

Core Strategy and Development Management Policies Publication Stage Representation Form

Please return to Bassetlaw District Council by 5pm on Monday 20th December 2010

This form has two parts:

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

PART A

1. Your details

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Job Title	<input type="text"/>
Address line 1	<input type="text"/>
Line 2	<input type="text"/>
Line 3	<input type="text"/>
Line 4	<input type="text"/>
Postcode	<input type="text"/>
Telephone Number	<input type="text"/>
E-mail Address	<input type="text"/>

2. Agents Details (if applicable)

<input type="text"/>
<input type="text"/>
<input type="text"/>
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If you would like your details to be added to our consultation database, please tick

**PLEASE NOTE THAT THESE REPRESENTATIONS, INCLUDING YOUR CONTACT
DETAILS, WILL BE PUBLIC DOCUMENTS.**

PART B

Name or Organisation: H E Brinkley Settlement

3. To which document does your representation relate?

<u>Core Strategy</u>	Proposals Map	Sustainability Appraisal
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4. To which part of the Core Strategy/Sustainability Appraisal does your representation relate?

Paragraph Number(s)	3.1	Policy Number(s)	Vision	Diagram(s)	
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5. Do you consider the document to be legally compliant*?

Yes (in this respect)

No

6. Do you consider the Core Strategy to be 'sound'*?

Yes (in this respect)

No

7. If you consider the Core Strategy to be 'unsound', please identify the test of soundness to which your representation relates.

Justified	Effective	Consistent with National Policy
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8. Please give details of why you consider that the Core Strategy/Sustainability Appraisal/Proposals Map is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Core Strategy/Sustainability Appraisal/Proposals Map, please use this box to comment.

The identification of Misterton in the Vision as a 'key rural community centre' is, in particular, justified.

9. Have you raised this issue during previous formal consultations? (tick as appropriate)

Yes (at Issues & Options)

Yes (at Preferred Options)

No

If you have answered 'No', please explain why this issue has not been raised before:

10. With reference to your answer at 8 above, please outline the precise change that you consider to be necessary to make the Core Strategy/Sustainability Appraisal/Proposals Map legally compliant or sound. Please demonstrate *why* this change will make the Core Strategy/Sustainability Appraisal legally compliant or sound.

n/a

11. If your representation is seeking a change to the Core Strategy or Sustainability Appraisal, do you consider it necessary for you to participate at the oral part of the examination or will this written response (to be submitted to the Inspector) be sufficient?

Please note that this written representation carries the same weight, and will be subject to the same scrutiny, as oral representations.

No, I do not wish to participate

Yes, I wish to participate

Signature David Peck

Date 20/12/10

PART B

Name or Organisation: H E Brinkley Settlement

3. To which document does your representation relate?

<u>Core Strategy</u>	Proposals Map	Sustainability Appraisal
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4. To which part of the Core Strategy/Sustainability Appraisal does your representation relate?

Paragraph Number(s)	3.2	Policy Number(s)	Strategic Objective 1	Diagram(s)	
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5. Do you consider the document to be legally compliant*?

Yes (in this respect)

No

6. Do you consider the Core Strategy to be 'sound'*?

Yes (in this respect)

No

7. If you consider the Core Strategy to be 'unsound', please identify the test of soundness to which your representation relates.

Justified	Effective	Consistent with National Policy
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8. Please give details of why you consider that the Core Strategy/Sustainability Appraisal/Proposals Map is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Core Strategy/Sustainability Appraisal/Proposals Map, please use this box to comment.

The identification of Misterton as a location where high-quality market and affordable houses should be provided is, in particular, justified, effective and consistent with national policy.

9. Have you raised this issue during previous formal consultations? (tick as appropriate)

Yes (at Issues & Options) Yes (at Preferred Options)
No If you have answered 'No', please explain why this issue has not been raised before:

10. With reference to your answer at 8 above, please outline the precise change that you consider to be necessary to make the Core Strategy/Sustainability Appraisal/Proposals Map legally compliant or sound. Please demonstrate *why* this change will make the Core Strategy/Sustainability Appraisal legally compliant or sound.

n/

11. If your representation is seeking a change to the Core Strategy or Sustainability Appraisal, do you consider it necessary for you to participate at the oral part of the examination or will this written response (to be submitted to the Inspector) be sufficient?

Please note that this written representation carries the same weight, and will be subject to the same scrutiny, as oral representations.

No, I do not wish to participate Yes, I wish to participate

Signature David Peck **Date** 20/12/10

PART B

Name or Organisation: H E Brinkley Settlement

3. To which document does your representation relate?

<u>Core Strategy</u>	Proposals Map	Sustainability Appraisal
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4. To which part of the Core Strategy/Sustainability Appraisal does your representation relate?

Paragraph Number(s)	3.2	Policy Number(s)	Strategic Objective 3	Diagram(s)	
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5. Do you consider the document to be legally compliant*?

Yes

No

6. Do you consider the Core Strategy to be 'sound'*?

Yes

No

7. If you consider the Core Strategy to be 'unsound', please identify the test of soundness to which your representation relates.

Justified

Effective

Consistent with National Policy

8. Please give details of why you consider that the Core Strategy/Sustainability Appraisal/Proposals Map is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Core Strategy/Sustainability Appraisal/Proposals Map, please use this box to comment.

The need to deliver community regeneration opportunities in these settlements is justified and consistent with national policy. Any priority given to development of brownfield sites in the identified settlements should not however block development on greenfield sites where development needs can not be met on brownfield sites and / or those brownfield sites are not delivering development consistent with the Core Strategy and other DPDs. There may be significant barriers to brownfield sites coming forward for development which would require the bringing forward of the release of greenfield sites to meet the needs of the communities within those settlements.

