with the Council, were given the opportunity by the Inspector of commenting on these policy initiatives. The additional representations received have been taken into account in writing this report.

7. On 25 July 2011, the government issued the consultation draft of the *National Planning Policy Framework (NPPF)*. The consultation period ended on 17 October 2011. Those who made representations on the Core Strategy and Development Management Policies DPD and the Focused Changes, together with the Council, were given the opportunity by the Inspector of commenting on the possible implications of the Consultation Draft NPPF for the DPD. The Inspector has taken account of the comments received on the DPD in relation to this matter in writing this report.

Assessment of Soundness

Preamble

8. The Bassetlaw Core Strategy and Development Management Policies DPD (the plan), as its name suggests, consists of two main parts. The first part contains the Council's core strategy which is designed to guide development in the District over the next 15 years. The second part of the plan contains development management policies dealing with a wide range of issues, including development in the rural areas, economic development, the built and natural environments, and renewable and low carbon energy. These policies are to be used to assess planning applications and ensure that development proceeds in accordance with the plan's spatial strategy.
9. At present there is no statutory local plan for the District with the un-adopted Bassetlaw Local Plan currently being used to guide and manage new development. Consequently there is an urgent need to progress the Core Strategy and Development Management Policies DPD to adoption to provide a statutory basis for the future planning of the District. The Council is also preparing its Site Allocations DPD and it is anticipated that this will be submitted to the Secretary of State towards the later part of 2012. Any delay in the adoption of the Core Strategy and Development Management Policies DPD would not only mean that the Council would have to continue to rely on non-statutory guidance but would also cause significant delay in the allocation of the housing and employment sites required to meet the District's needs.
10. The Bassetlaw Core Strategy and Development Management Policies DPD is supported by a comprehensive evidence-base. It is apparent that sustainability appraisal has informed the content of the plan and a range of alternatives have been considered in determining the preferred strategy. The DPD includes an Infrastructure Delivery Plan that sets out the infrastructure requirements necessary to ensure the delivery of the plan. There are no unresolved cross-boundary issues. The Council has made considerable efforts to ensure that the local community and those with a stake in the area have been closely involved in the preparation and finalisation of the plan. Even during the Examination the Council was prepared to respond positively to representations and propose changes to address outstanding issues. The Council's approach to participation has been thorough and comprehensive, reflects the emerging concept of 'localism,' and is to be commended.

Main Issues

11. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings a number of main issues upon which the soundness of the plan depends has been identified. These are dealt with in turn below. Representations on the submitted DPD have been considered insofar as they relate to its soundness, but they are not reported on individually.

Core Strategy

East Midlands Regional Plan (RSS8)

12. The East Midlands Regional Plan – March 2009 (RSS8) is the Regional Spatial Strategy (RSS) for the area. It provides a broad development strategy for the East Midlands up to 2026. Although the Government has announced its intention to abolish RSSs they remain part of the development plan. The East Midlands Councils has confirmed that the submitted Bassetlaw Core Strategy and Development Management DPD is in general conformity with RSS8. It is evident from the material submitted and the discussion at the hearings that the DPD is indeed in broad conformity with RSS8.

Is there appropriate reference in the DPD to RSS8?

13. At present there is little direct reference in the submitted plan to RSS8 or the strategic policies that are of relevance to Bassetlaw. As RSS8 remains part of the development plan it is reasonable to outline in the DPD the main elements of the regional guidance that relate to the District. These include: the importance of creating a sustainable pattern of development; the need to make provision for 350 new dwellings per year; the allocation of a range of employment sites in sustainable locations; the emphasis on strengthening the sub-regional role of Worksop by providing for significant levels of growth; the identification of Retford as an urban area and its suitability for further growth; the importance attached to the regeneration of the former mining areas and the additional pitch requirement for gypsies and travellers. These strategic policies set the context for the DPD and need to be clearly expressed. It is important to ensure, however, that any wording is sufficiently flexible to take account of any changes in the status of the RSS8 prior to adoption of the plan. The Council's **FC4** makes specific reference to RSS8 and refers to policies and proposals that relate to the District. This change will ensure an effective and soundly-based DPD that pays explicit regard to regional planning policy.

Vision & Strategic Objectives

Does the DPD provide a clear spatial vision and strategy for the District?

14. At present the 'Vision for Bassetlaw' contained in Chapter 3 does not contain sufficient emphasis on the need to focus growth in the 3 main settlements of Worksop, Retford and Harworth Bircotes or on the importance of carefully managing development in the smaller settlements and the rural areas. Both national planning policy and RSS8 stress the importance of such a strategy in creating a sustainable pattern of development. Although this approach is implicit in the direction of the plan there is a need to state clearly that it

underpins the policies and proposals. The Council's **FC5** makes it clear that growth will be focussed on the 3 main settlements, whilst **FC6** elaborates on the regeneration of Harworth Bircotes. **FC7** explains the careful approach that will be taken to managing development in the villages and rural areas. These changes are required to ensure an effective and soundly based DPD that provides a clear vision for the future development of the District.

