

**Hearing Agenda
Tuesday 17 May 2011 - Day 1**

10:00 Morning Session

**Inspector's introduction and preliminary matters.
Council's Opening Statement.**

Main Matter 1 - Legal & procedural requirements.

Main Matter 2 - General matters relating to the whole of the DPD.

Main Matter 3 - Chapters 1 (Introduction) & 2 (Spatial Portrait - Bassetlaw Today) - Detailed points.

Participants

Bassetlaw District Council [2 seats]

JVH Town Planning *for* Jane Kilner (3) *and for* The Trustees of GMT Foljambe 1996 Settlement (38)

Andrew Martin Associates *for* H E Brinkley Settlement (12)

Barton Willmore *for* Barratt & David Wilson Homes (54)

DLP *for* Keith Tully (58) *and for* Richard Walker (59)

Spawforths *for* Harworth Estates (60)

14:00 Afternoon Session

Main Matter 4 - Proposed scale of housing & employment growth.

Day 1 - Proposed Essential Changes & Minor Changes.

Participants.

Bassetlaw District Council [2 seats]

Andrew Martin Associates *for* H E Brinkley Settlement (12)

Danielle Troop (14)

Barton Willmore *for* Galliford Try Strategic (25)

Iplan Solutions Ltd *for* Messrs Machin (36)

Harris Lamb *for* Bridge Properties (56)

DLP *for* Keith Tully (58) *and for* Richard Walker (59)

William Davis Ltd (67)

Nottinghamshire County Council (69)

Ian Baseley Associates I Mr M Pickering (71) *and for* Messrs J & M Pepper (72)

Inspector's Questions Day 1 - Tuesday 17 May 2011

Main Matter 1. Legal and procedural requirements.

What is the evidence to confirm that all the legal requirements have been met? In particular what is the evidence to demonstrate that the following requirements are met?

- 1) Has the DPD been prepared in accordance with the Local Development Scheme (LDS)? Does the DPD's listing and description in the LDS match the document? Have the timescales set out in the LDS been met (section 19(1) of the 2004 Act)?
- 2) Has the DPD had regard to any Sustainable Community Strategy for the area (section 19(2) of the 2004 Act)?
- 3) Is the DPD in compliance with the Statement of Community Involvement (SCI)? Has the LPA carried out consultation consistent with the SCI (section 19(3) 2004 Act)?
- 4) Has the DPD been subject to sustainability appraisal? Has the Council provided a final report of the findings of the appraisal (section 19(5) of the 2004 Act)?
- 5) Does the DPD contain any policies or proposals which are not in general conformity with the East Midlands Regional Plan (9 March 2009) and if so, is there local justification (section 24(1) (a) of the 2004 Act)? Has the Council received confirmation about the general conformity of the DPD with the East Midlands Regional Plan (9 March 2009) (section 24(2) of the 2004 Act)?
- 6) Does the DPD comply with the 2004 regulations (as amended)? Specifically, has the Council published the prescribed documents, and made them available at their principal offices and their website? Has the LPA placed local advertisements? Has the LPA notified the DPD bodies? Does the DPD contain a list of superseded saved policies?

Main Matter 2. General Matters relating to the whole DPD

- 1) Should the Core Strategy and the Development Management Policies be in two separate documents? What is the justification for a single DPD? Does this approach comply with national guidance?
- 2) The Submitted DPD is the same as the Publication DPD. What textural changes do the Council propose to rectify this? In addition there are drafting errors (e.g. from Chapter 3 inconsistency in numbering sub-headings & paragraphs.) Will these be included in a Schedule of Changes?
- 3) Does the DPD need to explain what is happening in simple terms. For example is there a continuation of past trends or is the area likely to change significantly? Is the pattern of development already set?
- 4) Paragraph 4.13 of PPS12 states that the time horizon of a CS should be at least 15 years from the date of adoption. Will the CS comply with this? Adoption 2012? When is the CS likely to be revised?

- 5) Is the content of the DPD seen as a means of influencing and driving forward key investment decisions? What are the implications if the DPD is found unsound?
- 6) What is the current programme for the submission to the Secretary of State of the Site Allocations DPD? Is there a need to specify all the LDF and other policy documents that will follow and the current timetable?
- 7) What is the role of the Proposals Map in relation to the DPD? Are any precise boundaries being determined at this stage or is this for the Site Allocations DPD (e.g. development boundaries, protected areas)? Does national guidance encourage the definition of precise boundaries in Core Strategies? What is the evidence base? In terms of protected areas is it legitimate to protect all areas – what assessment has been made of their value?
- 8) On what basis has the consultation exercise on boundaries been carried out? Are interested parties clear as to what is now being agreed? Have the legal tests been met in this regard?
- 9) Should development boundaries be determined at the same time as site allocations identified? What happens in the interim between the adoption of the CS and the SADPD? Are the development boundaries the same as those in the Local Plan? What work has been undertaken in drawing them up? Should room be left within the settlement boundary to accommodate some growth?
- 10) Following on from this if boundaries are fixed now are they all to be reviewed as part of the SADPD? If they are not fixed should the principle of having development boundaries be endorsed in the DPD? Are there any other ways of controlling development in and around settlements? Policy DM3 refers to Development Boundaries.
- 11) Are there any cross boundary issues? Have they been dealt with satisfactorily? Any matters raised by adjacent authorities? Any unresolved?
- 12) What has been the engagement with infrastructure providers and delivery stakeholders? Have significant problems been identified?
- 13) Is the evidence base up-to-date and relevant? For instance are the SHLAA and SHA robust and up-to-date?
- 14) Should reference be made to localism and neighbourhood plans? How will they affect the DPD?
- 15) Could the document be further streamlined by ensuring that policies contain relevant and necessary text and do not repeat national planning policy?
- 16) There are a number of references to consideration of matters by an independent assessor of the Council's choosing at the applicant's expense? Where is the justification/authority for this?