9. Have you raised this issue during previous formal consultations? (tick as appropriate)

Yes (at Issues & Options) Yes (at Preferred Options)
No If you have answered 'No', please explain why this issue has not been raised before:

10. With reference to your answer at 8 above, please outline the precise change that you consider to be necessary to make the Core Strategy/Sustainability Appraisal/Proposals Map legally compliant or sound. Please demonstrate *why* this change will make the Core Strategy/Sustainability Appraisal legally compliant or sound.

Greenfield development should not be held back where development on brownfield sites in failing to deliver development consistent with the Core Strategy and other DPDs.

11. If your representation is seeking a change to the Core Strategy or Sustainability Appraisal, do you consider it necessary for you to participate at the oral part of the examination or will this written response (to be submitted to the Inspector) be sufficient?

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No, I do not wish to participate

Yes, I wish to participate

Signature David Peck

Date 20/12/10

PART B

Name or Organisation: H E Brinkley Settlement

3. To which document does your representation relate?

<u>Core Strategy</u>	Proposals Map	Sustainability Appraisal
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4. To which part of the Core Strategy/Sustainability Appraisal does your representation relate?

Paragraph Number(s)	4.1	Policy Number(s)	CS1 Settlement Hierarchy	Diagram(s)	

5. Do you consider the document to be legally compliant*?

Yes (in this respect)

No

6. Do you consider the Core Strategy to be 'sound'*?

Yes (in this respect)

No

7. If you consider the Core Strategy to be 'unsound', please identify the test of soundness to which your representation relates.

Justified

Effective

Consistent with National Policy

8. Please give details of why you consider that the Core Strategy/Sustainability Appraisal/Proposals Map is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Core Strategy/Sustainability Appraisal/Proposals Map, please use this box to comment.

The settlement hierarchy is supported.

9. Have you raised this issue during previous formal consultations? (tick as appropriate)

Yes (at Issues & Options)

Yes (at Preferred Options)

No

If you have answered 'No', please explain why this issue has not been raised before:

10. With reference to your answer at 8 above, please outline the precise change that you consider to be necessary to make the Core Strategy/Sustainability Appraisal/Proposals Map legally compliant or sound. Please demonstrate *why* this change will make the Core Strategy/Sustainability Appraisal legally compliant or sound.

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No, I do not wish to participate

Yes, I wish to participate

Signature

David Peck

Date 20/12/10

PART B

Name or Organisation: H E Brinkley Settlement

3. To which document does your representation relate?

<u>Core Strategy</u>	Proposals Map	Sustainability Appraisal
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4. To which part of the Core Strategy/Sustainability Appraisal does your representation relate?

Paragraph Number(s)	4.2	Policy Number(s)	Housing Targets table (page 17)	Diagram(s)	
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5. Do you consider the document to be legally compliant*?

Yes

No

6. Do you consider the Core Strategy to be 'sound'*?

Yes

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7. If you consider the Core Strategy to be 'unsound', please identify the test of soundness to which your representation relates.

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The Housing Targets table provides a useful guide to the potential distribution of housing and employment growth within different settlements across the district within the LDF period. As the opportunities to deliver growth in accordance with this projected distribution will only become fully apparent through more detailed assessments, such as the SHLAA and Site Allocations DPD plus additional 'windfall' opportunities not identified through those processes, the targets should be treated as a guide and some flexibility applied in their application.

The document confirms that the evidence base on which the Regional Plan was based 'remains a sound basis for decisions about local housing growth'. Recent legal decisions have reinstated the Regional Plan as part of the Development Plan. Housing targets set out in the Regional Plan should be treated as minima. Opportunities consistent with the spatial vision of the Core Strategy should not be held back simply on the basis of non compliance with the nominal percentage splits suggested in the Housing Targets Table. Specific local development opportunities that would deliver wider community benefits may in particular require some flexibility in the application of these growth targets, for example residential development being supported as part of mixed use development, to include community facilities and local employment opportunities, in a location where residential-only development may otherwise not be supported.

Where existing permissions and allocations suggest that the remaining housing growth target could be low or zero (for example in Misterton), it is important that the Council closely monitor progress towards delivery of development on those permitted/allocated sites. Where delivery is delayed and may not be completed within the LDF period, permission should be granted for development on additional sites so as to ensure the overall quantum of development sought by the Core Strategy is achieved within the LDF period. Renewals of planning permission should not be granted where there is no robust evidence of an intention of implementing the consent within the LDF period; the Spatial Vision for the district will not be delivered if a 'stock' of planning permission is accrued but not implemented. This could prevent other sites being delivered.

Regardless of the stock of existing planning permissions and allocations, settlements such as Misterton will continue to be subject to demand and need for new housing beyond 2010. Potentially choking off opportunities for new housing provision after 2010 would not be conducive to sustainable settlement growth in the later parts of the LDF period. Growth throughout the LDF period needs to be provided for.

9. Have you raised this issue during previous formal consultations? (tick as appropriate)

Yes (at Issues & Options)

Yes (at Preferred Options)

No

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The accompanying narrative should be amended to emphasis that a flexible approach will be taken to the housing requirement in Misterton, the RSS targets are minima and that existing planning permissions and allocations will not be renewed where there is no evidence of progress being made towards their implementation.

11. If your representation is seeking a change to the Core Strategy or Sustainability Appraisal, do you consider it necessary for you to participate at the oral part of the examination or will this written response (to be submitted to the Inspector) be sufficient?

Please note that this written representation carries the same weight, and will be subject to the same scrutiny, as oral representations.

No, I do not wish to participate

Yes, I wish to participate

Signature David Peck

Date 20/12/10

PART B

Name or Organisation: H E Brinkley Settlement

3. To which document does your representation relate?

<u>Core Strategy</u>	Proposals Map	Sustainability Appraisal
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4. To which part of the Core Strategy/Sustainability Appraisal does your representation relate?

Paragraph Number(s)		Policy Number(s)	CS7 Misterton	Diagram(s)	

5. Do you consider the document to be legally compliant*?

Yes (in this respect)

No

6. Do you consider the Core Strategy to be 'sound'*?

Yes (in this respect)

No

7. If you consider the Core Strategy to be 'unsound', please identify the test of soundness to which your representation relates.