15. The Vision does not refer to the need to take account of the rich variety of species and habitats in the District. Furthermore there is no Strategic Objective relating to the provision of infrastructure. The Council's **FC8** and **FC9** rectify these omissions. These changes are required to ensure an effective and soundly based DPD that deals with all relevant matters.

Plan period

Is the plan period justified, having regard to the forthcoming Site Allocations DPD?

16. The submitted DPD covers the period to 2026, which is also the end date of RSS8. Consequently if the plan was adopted in the near future it would cover in the order of a 15 year period, thereby complying with PPS12.
17. Notwithstanding this it appears likely that the Council's Site Allocations DPD will not be adopted until sometime in 2013. This would mean that, in the absence of any guidance in the Core Strategy and Development Management Policies DPD for the period beyond 2026, the Site Allocations DPD would cover about a 13 year period. Consequently in order to provide an appropriate time-frame of about 15 years for this successive plan it is sensible to extend the plan period of the Core Strategy and Development Management Policies DPD by another two years to 2028. The Council's **FC2, FC3, FC12, FC13, FC14, FC15, FC18, FC19, FC20, FC21, FC23, FC24, FC25, FC26, FC28 & FC29** address this matter. These changes are required to ensure that the DPD provides a reasonable time-frame of 15 years for the forthcoming Site Allocations DPD. The associated revision to the housing and employment targets is dealt with below.

Scale of housing and employment growth

Housing

Does the DPD make appropriate provision for housing growth?

18. The submitted plan makes provision for about 350 new dwellings per year in the District. This figure is derived from RSS8 which requires 7000 dwellings, or 350 per year, to be provided within the period 2006-2026. The base date of the submitted plan is April 2010. Taking account of the 1319 house completions between 2006 and 2010 (excluding the 45 built in the small villages where no growth is envisaged) the plan provides for about a further 5681 dwellings within the District in the period 2010-2026.
19. It is considered that the annual housing provision figure of 350 dwellings, which is below the trend figure in the CLG projections and recent annual completion rates, is soundly-based and does not require revision at this time. The main reasons for this are:

- they are in accordance with RSS8;
 - this level of housing provision is designed to produce a more sustainable pattern of development, including a reduction in the potential for out-commuting for work from the District to South Yorkshire;
 - the level of growth will be sufficient to support the role of Worksop as a Sub-Regional Centre and meet the regeneration needs of the District;
 - there is some in-built flexibility as the policies for each of the 3 main settlements indicate that the requirement is a minimum figure. The introduction of a contingency policy, which is dealt with later in the report, also provides scope for additional housing land release in appropriate instances. The plan has the flexibility, therefore, to accommodate more housing should this be warranted in the future;
 - the figures have been the subject of sustainability appraisal and have been found to be the most appropriate for the District;
 - the level of growth reflects the views of the local community and will provide for reasonable levels of growth to meet anticipated needs;
 - the figures can be revisited when the plan is revised within the next 5-10 years. At that time a thorough reassessment can be undertaken to determine whether there is a need to alter the spatial strategy for the area and/or revise the housing figures.
20. By extending the plan period to 2028 there is a need to revise the overall housing provision figure. The most straightforward approach is to roll forward the RSS requirement of 350 dwellings per year. This would accord with the spatial strategy inherent in the plan, specifically the creation of a sustainable pattern of development and a reduction in out-commuting to work.
21. Adding a further 700 dwellings to the overall target for the reasons explained above makes a total housing provision figure for the District between 2006 and 2028 of some 7700 dwellings. Taking account of house completions between 2006 and 2010 in the order of 6381 dwellings are to be provided within the District in the period 2010-2028. The Council's **FC13 & FC14** deal with this point. In establishing the amount of housing that remains to be found from this total of 6381 dwellings account must also be taken of existing housing commitments in the District. These changes will ensure that the DPD delivers sufficient housing growth to meet anticipated needs over the extended plan period.

Residual housing requirement

Is the housing table on Page 17 of the DPD justified?

