

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.

Guidance on how to complete this form is provided on the final pages

PART A

1. Your details

2. Agents Details (if applicable)

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

If you would like your details to be added to our consultation database, please tick

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

PART B - Please use a separate sheet for each representation

Name or Organisation: **Nottinghamshire Wildlife Trust**.....

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)	5.1.2	Policy Number(s)	DM2	Diagram(s)	

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

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

* The considerations in relation to the Core Strategy being 'sound' and 'legally compliant' are explained on the back page of this form.

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.

Conversion of existing buildings in the rural areas for appropriate tourist related uses is acceptable, provided that, where protected species occur, they are properly mitigated for. Protected species can use man-made structures, and barns are particularly important for bats and birds. The re-use of barns and other associated agricultural buildings can ensure their preservation, but the present situation is extremely unsatisfactory as regards to protected species because bat roost sites and bird breeding sites are being lost, often without adequate protected species surveys and or no replacement of lost sites.

Protected species are a material consideration in planning terms under PPS9. Advice as set out in Part IV, section A.99 of the Government Circular 2005 accompanying PPS9 states that:

*"it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established **before the planning permission is granted**, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances. "*

Surveys, assessments and recommendations for mitigation measures should be undertaken by suitably experienced persons holding any relevant licences.

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

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.

Have a policy that requires a protected species survey and proposed mitigation to be submitted with the planning application (i.e. a pre-determination protected species survey). For bats (a species given full protection under The Conservation of Habitats and Species Regulations 2010 (formerly the Conservation (Natural Habitats & c.) Regulations 1994) and the Wildlife and Countryside Act 1981 (as amended) the three tests need to be considered. Conditions must be placed on planning consents to ensure appropriate mitigation measures are carried out. This should include follow up surveys to assess the effectiveness of the mitigation work. IN some cases it *may* be appropriate for planning conditions to be used to replace lost bird breeding sites (e.g., provision of barn owl nest box) and ensure that bat roosting opportunities are maintained. But it should not be assumed that all impacts on protected species can be satisfactorily mitigated.

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

Date 12 November 2010

PLEASE RETURN THIS FORM BY 5PM ON MONDAY 20TH DECEMBER 2010 TO:

Planning Services, Bassetlaw District Council, Queens Buildings, Potter Street, Worksop,
S80 1AH or by email to future.plans@bassetlaw.gov.uk .

RESPONSE FORM GUIDANCE NOTES

Introduction

Bassetlaw District Council has published the Publication Core Strategy for representations from Monday 8 November 2010 to Friday 20th December 2010. Following the end of this period, all representations will be submitted to the Secretary of State, together with the final Core Strategy. A Planning Inspector appointed by the Secretary of State will then lead a public examination on the Core Strategy, and issue a binding report, before it is formally adopted by the District Council.

According to the Planning and Compulsory Purchase Act 2004 the purpose of the examination is to consider whether the Core Strategy is **legally compliant** and is **sound**. If you are seeking to make representations on the way in which Bassetlaw has prepared the Core Strategy, then your comments or objections will relate to a matter of **legal compliance**. If your representation is regarding the content of the Core Strategy, then it is likely that it will relate to whether the Core Strategy is **sound**.

Making Representations

If you wish to make a representation seeking a change to the Core Strategy or part of the Core Strategy you should make clear in what way the Core Strategy or part of the Core Strategy is not sound having regards to the tests of soundness (which are set out below). You should try to support your representation by evidence showing why the Core Strategy should be changed. It will be helpful if you also say precisely how you think the Core Strategy should be changed. Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and suggested change, as there will not normally be a subsequent opportunity to make further submissions based on the original representation made at this stage. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Where there are groups who share a common view on how they wish to see a Core Strategy changed, it would be very helpful for that group to send a single representation which represents the view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases, the group should indicate how many people it is representing and how the representation has been authorised.

Legal Compliance

You should consider the following before making a representation on legal compliance:

- The process of community involvement should be in accordance with the Council's Statement of Community Involvement 2009;
- For each stage of consultation and according to the regulations, the Council must make available the various documents that have helped produce and inform the various stages of the Core Strategy through the media, website, libraries and distributions of hard copies on request;
- Bassetlaw District Council is required to produce a Sustainability Appraisal Report when the Core Strategy is published;
- The Core Strategy should have regard to national planning policies, but its policies must not repeat guidance set out in national policy; and
- The Core Strategy must have regard to the Sustainable Communities Strategy for Bassetlaw.

Test of Soundness

The tests of soundness are that the Core Strategy should be:

- i) Justified - to be justified, the Core Strategy needs to be:
 - Founded on a robust and credible evidence base, involving evidence of participation by the community and stakeholders;
 - Choices made in the document must be backed by facts;
 - It must be the most appropriate strategy when considered against reasonable alternatives.

- ii) Effective - to be effective, the Core Strategy should be;
 - Deliverable;
 - Have a sound infrastructure delivery plan;
 - Have delivery partners who are signed up to it;
 - Coherent with the strategies of neighbouring authorities.

- iii) Consistent with National Planning Policy – to be consistent with National Planning Policy, the Core Strategy should be;
 - Justify its approach;
 - Justify a local need;
 - Has not repeated National Policy.