Justified

Effective

Consistent with National Policy

8. Please give details of why you consider that the Core Strategy/Sustainability Appraisal/Proposals Map is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Core Strategy/Sustainability Appraisal/Proposals Map, please use this box to comment.

As an important Local Service Centre it is appropriate to include a specific policy in respect of Misterton

9. Have you raised this issue during previous formal consultations? (tick as appropriate)

Yes (at Issues & Options) Yes (at Preferred Options)

No If you have answered 'No', please explain why this issue has not been raised before:

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No, I do not wish to participate Yes, I wish to participate

Signature David Peck

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PART B

Name or Organisation: H E Brinkley Settlement

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4. To which part of the Core Strategy/Sustainability Appraisal does your representation relate?

Paragraph Number(s)		Policy Number(s)	CS7 Misterton	Diagram(s)	

5. Do you consider the document to be legally compliant*?

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6. Do you consider the Core Strategy to be 'sound'*?

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If you wish to support the legal compliance or soundness of the Core Strategy/Sustainability Appraisal/Proposals Map, please use this box to comment.

The requirement that a viability assessor in respect of allocated housing sites be chosen by the Council at the applicant's expense should be deleted.

9. Have you raised this issue during previous formal consultations? (tick as appropriate)

Yes (at Issues & Options) Yes (at Preferred Options)

No If you have answered 'No', please explain why this issue has not been raised before:

10. With reference to your answer at 8 above, please outline the precise change that you consider to be necessary to make the Core Strategy/Sustainability Appraisal/Proposals Map legally compliant or sound. Please demonstrate *why* this change will make the Core Strategy/Sustainability Appraisal legally compliant or sound.

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No, I do not wish to participate Yes, I wish to participate

Signature David Peck

Date 20/12/10

PART B

Name or Organisation: H E Brinkley Settlement

3. To which document does your representation relate?

<u>Core Strategy</u>	Proposals Map	Sustainability Appraisal
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4. To which part of the Core Strategy/Sustainability Appraisal does your representation relate?

Paragraph Number(s)		Policy Number(s)	CS7 Misterton	Diagram(s)	

5. Do you consider the document to be legally compliant*?

Yes

No

6. Do you consider the Core Strategy to be 'sound'*?

Yes

No

7. If you consider the Core Strategy to be 'unsound', please identify the test of soundness to which your representation relates.

Justified

Effective

Consistent with National Policy

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If you wish to support the legal compliance or soundness of the Core Strategy/Sustainability Appraisal/Proposals Map, please use this box to comment.

The slow delivery of brownfield sites and existing planning permissions (and the potential release of greenfield sites as a result of this) should be measured against the housing supply needs of Misterton, not the district as a whole. Misterton's apportionment of the overall housing requirement is small. Assessing slow delivery of brownfield sites and existing planning permissions against the district level requirement would not effectively monitor local housing needs – local detail would be lost amidst the larger district requirement.

9. Have you raised this issue during previous formal consultations? (tick as appropriate)

Yes (at Issues & Options) Yes (at Preferred Options)

No If you have answered 'No', please explain why this issue has not been raised before:

10. With reference to your answer at 8 above, please outline the precise change that you consider to be necessary to make the Core Strategy/Sustainability Appraisal/Proposals Map legally compliant or sound. Please demonstrate *why* this change will make the Core Strategy/Sustainability Appraisal legally compliant or sound.

The policy should be amended thus:

'Planning permission for housing development on greenfield land is only likely to be granted if it is evident that slow delivery of brownfield sites and existing planning permissions within the village is impacting negatively on the achievement of Misterton's housing requirement ~~the District's overall housing supply.~~'

11. If your representation is seeking a change to the Core Strategy or Sustainability Appraisal, do you consider it necessary for you to participate at the oral part of the examination or will this written response (to be submitted to the Inspector) be sufficient?

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No, I do not wish to participate

Yes, I wish to participate

Signature David Peck

Date 20/12/10

PART B

Name or Organisation: H E Brinkley Settlement

3. To which document does your representation relate?

Core Strategy

Proposals Map

Sustainability Appraisal

4. To which part of the Core Strategy/Sustainability Appraisal does your representation relate?

Paragraph
Number(s)

Policy
Number(s)

CS7
Misterton

Diagram(s)

5. Do you consider the document to be legally compliant*?

Yes

No

6. Do you consider the Core Strategy to be 'sound'*?

Yes

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The determination of any planning application must be in accordance with the Development Plan unless material I considerations direct otherwise. It is therefore unnecessary for this policy to state that *'Development proposals submitted under this policy must also comply with the Development Management policies in this DPD; other LDF policy; relevant Supplementary Planning Documents; any relevant Council studies or strategies; and any relevant Village Design Statement, Conservation Area Appraisal or character appraisals approved or adopted by the District Council'*. That text should be deleted.

9. Have you raised this issue during previous formal consultations? (tick as appropriate)

Yes (at Issues & Options) Yes (at Preferred Options)

No If you have answered 'No', please explain why this issue has not been raised before:

10. With reference to your answer at 8 above, please outline the precise change that you consider to be necessary to make the Core Strategy/Sustainability Appraisal/Proposals Map legally compliant or sound. Please demonstrate *why* this change will make the Core Strategy/Sustainability Appraisal legally compliant or sound.

The text *'Development proposals submitted under this policy must also comply with the Development Management policies in this DPD; other LDF policy; relevant Supplementary Planning Documents; any relevant Council studies or strategies; and any relevant Village Design Statement, Conservation Area Appraisal or character appraisals approved or adopted by the District Council'* should be deleted.

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Please note that this written representation carries the same weight, and will be subject to the same scrutiny, as oral representations.