22. Considerable debate was generated during the examination as to the level of housing that remained to be provided within the plan period once completions and commitments are taken into account. In spite of the endeavours of the

parties to agree a common approach there remains a significant divergence of opinion on various matters, including the deliverability of certain committed sites. It became apparent during the hearings that the best way to resolve this matter would be to replace the source of much of the disagreement, namely the housing table on page 17 of the plan, with a simplified table. This revised table would be limited to specifying the number of dwellings planned for each named or group of settlements based on the percentage split between settlements, taking account of completions. The Council's **FC14** resolves this point. The associated revised housing table makes it clear that the percentage splits will apply from 2006 and not 2010 as shown in the submitted DPD. This will ensure that the distribution of development accords with the spatial strategy inherent in the RSS. Without these changes the DPD would be unsound as some of the figures currently in Table 17 have not been justified.

23. It will be the responsibility of the Council to produce on an annual basis, and at other times when the overall supply of housing is questioned, a clear picture of the amount of housing that is committed and remains to be provided in each settlement or group of settlements. A methodology that is easily understood and commonly agreed would be of considerable benefit to all those involved. In this regard it is important to assess rigorously the deliverability of each committed site, be it an existing allocation or planning permission. Experience would suggest that not all committed sites are likely to come forward for development and that this needs to be factored into any calculations. Such information, clearly expressed, will be essential in establishing the amount of housing land that remains to be found.

Housing Land Supply

Is there a five year supply of deliverable housing sites?

24. The material available indicates that there is a five year supply of deliverable housing sites across the District. Notwithstanding this there are parts of the District, notably the Worksop area, where there is a pressing need to identify and bring forward additional housing sites. The information contained in the Council's Strategic Housing Land Availability Assessment (SHLAA) and Annual Monitoring Report, including the housing trajectory, demonstrates that there is a surplus of sites across the District, including in Worksop, which could readily come forward if allocated. Such a situation emphasises the importance of proceeding with, and securing the adoption, of the Site Allocations DPD, at an early stage.

Employment

Does the DPD make sufficient provision for employment development?

25. RSS8 does not set a specific employment growth target for the District. Rather the 97ha employment land target specified in the plan is derived from sub-regional and local employment land studies, taking account of completions and commitments as at 2010. The Northern Sub-Region Employment Land Review established a net employment growth target of 79.5-92.5ha for the District between 2006 and 2026. The Employment Land Capacity Assessment for Bassetlaw brought this net target up to date and established a gross employment target figure of 133-142ha for the period 2009-2026. The

deduction of completions and commitments (excluding the 43ha committed site at the former Bevercotes Colliery because of uncertainties about delivery) of some 45ha from the 142ha gross target gave the 97ha target specified in the plan. The 97ha target equates to an annual requirement of about 6ha during the plan period which is broadly in line with the take-up rate on allocated sites in the past.

26. The Council has arrived at the employment land requirement in the plan after careful consideration of a comprehensive and up-to-date evidence base, including sub-regional and local assessments. This approach accords with the guidance in Planning Policy Statement 4: Planning for Sustainable Economic Growth. Consequently the employment targets in the plan are soundly based and provide clear guidance on the amount of additional employment land that needs to be identified in the Site Allocations DPD.
27. By extending the plan period to 2028 there is a need to consider whether the overall employment land requirement should be increased. In the light of past take-up rates on allocated sites it appears reasonable to increase the requirement by some 10ha. This should ensure that a wide choice of sites is available to meet anticipated needs over the extended plan period. The Council's **FC15** addresses this issue. This change is required to ensure that sufficient provision for employment development is made to the new end date of the DPD of 2028.
28. Concerns were raised by several representors about the protection of certain vacant former employment sites for employment use, given the amount of additional employment land provided for in the DPD. Policy DM7B, dealt with below, provides detailed guidance on the approach that will be taken towards specific proposals on existing employment sites. However it would also be appropriate for the Council in identifying additional employment land in the Site Allocations DPD to undertake a detailed assessment of all vacant former employment sites and buildings. This would establish whether these sites are suitable for continued employment use and, if not, establish whether commensurate increases in employment land provision should be made.

Settlement Hierarchy

Is the settlement hierarchy justified?

29. Policy CS1 defines a settlement hierarchy consisting of Worksop (the principal urban area), Retford (the core service centre), Harworth Bircotes (the main regeneration settlement), three local service centres, twenty-one rural service centres and seventy-six other rural settlements. It is evident that the Council has categorised these settlements in a systematic and robust manner. This has involved an examination of the services and facilities available in each settlement, and consideration of the settlement's location and potential role in relation to the local area. In view of the thorough approach adopted in assessing the sustainability of these settlements there is insufficient justification for any changes. In this regard the classification of East Markham and Nether Langwith as Rural Service Centres (subject to Policy CS8) and Mattersey Thorpe as an 'other settlement' (subject to Policy CS9) are soundly based given the evidence available and judgements made.