Main Matter 3. Chapters 1 (Introduction) and 2 (Spatial Portrait: Bassetlaw Today): Detailed points

Chapter 1: Introduction

- 1) The East Midlands Regional Plan is still part of the Development Plan and needs to be referred to. Explanation required as to how the figures and the strategy in the DPD relate to the RSS. Should the key elements from the RSS be set out to provide the context for the DPD? Need also to set out how growth figures and strategy will be arrived at in the future, post-revocation.
- 2) Need to update references to the Bassetlaw Sustainable Community Strategy including date of strategy and the abolition of the Nottinghamshire Local Area Agreement.

Chapter 2: Spatial Portrait: Bassetlaw Today

- 3) Paragraph 2.3. Should this paragraph also recognise that there are substantial areas of greenfield land available?
- 4) Paragraph 2.3. Is there a need to make specific reference to the regeneration of Harworth-Bircotes?
- 5) Paragraph 2.3. & 2.4. Should an explanation as to the link between housing and employment be included?
- 6) Paragraph 2.7. There is no overview of the range and type of housing in the District and what needs to be provided. What is the extent of the affordable housing need? Can it be quantified – how does this relate to the overall housing requirement? What is the latest information? Is the Strategic Housing Market Assessment still of value or does it need updating?

Main Matter 4. Proposed scale of housing and employment growth.

Inspector's note: Housing & Employment Figures.

The Inspector considers that time would be saved during the Hearing Sessions if the Council produced a detailed explanation, supplemented by additional tables, of the housing and employment figures contained on pages 20 and 21 of the DPD. Matters that should be covered include the relationship over time with RSS figures from a common base-date & separate figures for current permissions and allocations. Clearly if the figures are to be updated as a result of recent completions and planning permissions these should be included. Consideration should also be given to whether the current significant permissions and allocations are likely to be brought forward or are constrained. Account needs to be taken of any losses of housing and employment land to other uses. Clarity on these matters should avoid undue time being spent during the Hearings on how these figures have been arrived at. The Inspector believes that the Council should approach those respondents who have queried the calculations to agree a methodology and a common set of base-line figures.

Proposed scale of housing growth

- 1) Why have the figures in the RSS been accepted? Have the housing requirements been endorsed. Have the requirements been verified/updated? What work has this involved?
- 2) Where will the increase in households come from – smaller households, population increase, in-migration, employment-led etc? Does the DPD explain this? What will be the increase in the number of households/population over the Plan period?
- 3) What is the annual requirement? How does this compare with past performance? Is the overall scale of development a minimum? Should there be more flexibility in the figures?
- 4) 2008 household projections. What do these tell us? Does it show a need for more or less homes – are there significant differences? Should these figures be taken into account in the DPD? Paragraph 33 of PPS3. Is the Council looking at these figures with the County Council? To what end? Is this additional work to be published? When will the housing figures be revisited? Should the DPD accept that housing figures may increase? Is there a need for a contingency plan or will the CS have a short life?
- 5) Is there any justification for looking forward beyond 15 years? Say to 2027 or 2031?
- 6) What is the current level of commitments? What has now actually to be found in terms of new housing?
- 7) Is there a 5-year supply of housing land? In terms of housing development what sites are already committed and developable? What sites are deliverable in the first 5 years? Where are the specific deliverable sites for years 6-10 and for years 11-15?
- 8) What account is taken of windfall sites?

Proposed scale of employment growth

- 9) What does the RSS say about employment land release in Bassetlaw? Is the DPD in line with this?
- 10) How have the employment land figures been calculated? What is the relationship with the housing figures and matters such as the provision of affordable housing? What is the current level of commitments? Have all sites, regardless of their deliverability, been included? What has now actually to be found in terms of new employment land in the various settlements? Should such figures be included?
- 11) Do the employment land reviews establish whether existing employment land needs to be safeguarded, increased, redeveloped or released for different uses? What account of this has been taken in the DPD? Is there any evidence to suggest that the lack of employment sites has deterred companies investing in the area?

- 12) If employment land is not taken up does this reduce need for housing land? What evidence is there to show that the demand for employment land will continue to grow?
- 13) What sort of employment land is required? What type of business is likely to be attracted to the area?
- 14) What is the annual requirement? How does this compare with past performance? Is the overall scale of development a minimum? Should there be more flexibility in the figures?

Day 1 - Proposed Essential & Minor Changes.

- 1) What changes resulting from the above are essential to make the DPD sound? What is the proposed wording? Is further consultation and sustainability appraisal work required?
- 2) What textural changes resulting from the above are needed to improve clarity, reflect recent developments, and improve focus?