No, I do not wish to participate

Yes, I wish to participate

Signature David Peck

Date 20/12/10

PART B

Name or Organisation: H E Brinkley Settlement

3. To which document does your representation relate?

<u>Core Strategy</u>	Proposals Map	Sustainability Appraisal
----------------------	---------------	--------------------------

4. To which part of the Core Strategy/Sustainability Appraisal does your representation relate?

Paragraph Number(s)		Policy Number(s)	CS7 Misterton (D) Community Infrastructure	Diagram(s)	

5. Do you consider the document to be legally compliant*?

Yes (in this respect)

No

6. Do you consider the Core Strategy to be 'sound'?*

Yes (in this respect)

No

7. If you consider the Core Strategy to be 'unsound', please identify the test of soundness to which your representation relates.

Justified

Effective

Consistent with National Policy

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The Development Boundary is drawn very tightly around Misterton such that development opportunities, beyond small scale redevelopment and infill, are limited. Sites for potential new Community Services and Facilities within the Development Boundary are therefore also limited. It is appropriate to specifically identify this issue and that support will be provided to such developments.

9. Have you raised this issue during previous formal consultations? (tick as appropriate)

Yes (at Issues & Options) Yes (at Preferred Options)
No If you have answered 'No', please explain why this issue has not been raised before:

10. With reference to your answer at 8 above, please outline the precise change that you consider to be necessary to make the Core Strategy/Sustainability Appraisal/Proposals Map legally compliant or sound. Please demonstrate *why* this change will make the Core Strategy/Sustainability Appraisal legally compliant or sound.

n/a

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No, I do not wish to participate Yes, I wish to participate

Signature David Peck

Date 20/12/10

PART B

Name or Organisation: H E Brinkley Settlement

3. To which document does your representation relate?

Core Strategy

Proposals Map

Sustainability Appraisal

4. To which part of the Core Strategy/Sustainability Appraisal does your representation relate?

Paragraph Number(s)		Policy Number(s)	DM1 Rural Economic Development	Diagram(s)	

5. Do you consider the document to be legally compliant*?

Yes (in this respect)

No

6. Do you consider the Core Strategy to be 'sound'*?

Yes (in this respect)

No

7. If you consider the Core Strategy to be 'unsound', please identify the test of soundness to which your representation relates.

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If you wish to support the legal compliance or soundness of the Core Strategy/Sustainability Appraisal/Proposals Map, please use this box to comment.

The need to support economic development in rural areas, such as tourist attractions, is justified and consistent with national policy.

9. Have you raised this issue during previous formal consultations? (tick as appropriate)

Yes (at Issues & Options) Yes (at Preferred Options)

No If you have answered 'No', please explain why this issue has not been raised before:

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No, I do not wish to participate Yes, I wish to participate

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PART B

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4. To which part of the Core Strategy/Sustainability Appraisal does your representation relate?

Paragraph Number(s)		Policy Number(s)	DM3 Development in the Countryside	Diagram(s)	

5. Do you consider the document to be legally compliant*?

Yes (in this respect)

No

6. Do you consider the Core Strategy to be 'sound'*?

Yes (in this respect)

No

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The inclusion of reference to support for developments that require a 'rural' (i.e. outside of existing Development Boundaries) location is welcome and supported. One example could be canal-side developments.

9. Have you raised this issue during previous formal consultations? (tick as appropriate)

Yes (at Issues & Options)

Yes (at Preferred Options)

No

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No, I do not wish to participate

Yes, I wish to participate

Signature David Peck

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<u>Core Strategy</u>	Proposals Map	Sustainability Appraisal
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4. To which part of the Core Strategy/Sustainability Appraisal does your representation relate?

Paragraph Number(s)		Policy Number(s)	DM4 Design and Character	Diagram(s)	

5. Do you consider the document to be legally compliant*?

Yes

No

6. Do you consider the Core Strategy to be 'sound'*?

Yes

No

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Consistent with National Policy

8. Please give details of why you consider that the Core Strategy/Sustainability Appraisal/Proposals Map is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Core Strategy/Sustainability Appraisal/Proposals Map, please use this box to comment.

This policy is unnecessarily detailed and repeats requirements set out in national guidance.

Reference to the need to demonstrate that sites 'score well' against Building for Life guidance 'and any subsequent or complementary best practise guidance....by CABA or comparable organisation' are vague, do not offer clarity or certainty, are not justified and should be deleted.

9. Have you raised this issue during previous formal consultations? (tick as appropriate)

Yes (at Issues & Options) Yes (at Preferred Options)

No If you have answered 'No', please explain why this issue has not been raised before:

10. With reference to your answer at 8 above, please outline the precise change that you consider to be necessary to make the Core Strategy/Sustainability Appraisal/Proposals Map legally compliant or sound. Please demonstrate *why* this change will make the Core Strategy/Sustainability Appraisal legally compliant or sound.

Reference to the need to demonstrate that sites 'score well' against Building for Life guidance 'and any subsequent or complementary best practise guidance....by CBAE or comparable organisation' are vague, do not offer clarity or certainty, are not justified and should be deleted

11. If your representation is seeking a change to the Core Strategy or Sustainability Appraisal, do you consider it necessary for you to participate at the oral part of the examination or will this written response (to be submitted to the Inspector) be sufficient?

Please note that this written representation carries the same weight, and will be subject to the same scrutiny, as oral representations.

No, I do not wish to participate

Yes, I wish to participate

Signature

David Peck

Date

20/12/10

PART B

Name or Organisation: H E Brinkley Settlement

3. To which document does your representation relate?

<u>Core Strategy</u>	Proposals Map	Sustainability Appraisal
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4. To which part of the Core Strategy/Sustainability Appraisal does your representation relate?

Paragraph Number(s)		Policy Number(s)	DM5 Housing Mix and Density	Diagram(s)	

5. Do you consider the document to be legally compliant*?

Yes

No

6. Do you consider the Core Strategy to be 'sound'*?

Yes

No

7. If you consider the Core Strategy to be 'unsound', please identify the test of soundness to which your representation relates.