30. It is accepted, however, that Lound was incorrectly identified as a Rural Service Centre in the submitted DPD and should have been categorised as an 'other settlement' subject to Policy CS9. The Council's **FC11**, **FC43** and **FC46** rectify this error. These changes are required to correct an error and ensure that Lound is categorised in accordance with the evidence-base.

Distribution of housing and employment growth

31. Housing and employment growth within the District is to be distributed in accordance with this settlement classification. The split of housing growth is Worksop (32%), Retford (26%), Harworth Bircotes (22%), the three local service centres (10%), and the rural service centres (10%). No additional housing is envisaged in the other small rural settlements. The split of employment growth is Worksop (45%), Retford (20%) and Harworth Bircotes (35%).

Housing

Is the distribution of housing growth across the District justified?

32. The distribution of housing development across the District has generated a significant number of representations. Various representations seek to change the percentage splits between the different settlements, often arguing that levels should be raised in particular settlements with commensurate reductions in others. One of the main arguments to emerge is that the percentage share for the larger settlements should be raised, whilst that directed towards the local service centres and rural service centres should be reduced. Conversely it is contended by some that more growth should take place in the smaller villages, where no further development is currently envisaged.
33. The apportionment of housing development across the District is no easy task and involves consideration of a number of factors. These include national guidance on the location of new housing; strategic guidance contained in RSS8: the sustainability credentials of the various settlements, including access to jobs, services, facilities and transport links; the capacity of the settlements and their envisaged future role; local character; existing commitments; and the views of the local community.
34. It is evident from the material submitted and the discussion at the hearings that the Council has taken into account these considerations in arriving at its proposed housing distribution. This has resulted in a strategy that seeks to focus the great majority of new housing development (80%) in the two main towns of Worksop and Retford and within the regeneration settlement of Harworth Bircotes. The remaining 20% of future housing growth is to be focussed on the local and rural service settlements in order to strengthen their role as centres for the surrounding area. No new housing development is planned for the remaining smaller villages, apart from conversions and replacements, essentially because of their lack of services and facilities. This overall strategy of steering development to where there are services, facilities and jobs, is consistent with national and regional guidance on the creation of a sustainable pattern of development.

35. Clearly directing more of the housing growth to the main settlements at the expense of the rural areas may produce an even more sustainable pattern of development by shortening journeys and reducing reliance on the private car. However such redistribution would leave limited opportunities for the further growth that is required to sustain the role and enhance the viability of the local and rural service centres. Consequently the 80/20 split between the three main settlements and the local and rural service centres is considered justified.
36. The **Council's FC27** indicates that, in spite of Misterton's classification as a Local Service Centre it is unlikely that there will be new allocations here as there is a strongly held local view that the village has seen enough growth. The existing high level of commitments in the village reinforces this view. This change is required to ensure that the DPD clearly reflects the Council's approach to new development in Misterton. Notwithstanding this the contingency policy contained in the Council's FC10, and discussed below, does not rule out development that brings tangible benefits to a local community.
37. As regards the remaining small rural settlements their lack of services, facilities and access to public transport means that they are ill-suited to accommodate further housing development. Even allowing infill development would leave the way open to a considerable number of new dwellings spread across these villages in unsustainable locations. The cumulative impact of such development would undermine the spatial strategy for the area. It is noted that the permissive approach to housing in the smaller villages contained in the Bassetlaw Local Plan has indeed led to a large number of permissions for small sites being granted in these villages. Clearly outstanding commitments in these villages will have to be taken into account in the assessment of how much additional land needs to be found in the rural areas of the District. Notwithstanding this residential conversions and replacement dwellings may be permissible in these settlements subject to the satisfaction of the criteria in Policies DM2 and DM3.
38. The percentage splits between the three main settlements has also been questioned. However the plan's apportionment is justified having regard to the factors taken into account by the Council and identified above. Worksop, the main settlement, with the best sustainability credentials and specifically identified in RSS8 for growth, is clearly suitable for accommodating nearly a third of the District's housing growth. The SHLAA indicates that there is good availability of suitable and unconstrained land around the town that can be brought forward at an early stage, whilst there are no significant infrastructure problems. Although it is accepted that the town could accommodate more growth this would require commensurate reductions at Retford and/or Harworth Bircotes, given that it has been found that a 20% figure for the rural area is appropriate. However there are insufficient grounds for advocating such a re-distribution.
39. Retford has a wide range of services and facilities and good transport links and as a result is well suited to accommodate a significant proportion of the District's housing provision. As there are a substantial number of existing commitments in Retford in reality the actual number of new sites that remain to be found is relatively modest. With regard to Harworth Bircotes a

fundamental element of the regeneration of the settlement, which is endorsed in RSS8, is the provision of a greater choice and range of housing to ensure a more mixed community. Consequently to reduce levels of housing provision here to any marked extent would be contrary to the fundamental aims of the spatial strategy. Furthermore the recent permission at the colliery site in Harworth has already accounted for a sizeable part of the required housing provision.

40. The percentage splits for the various settlements when applied to the overall housing figure of 7700 dwellings produces a figure for the amount of new housing planned for each settlement or group of settlements in the period 2006-2028. For the sake of clarity, and to aid monitoring, these figures, minus the number of house completions between 2006-2010, should be included within Policies CS2-CS8. The Council's **FC18, FC19, FC20, FC21, FC23, FC24, FC25, FC26, FC28 & FC29** satisfactorily cover this point. These changes are required to take account of the roll-forward of the DPD to 2028 and provide clarity on the distribution of the revised level of development amongst the various settlements.

Employment

Is the distribution of employment development across the District justified?

41. The plan, as amended by the focused changes **FC19, FC21** and **FC24**, takes a reasonable approach to the distribution of employment development across the District and reflects the approach taken to the apportionment of housing development. New employment land will be located in the three largest settlements in line with the strategy of producing a sustainable pattern of development and reducing the need to travel. Nearly half (48ha) of the 107ha employment land requirement in the District is to be located in the main settlement of Worksop with over a third (37ha) within Harworth Bircotes, the main regeneration settlement. The remaining fifth (21ha) is to be found in Retford the core service centre in the east of the District. The Council's **FC16** explains this approach. **FC17** deletes the table relating to employment land, relying instead on the clear text within **FC16**. These changes are required to justify the approach taken and provide the necessary clarity.
42. There is market interest in large new employment sites along the A1 corridor because of the ready access to the trunk road system and major centres of population. Having regard to the spatial strategy in the DPD the most appropriate location for such employment growth along the A1 is in close proximity to Harworth Bircotes. This will ensure that new jobs are created close to existing and planned housing areas, thereby reducing the need to travel. Such employment growth is a vital component of the regeneration of the settlement. The alternative of allocating sites along the A1 in isolated locations would be a far less sustainable solution.
43. Employment development is to be encouraged in the smaller settlements. The policies for the identified Local Service Centres and the Rural Service Centres make it clear that within these villages economic development of a scale and type appropriate to the settlement and surrounding land uses will be supported, whilst the extension of a number of existing sites are specifically mentioned. Even within the settlements without development boundaries, and

within the countryside, employment development is not ruled out provided the various criteria set out in Policies DM1-DM3 are met. The encouragement of employment opportunities implicit in all these policies is at one with the Government's Planning for Growth agenda.

Broad location of growth

Should the DPD provide more guidance on the broad location of growth?

44. The submitted plan specifies how much development should take place in each settlement or group of settlements. Further guidance is provided by the recognition in the plan that sustainable urban extensions on greenfield land will be required in Worksop and Retford, and may be required at Harworth depending on the delivery of brownfield sites and existing planning permissions. This constitutes a clear spatial choice about where development within the District should go in broad terms. Consequently the plan is compliant with PPS12 in this regard.
45. The increased amount of new housing and employment development planned for Harworth Bircotes as a result of the proposed changes to the time-frame of the DPD, together with the likelihood that not all of the colliery site will be developed within the plan period, is likely to mean that greenfield extensions will be required around the settlement during the plan period. The Council's **FC6** and **FC22** seek to clarify this position. These changes are required to ensure that the DPD is clear as to the approach that will be taken to greenfield extensions in the settlement. The introduction of a contingency policy, which is dealt with below, is also relevant as it contains various criteria against which further land release will be assessed.
46. A number of representations argue that the plan should provide more detail about the direction of growth in the settlements. It is accepted that this is a legitimate approach. However the Council's approach of determining the best sites for release as part of the Site Allocations DPD, against the background of settlement targets and a systematic methodology, is no less appropriate. Whilst PPS12 makes it clear that core strategies should make clear spatial choices about where development should go in broad terms it does not require the identification of directions of growth. Similarly there is no requirement for the allocation of strategic sites in core strategies unless such sites are fundamental to the spatial strategy. Furthermore to identify directions of growth or strategic sites at this late stage in the process would introduce considerable delay because of the additional work and public consultation required. This would not accord with the government's exhortations to press ahead with development plan documents.

Flexibility

Development boundaries

Are the development boundaries justified at the present time? Are they permanent or for an interim period?

47. The development boundaries for the various settlements in the District are referred to in various policies and detailed on the Proposals Map. It is apparent

that these boundaries have been identified as a result of thorough survey work and have been the subject of consultation and sustainability appraisal. Consequently they are justified at the present time. To provide the flexibility required at the site allocations stage, however, there is a need to state explicitly in the plan that the development boundaries are for an interim period pending their finalisation in the Site Allocations DPD. The Council's **FC1** and **FC44** are designed to clarify this point. These changes are required to ensure that there is the necessary flexibility in the DPD.