Justified

Effective

Consistent with National Policy

8. Please give details of why you consider that the Core Strategy/Sustainability Appraisal/Proposals Map is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Core Strategy/Sustainability Appraisal/Proposals Map, please use this box to comment.

Section A should be amended as follows:

'Proposals for new housing development (particularly on allocated sites) will be expected to deliver, ~~in discussion with the Council,~~ a mix of house size, type and tenure informed by:'.

The Council, as the Local Planning Authority, has the power to grant planning permission. If a development does not 'deliver' on the requirements as set out in this DPD then the Council can withhold consent. 'Discussion with the Council', a common part of the consideration of development proposals, does not need to be specifically referenced in policy.

9. Have you raised this issue during previous formal consultations? (tick as appropriate)

Yes (at Issues & Options) Yes (at Preferred Options)

No If you have answered 'No', please explain why this issue has not been raised before:

10. With reference to your answer at 8 above, please outline the precise change that you consider to be necessary to make the Core Strategy/Sustainability Appraisal/Proposals Map legally compliant or sound. Please demonstrate *why* this change will make the Core Strategy/Sustainability Appraisal legally compliant or sound.

Section A should be amended as follows:

'Proposals for new housing development (particularly on allocated sites) will be expected to deliver, ~~in discussion with the Council,~~ a mix of house size, type and tenure informed by:'.

11. If your representation is seeking a change to the Core Strategy or Sustainability Appraisal, do you consider it necessary for you to participate at the oral part of the examination or will this written response (to be submitted to the Inspector) be sufficient?

Please note that this written representation carries the same weight, and will be subject to the same scrutiny, as oral representations.

No, I do not wish to participate

Yes, I wish to participate

Signature David Peck

Date 20/12/10

PART B

Name or Organisation: H E Brinkley Settlement

3. To which document does your representation relate?

Core Strategy

Proposals Map

Sustainability Appraisal

4. To which part of the Core Strategy/Sustainability Appraisal does your representation relate?

Paragraph Number(s)		Policy Number(s)	DM9 Green Infrastructure; Biodiversity & Geodiversity; Landscape; Open Space & Sports Facilities	Diagram(s)	

5. Do you consider the document to be legally compliant*?

Yes

No

6. Do you consider the Core Strategy to be 'sound'*?

Yes

No

7. If you consider the Core Strategy to be 'unsound', please identify the test of soundness to which your representation relates.

Justified

Effective

Consistent with National Policy

8. Please give details of why you consider that the Core Strategy/Sustainability Appraisal/Proposals Map is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Core Strategy/Sustainability Appraisal/Proposals Map, please use this box to comment.

The evidence on which protected open spaces have been identified is flawed, not robust or credible such that this policy would not be effective or consistent with national policy.

The Council appears to have simply protected all the open spaces and sports facilities it has audited. This approach does not have regard to national policy in PPG17 which states that only *'Open space and sports and recreational facilities that are of high quality, or of particular value to a local community, should be recognised and given protection by local authorities through appropriate policies in plans'*.

The *'current Bassetlaw Open Space Assessment (OSA) and the Playing Pitch Assessment (PPA)'* referred to in the explanatory text are both by consultants KKP. These rely on the earlier *'Open Space 2008 – Consultation Draft'* by the Council, which included an incorrect audit and typology, and a weak accessibility assessment.

The combined KKP/BDC methodology for value assessments is opaque on key issues of locational and inherent accessibility. The BDC audit used radius catchments (ignoring railway lines, canals, rivers, etc) and subjective assessments of whether sites had an *'isolated location'* (no detail was provided as to what this meant). It is much more objective to establish the locational value of facilities by counting households within real walk, cycle or drive distances. Such an approach also allows spatial (rather than arithmetic) analysis of capacity.

Facilities can also be valued more objectively by including consideration of who may use them, the greater the proportion of the community representing increasing inherent value. The original BDC audit dealt with tenure and access rights by treating public, private and school facilities as separate typologies. This is incorrect in terms of the PPG17 Practice Guidance and prevents any assessment of relative value. Elements of this approach appear to have been carried into the KKP assessments, which report (not always correctly) on whether a facility is available for *'community use'*.

Consequently, these evidence base documents do not represent *the 'robust assessments of the existing and future needs of their communities for open space, sports and recreational facilities'* required by PPG17 paragraph 1. This means that the draft policy is also

inadequately justified.

9. Have you raised this issue during previous formal consultations? (tick as appropriate)

Yes (at Issues & Options) Yes (at Preferred Options)

No If you have answered 'No', please explain why this issue has not been raised before:

This is the first opportunity to raise concerns in regard to the survey work, analysis and the policy and proposals map that has resulted.

10. With reference to your answer at 8 above, please outline the precise change that you consider to be necessary to make the Core Strategy/Sustainability Appraisal/Proposals Map legally compliant or sound. Please demonstrate *why* this change will make the Core Strategy/Sustainability Appraisal legally compliant or sound.

The inaccuracies highlighted in the background studies should be corrected and the open space sports and recreational facilities audited should be re-evaluated on the basis of a more robust methodology that includes, as far as possible, objective quantitative measures, such as the number of households within realistic walking, cycling and driving catchments and the number of people to whom a facility is regularly and realistically available. Only those facilities of high quality, or of particular value to a local community, should be protected. Sound conclusions from the study should then remove the need for the exceptions written into the policy, since any change in need or supply subsequent to adoption would be material consideration in any case.

11. If your representation is seeking a change to the Core Strategy or Sustainability Appraisal, do you consider it necessary for you to participate at the oral part of the examination or will this written response (to be submitted to the Inspector) be sufficient?

Please note that this written representation carries the same weight, and will be subject to the same scrutiny, as oral representations.