48. The Council's **FC47** amends the development boundary for Harworth Bircotes to include the recently permitted mixed-use development at Harworth Colliery. Such an approach is in line with generally accepted practice and provides an interim guide for assessing proposals pending the finalisation of development boundaries in the Site Allocations DPD. This change is required to ensure consistency of approach throughout the plan. Clearly the contingency policy discussed below will also be relevant in assessing any proposals beyond the development boundaries at Harworth Bircotes both in the period before and after the adoption of the Site Allocations DPD.

Contingency

Is there a need for a contingency policy?

49. At present there is little guidance in the plan as to what happens in the event that development sites fail to come forward as anticipated, leading to a shortage of housing and employment land. Furthermore there is an absence of policy with which to assess unforeseen development that may bring tangible benefits to a local community. The Council's **FC10** recognises these omissions. In particular it identifies those instances that may justify planning permission being granted in exceptional cases. These include when there is a shortfall in the District's five-year housing supply or in its employment land supply, and where the proposed development would deliver the plan's strategy for a particular settlement, or bring new or improved facilities. This change would bring the flexibility required to respond positively to changes in circumstances or unforeseen benefits and bring the DPD into line with the guidance in PPS12.

Affordable housing

Are the affordable housing policies justified?

50. On the basis of the material available it is evident that there is a sizeable need for affordable housing across the District. The Core Strategy and Development Management Policies DPD seeks, in line with PPS3, to address this need with policies relating to affordable housing targets for the various settlements, site size thresholds, the type of affordable housing required, on site/off site provision, and rural exceptions sites. Further detail is to be provided in a Supplementary Planning Document on Affordable Housing (SPD) which is in draft form and awaits the outcome of this examination. Taken together the policies in the DPD and the guidance in the SPD are likely to ensure that new housing development makes a significant contribution towards meeting the affordable housing needs of the District.
51. It is clear that the economic viability of land for housing within the area has

helped shape the affordable housing policies for the various settlements contained in Policies CS2-CS8. The affordable housing targets range from 15% to 35% depending on the settlement and have been determined as a result of the work undertaken in the Affordable Housing Viability Assessment (AHVA). This study demonstrates it would not be appropriate to have a single plan-wide target for the amount of affordable housing because of the wide variations in land values across the District. The application of variable targets will ensure that there is a realistic prospect of the delivery of affordable housing in the identified settlements.

52. As regards viability considerations on particular sites, Policy DM11 - Developer Contributions & Infrastructure Provision makes it clear that this will be taken into account in determining an appropriate level of affordable housing provision. The AHVA also found that as small sites are no less viable than larger sites in the District the threshold for the provision of affordable housing should be set at a net gain of one unit. Given the robust nature of the evidence-base the differential targets and site thresholds contained in the plan are justified.
53. Various concerns about the wording of the affordable housing policies have been addressed in the Council's Proposed Minor Changes which form part of the submission document. These changes include the deletion of the reference in targets to 'at least,' and the deletion of the requirement to provide higher levels of affordable housing. The Council also proposes minor changes that will make it clear that within the Policy CS9 settlements any net gain of one or more units will be expected to contribute to the District's rural affordable housing targets.

Retail development

Additional retail floorspace

Is the approach to additional retail floorspace appropriate?

54. The Council's Proposed Minor Changes submitted with the DPD make it clear that within or immediately adjacent to the Primary Shopping Areas in Worksop and Retford new convenience and comparison floorspace will be supported. As regards the allocation of sites for retail development outside the defined town centres of Worksop and Retford this will be undertaken in the Site Allocations DPD having regard to recent retail information. Any proposals in advance of the SADPD will be considered in the light of the sequential and impact tests set out in national policy. Similar minor changes are also proposed for the Large and Small Local Centres. The revised policies relating to additional retail floorspace are sufficiently flexible to take account of changing circumstance and are in line with Planning Policy Statement 4: Planning for Sustainable Economic Growth (PPS4).
55. The various thresholds for retail impact assessments are based on up-to-date retail information and are therefore justified. PPS4 allows for the setting of such local thresholds.

Retail boundaries

Are the retail boundaries justified?

56. PPS4 also makes it clear that the extent of centres and primary and secondary frontages should be defined on the Proposals Map. The plan follows this advice. During the examination of the plan the alignment of the primary and secondary frontages and the town centre boundary was considered having regard to the material submitted and various site visits. Having undertaken this exercise it is considered that the detailed alignment of these boundaries is justified by the evidence base and in line with the objectives of the relevant policies.

Development Management Policies

Policies DM1-DM3 - Development in Rural Areas

Is the applicability of Policies DM1-DM3 sufficiently clear? Are these policies comprehensive?

57. It is unclear from the submitted DPD which areas of the District are covered by Policies DM1 (Rural Economic Development), DM2 (Conversion of Rural Buildings) and DM3 (Development in the Countryside). The Council's **FC30, FC32 and FC33** make it clear that these policies apply to any area outside a development boundary, including those settlements covered by Policy CS9. The Council's **FC31** specifies that the availability of sites within or near settlements, and brownfield land, will be taken into account when applications for employment development in the countryside are determined. These changes are required to bring the DPD into line with national planning policy on the location of new development.

Policy DM6: Gypsies, Travellers & Travelling Show People.

Is Policy DM6 in line with national policy?

58. At present Policy DM6 in the submitted DPD does not comply with existing and emerging national policy on site provision and is unlikely to be effective. In particular the text does not contain the additional pitch requirements set out in RSS8. In addition it does not recognise that sites in rural or semi-rural locations, within reasonable distance of services and facilities, are likely to come forward for consideration and may, having regard to all material considerations, be acceptable. To indicate that all sites will be provided within development boundaries or on the edge of settlements could well mean that sufficient sites are not delivered. Consequently there is the need to introduce a sequential approach to site selection. Furthermore the framing of the policy is over-complicated and does not make it clear that 'rural exceptions' sites are a particular case and do not relate to all gypsy/traveller proposals. The Council's **FC34** and **FC35** satisfactorily address these concerns. These changes are required to bring the DPD into line with national planning policy on gypsies, travellers and travelling show people.

Policy DM7 – Securing Economic Growth

Is Policy DM7 unduly onerous?

59. Part B of Policy DM7 is a general development management policy that seeks to ensure that a number of factors are examined before employment sites are released to other uses. Clearly such a policy is required if the loss of good quality and well-located employment land in the District is to be avoided. Such land will form an important part of the area's portfolio of employment sites over the coming years. The wording of Policy DM7(B) is sufficiently strong to ensure the retention of good quality sites. It is also reasonable to expect that when other uses are deemed acceptable consideration should first be given to mixed-use schemes that may support the delivery of part of the site for economic development purposes. Wording along these lines is also included in the policy.
60. Notwithstanding this firm basis for control it is also important to ensure that the policy is flexible enough to allow the release of employment sites in appropriate circumstances. Again the policy is effective in this regard as it identifies those matters that will be taken into account in determining whether release is justified. These include up-to-date employment land assessments, site factors and development viability. Consequently it is evident that the Council plans to adopt a realistic approach to the release of employment sites. It is clear from the material available that such an approach has led to the release of various employment sites in the past to other uses, particularly in Retford.
61. The Council's **FC36** make it clear that Policy DM7(B) will apply to the re-development of a protected economic development site to non-economic development uses (i.e. uses not included within the B Use Classes, public and community uses and main town centre uses). This will bring the policy into line with PPS4. In addition this change also makes it clear that any independent assessor appointed to assess viability will be agreed between the parties and that the costs incurred should be reasonable. This will ensure that this requirement is not unduly onerous. Another sentence is also introduced to the effect that in the case of economic development uses contrary to national policy, including main town centre uses, viability assessments will also be required. This is required to ensure that account is taken of all material considerations.

Policy DM9: Green Infrastructure; Biodiversity & Geodiversity; Landscape; Open Space & Sports Facilities

Should the areas covered by Policy DM9 be safeguarded?

62. Part B of this policy provides protection for sites of biodiversity and geodiversity value. Some of these, including ancient woodlands, SSSIs and local wildlife sites are shown on the Proposals Map. In view of the detailed evidence that supports the identification of these areas it is reasonable to identify them on the Proposals Map. The existence of these areas, and the justification for them, will be an important consideration that will need to be taken into account in the Site Allocations DPD when sites are identified for allocation or

protection.

63. Part A of Policy DM9 seeks to protect all open space and sports facilities identified in the Council's Open Space and Sports Facilities studies, apart from in certain limited cases. All these spaces and facilities are identified on the Proposals Map. It is accepted that there is a need to protect open space and sports facilities in general terms in the plan. However the identification of specific areas for protection is best undertaken in tandem with the selection of sites for development as part of the preparation of the SADPD. This will ensure that appropriate levels of provision for open space and sports facilities are made having regard to existing and proposed development. These areas then can be identified for protection in the SADPD. The Council's **FC37** and **FC45** resolves this matter. These changes are required to provide the necessary flexibility at site allocations stage.