No, I do not wish to participate Yes, I wish to participate

Signature David Peck

Date 20/12/10

PART B

Name or Organisation: H E Brinkley Settlement

3. To which document does your representation relate?

Core Strategy

Proposals Map

Sustainability Appraisal

4. To which part of the Core Strategy/Sustainability Appraisal does your representation relate?

Paragraph
Number(s)

Policy
Number(s)

Diagram(s)

Figure 5.1
Bassetlaw
Green
Infrastructure
Network

5. Do you consider the document to be legally compliant*?

Yes

No

6. Do you consider the Core Strategy to be 'sound'*?

Yes

No

7. If you consider the Core Strategy to be 'unsound', please identify the test of soundness to which your representation relates.

Justified

Effective

Consistent with National Policy

8. Please give details of why you consider that the Core Strategy/Sustainability Appraisal/Proposals Map is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Core Strategy/Sustainability Appraisal/Proposals Map, please use this box to comment.

Figure 5.1 presents a map of such a scale as to make it virtually unusable. It is not possible to determine from the map if a particular site would or would not be impacted by the matters it seeks to control and influence.

9. Have you raised this issue during previous formal consultations? (tick as appropriate)

Yes (at Issues & Options) Yes (at Preferred Options)

No If you have answered 'No', please explain why this issue has not been raised before:

Figure 5.1 has not previously been made part of the Core Strategy and so this is the first opportunity to comment upon it.

10. With reference to your answer at 8 above, please outline the precise change that you consider to be necessary to make the Core Strategy/Sustainability Appraisal/Proposals Map legally compliant or sound. Please demonstrate *why* this change will make the Core Strategy/Sustainability Appraisal legally compliant or sound.

More detailed / higher definition map based data should be provided, subject to the evidence base upon which it is based being robust.

11. If your representation is seeking a change to the Core Strategy or Sustainability Appraisal, do you consider it necessary for you to participate at the oral part of the examination or will this written response (to be submitted to the Inspector) be sufficient?

Please note that this written representation carries the same weight, and will be subject to the same scrutiny, as oral representations.

No, I do not wish to participate

Yes, I wish to participate

Signature David Peck

Date 20/12/10

PART B

Name or Organisation: H E Brinkley Settlement

3. To which document does your representation relate?

Core Strategy	<u>Proposals Map</u>	Sustainability Appraisal
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4. To which part of the Core Strategy/Sustainability Appraisal does your representation relate?

Paragraph Number(s)		Policy Number(s)		Diagram(s)	Map 17 Misterton
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5. Do you consider the document to be legally compliant*?

Yes

No

6. Do you consider the Core Strategy to be 'sound'*?

Yes

No

7. If you consider the Core Strategy to be 'unsound', please identify the test of soundness to which your representation relates.

Justified

Effective

Consistent with National Policy

8. Please give details of why you consider that the Core Strategy/Sustainability Appraisal/Proposals Map is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Core Strategy/Sustainability Appraisal/Proposals Map, please use this box to comment.

The Proposals Map shows generic 'Protected Open Space'. It is therefore unclear in each case as to why (i.e. within which typology and due to what value assessment) land has been protected. Indeed, it is apparent that virtually all open space sport and recreation facilities audited have been identified on the draft Proposals Map for protection, so that the value assessment has either been ignored or the unlikely conclusion reached (despite findings in the Open Space Assessment and the Playing Pitch Assessment) that every facility in every typology is of high value.

In respect of land identified as Protected Open Space at Misterton to the North of the Chesterfield Canal, the boundaries of the proposed protected area do not reflect actual conditions 'on the ground'. The proposed protected open space does not include all open land between the canal and the existing urban area of Misterton. Most of this land is agricultural with limited variation in character. It is unclear why some agricultural land is included whereas adjacent land of identical or near identical character has not been included. There is no authorised public access to this agricultural land (other than a public footpath that runs east-west through some of it).

At the southern edge of Misterton, the entire curtilage of Misterton Primary School has been identified as Protected Open Space. This proposed protection includes the school buildings. Buildings can not be 'open space', which further questions the validity of the assessments on which the proposed protective designations have been based.

It is almost impossible to discern from Figure 5.3 in the Open Space Assessment where the site with KKP reference number 119 (Misterton) exactly is. It is impossible to establish why it has the quality and value rating it has or why the boundaries (which can only be assumed to have resulted from the Open Space Assessment) have been set as they have been.

9. Have you raised this issue during previous formal consultations? (tick as appropriate)

Yes (at Issues & Options) Yes (at Preferred Options)

No If you have answered 'No', please explain why this issue has not been raised before:

This is the first opportunity to comment on the proposed Protected Open Spaces as part of the Core Strategy. These areas have not previously been shown on Proposals Maps

10. With reference to your answer at 8 above, please outline the precise change that you consider to be necessary to make the Core Strategy/Sustainability Appraisal/Proposals Map legally compliant or sound. Please demonstrate *why* this change will make the Core Strategy/Sustainability Appraisal legally compliant or sound.

Inaccuracies in the background studies should be corrected and the open space, sports and recreational facilities audited should be re-evaluated on the basis of a more robust methodology. Only facilities of high quality, or of particular value to a local community, should be protected.

11. If your representation is seeking a change to the Core Strategy or Sustainability Appraisal, do you consider it necessary for you to participate at the oral part of the examination or will this written response (to be submitted to the Inspector) be sufficient?

Please note that this written representation carries the same weight, and will be subject to the same scrutiny, as oral representations.

No, I do not wish to participate

Yes, I wish to participate

Signature David Peck

Date 20/12/10

PART B

Name or Organisation: H E Brinkley Settlement

3. To which document does your representation relate?

<u>Core Strategy</u>	Proposals Map	Sustainability Appraisal
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4. To which part of the Core Strategy/Sustainability Appraisal does your representation relate?

Paragraph Number(s)		Policy Number(s)		Diagram(s)	Figure 5.3 Energy Opportunities Diagram
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5. Do you consider the document to be legally compliant*?

Yes

No

6. Do you consider the Core Strategy to be 'sound'??**

Yes

No

7. If you consider the Core Strategy to be 'unsound', please identify the test of soundness to which your representation relates.

Justified

Effective

Consistent with National Policy

8. Please give details of why you consider that the Core Strategy/Sustainability Appraisal/Proposals Map is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Core Strategy/Sustainability Appraisal/Proposals Map, please use this box to comment.

Figure 5.3 'Energy Opportunities Diagram' is of such a low definition as to make it difficult with any degree of certainty to identify if a particular site, or even some of the smaller settlements, would be affected by or be able to take advantage of these opportunities. A higher definition plan should be provided to enable clarity and certainty.

9. Have you raised this issue during previous formal consultations? (tick as appropriate)

Yes (at Issues & Options) Yes (at Preferred Options)

No If you have answered 'No', please explain why this issue has not been raised before:

10. With reference to your answer at 8 above, please outline the precise change that you consider to be necessary to make the Core Strategy/Sustainability Appraisal/Proposals Map legally compliant or sound. Please demonstrate *why* this change will make the Core Strategy/Sustainability Appraisal legally compliant or sound.

A higher definition plan should be provided to enable clarity and certainty.

11. If your representation is seeking a change to the Core Strategy or Sustainability Appraisal, do you consider it necessary for you to participate at the oral part of the examination or will this written response (to be submitted to the Inspector) be sufficient?

Please note that this written representation carries the same weight, and will be subject to the same scrutiny, as oral representations.

No, I do not wish to participate Yes, I wish to participate

Signature David Peck

Date 20/12/10

PART B

Name or Organisation: H E Brinkley Settlement

3. To which document does your representation relate?

<u>Core Strategy</u>	Proposals Map	Sustainability Appraisal
----------------------	---------------	--------------------------

4. To which part of the Core Strategy/Sustainability Appraisal does your representation relate?

Paragraph Number(s)		Policy Number(s)	DM1 Rural Economic Development	Diagram(s)	

5. Do you consider the document to be legally compliant*?

Yes

No

6. Do you consider the Core Strategy to be 'sound'*?

Yes

No

7. If you consider the Core Strategy to be 'unsound', please identify the test of soundness to which your representation relates.

Justified

Effective

Consistent with National Policy

8. Please give details of why you consider that the Core Strategy/Sustainability Appraisal/Proposals Map is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Core Strategy/Sustainability Appraisal/Proposals Map, please use this box to comment.

The requirement that a viability assessor in respect of planning obligations be chosen by the Council at the applicant's expense should be deleted.

9. Have you raised this issue during previous formal consultations? (tick as appropriate)

Yes (at Issues & Options) Yes (at Preferred Options)

No If you have answered 'No', please explain why this issue has not been raised before:

10. With reference to your answer at 8 above, please outline the precise change that you consider to be necessary to make the Core Strategy/Sustainability Appraisal/Proposals Map legally compliant or sound. Please demonstrate *why* this change will make the Core Strategy/Sustainability Appraisal legally compliant or sound.

The requirement that a viability assessor in respect of planning obligations be chosen by the Council at the applicant's expense should be deleted.

11. If your representation is seeking a change to the Core Strategy or Sustainability Appraisal, do you consider it necessary for you to participate at the oral part of the examination or will this written response (to be submitted to the Inspector) be sufficient?

Please note that this written representation carries the same weight, and will be subject to the same scrutiny, as oral representations.

No, I do not wish to participate Yes, I wish to participate

Signature David Peck

Date 20/12/10

PART B

Name or Organisation:... H E Brinkley Settlement

3. To which document does your representation relate?

Core Strategy

Proposals Map

Sustainability Appraisal

4. To which part of the Core Strategy/Sustainability Appraisal does your representation relate?

Paragraph Number(s)		Policy Number(s)	DM12 Flood Risk, Sewerage and Drainage	Diagram(s)	

5. Do you consider the document to be legally compliant*?

Yes

No

6. Do you consider the Core Strategy to be 'sound'*?

Yes

No

7. If you consider the Core Strategy to be 'unsound', please identify the test of soundness to which your representation relates.

Justified

Effective

Consistent with National Policy

8. Please give details of why you consider that the Core Strategy/Sustainability Appraisal/Proposals Map is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Core Strategy/Sustainability Appraisal/Proposals Map, please use this box to comment.

This policy should be amended thus:

'will be required to contain a Surface Water Drainage Assessment, ~~to be produced in discussion with the District Council~~'.

Discussions in respect of such an assessment are to be encouraged but should not be a requirement stated in policy. If any Surface Water Drainage Assessment submitted as part of an application for planning permission is not to the satisfaction of the Council, the Council would have the ability to require it to be amended or to withhold the grant of consent.

9. Have you raised this issue during previous formal consultations? (tick as appropriate)

Yes (at Issues & Options)

Yes (at Preferred Options)

No

If you have answered 'No', please explain why this issue has not been raised before:

10. With reference to your answer at 8 above, please outline the precise change that you consider to be necessary to make the Core Strategy/Sustainability Appraisal/Proposals Map legally compliant or sound. Please demonstrate *why* this change will make the Core Strategy/Sustainability Appraisal legally compliant or sound.

This policy should be amended thus:

'will be required to contain a Surface Water Drainage Assessment, ~~to be produced in discussion with the District Council~~'.

11. If your representation is seeking a change to the Core Strategy or Sustainability Appraisal, do you consider it necessary for you to participate at the oral part of the examination or will this written response (to be submitted to the Inspector) be sufficient?

Please note that this written representation carries the same weight, and will be subject to the same scrutiny, as oral representations.