Figures 5.1 (Bassetlaw Green Infrastructure Network), 5.2 (Landscape Character Policy Zones) & 5.3 (Energy Opportunities Diagram)

Would Figures 5.1-5.3 be effective in guiding development?

64. The small scale nature of Figures 5.1, 5.2 and 5.3 in the submitted DPD means that they are very difficult to interpret and therefore ineffective in guiding development. The Council's **FC38, FC39 & FC41**, which removes these diagrams from the plan, deal with this concern. These changes would ensure that the DPD does not contain material that is difficult to interpret.

Policy DM10: Renewable & low carbon energy

Is Policy DM10 sufficiently flexible and in accordance with national policy?

65. This policy, which is the subject of some minor changes submitted with the DPD, is inherently flexible and pays regard to viability. It does not contain any targets for new development as the Council prefers to rely on the Building Regulations to deliver reductions in CO2 emissions. Part A (Carbon Reduction) of the policy is supportive of proposals that seek to utilise renewable and low carbon energy to minimise CO2 emissions, subject to the satisfaction of a number of sensible criteria, which are subject to various proposed minor changes. Similarly Part B (District Heating and Co-location) specifies that the use of district heating needs to be considered and that future connection to such networks is dependent upon there being no barriers. Consequently the policy is facilitative rather than prescriptive. Such an approach is not at odds with prevailing government policy.
66. The Council's proposed focused change FC40 sought to draw attention to local concerns about renewable energy schemes along the Trent Valley. In particular it refers to the two existing power stations in the area, as well as its birdlife and range of habitats. This in turn has given rise to further representations both about the interpretation of this proposed wording and its compliance with national policy. It is considered that the criteria set out in Policy DM10 already ensure that consideration will be given to the built and natural environments, and biodiversity. Consequently the introduction of FC40

is unnecessary.

Policy DM14: Ground Conditions & Land Stability

Would Policy DM14 be effective in guiding development?

67. This policy seeks to ensure that within the District's former coal mining areas new development takes account of ground conditions. However the description of the areas covered by the policy is vague and is not detailed on the Proposals Map. Furthermore the policy is unclear as to what would be expected from developers. In the light of this the policy lacks the necessary clarity and is unlikely to be effective. The Council's **FC42**, which proposes the deletion of Policy DM14, would remove the basis of this concern. Notwithstanding this the Council will no doubt consider whether a suitably detailed policy on ground conditions, tied to the identification of specific areas, should be included in the Site Allocations DPD.

Other Matters

68. A wide range of matters were raised in the representations and at the hearings that do not relate to the soundness of the plan. In many cases they constitute improvements to the plan, particularly in terms of the clarity and wording of individual policies and the supporting text. In response the Council proposed various minor changes, many of them derived from representors' suggestions. These minor changes set out in **Appendix B** require no further comment, other than to endorse them generally in the interests of coherence, clarity and accuracy.
69. Having considered all the other points raised, no further changes are required to ensure that the plan is sound within the terms of PPS12 and associated guidance.

Legal Requirements

70. My examination of the compliance of the plan with the legal requirements is summarised in the table below. I conclude that the plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The Core Strategy & Development Management Policies DPD (the plan) is identified within the approved LDS (August 2009) which sets out an expected adoption date of April/May 2011. For a combination of reasons the LDS timetable for the production of the plan has slipped by about 6 months. In all other respects the plan accords with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in 2009 and consultation has been compliant with the requirements therein, including the consultation on the proposed soundness changes.
Sustainability Appraisal (SA)	SA has been carried out at various stages and is adequate.
Appropriate Assessment (AA)	The Habitats Regulations Assessment Screening Report (May 2010) sets out why AA is not necessary.
National Policy	The plan complies with national policy except where indicated and changes are recommended.
Regional Strategy (RS)	The plan is in general conformity with the RS.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCS.
2004 Act and Regulations (as amended)	The plan complies with the Act and the Regulations. The procedure followed in the designation of a Conservation Area is not a matter for the examination of a DPD.

Overall Conclusion and Recommendation

71. I conclude that with the changes proposed by the Council, set out in the attached Appendix A (with the deletion of FC40), the Bassetlaw Core Strategy and Development Management Policies DPD satisfies the requirements of s20(5) of the 2004 Act and meets the criteria for soundness in PPS12. Therefore I recommend that the plan be changed accordingly. And for the avoidance of doubt, I endorse the Council's Proposed Minor Changes set out in Appendix B.

Christopher Anstey

Inspector

This report is accompanied by:

Appendix A (separate document) Post-Submission & Post Hearings Schedule of Proposed Focused Changes (June 2011)

Appendix B (separate document) Post-Submission & Post Hearings Schedule of Proposed Minor Changes (June 2011)