No, I do not wish to participate

Yes, I wish to participate

Signature

David Peck

Date 20/12/10

PART B

Name or Organisation: H E Brinkley Settlement

3. To which document does your representation relate?

Core Strategy Proposals Map Sustainability Appraisal

4. To which part of the Core Strategy/Sustainability Appraisal does your representation relate?

Paragraph Number(s)		Policy Number(s)		Diagram(s)	Map 17 Misterton
---------------------	--	------------------	--	------------	------------------

5. Do you consider the document to be legally compliant*?

Yes	<u>No</u>
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6. Do you consider the Core Strategy to be 'sound'*?

Yes	<u>No</u>
-----	-----------

7. If you consider the Core Strategy to be 'unsound', please identify the test of soundness to which your representation relates.

<u>Justified</u>	Effective	Consistent with National Policy
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8. Please give details of why you consider that the Core Strategy/Sustainability Appraisal/Proposals Map is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Core Strategy/Sustainability Appraisal/Proposals Map, please use this box to comment.

The proposed Development Boundary around Misterton does not accurately reflect existing development and should be amended. Specifically, the boundary cuts across land to the rear of 5, 7 and 9 Ashdown Way, Misterton that has planning permission for residential use and associated development. Relevant permissions have been implemented. The Development Boundary, as proposed, appears to have been carried over from the previous Local Plan but this is out of date - planning permissions have been granted which have extended the boundary of development beyond that shown on the Local Plan. The proposed Development Boundary is therefore not based on robust or credible evidence.

The area of the Development Boundary that requires adjustment is shown highlighted on the plan below. The Development Boundary should extend northwards from the eastern extent of the 'Fields End' development.

Relevant planning permissions highlighting the approved developments influencing the location of the Development Boundary include:

- 1/33/97/1 – Land at rear of 9 Ashdown Way, Misterton – extend garden – approved 18th February 1997
- 33/01/00015 – Land rear of 5 and 7 Ashdown Way, Misterton - Change of use of agricultural land to domestic garden – approved 14th August 2001
- 33/03/00006 – Land south of Ashdown Way, Misterton – Erect 12 residential dwellings and construct new access – approved 9th June 2003
- 33/05/00042 – 9 Ashdown Way, Misterton - Erect single storey rear extension, first floor extension, front porch extension and carry out internal alterations to separate existing office area from dwelling – approved 15th November 2005
- 33/08/00013 - 9 Ashdown Way, Misterton - Erect single storey rear extension, first floor extension, front porch extension and carry out internal alterations to separate existing office area from dwelling – approved 23rd May 2008
- 33/09/00003 - 9 Ashdown Way, Misterton – Erect garage and conservatory – approved 2nd April 2009
- 33/09/00022R - Erect garage and Conservatory (resubmission of 33/09/00003) – approved 21st August 2009

It is not necessary to await the preparation of any Site Allocations DPD before this amendment is implemented.

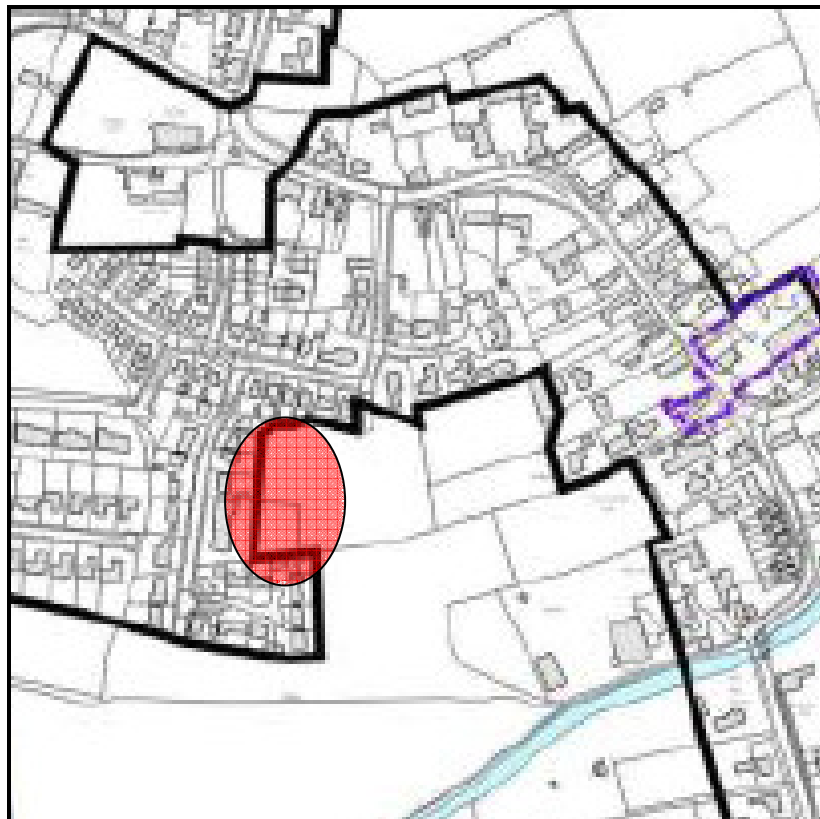
9. Have you raised this issue during previous formal consultations? (tick as appropriate)

Yes (at Issues & Options) Yes (at Preferred Options)

No If you have answered 'No', please explain why this issue has not been raised before:

10. With reference to your answer at 8 above, please outline the precise change that you consider to be necessary to make the Core Strategy/Sustainability Appraisal/Proposals Map legally compliant or sound. Please demonstrate *why* this change will make the Core Strategy/Sustainability Appraisal legally compliant or sound.

The area of the Development Boundary that requires adjustment is shown highlighted on the plan below. The Development Boundary should extend northwards from the eastern extent of the 'Fields End' development.



11. If your representation is seeking a change to the Core Strategy or Sustainability Appraisal, do you consider it necessary for you to participate at the oral part of the examination or will this written response (to be submitted to the Inspector) be sufficient?

Please note that this written representation carries the same weight, and will be subject to the same scrutiny, as oral representations.

No, I do not wish to participate

Yes, I wish to participate

Signature

David Peck

Date 20/12/10