

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

Title	<input type="text" value="Messrs Machin"/>
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" value="█"/>
<input type="text" value="█"/>
<input type="text" value="█"/>
<input type="text" value="Managing Director"/>
<input type="text" value="█"/>
<input type="text" value="█"/>
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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 - Please use a separate sheet for each representation

Name or Organisation: [REDACTED]

3. To which document does your representation relate?		
✓ Core Strategy Appraisal	Proposals Map	Sustainability

4. To which part of the Core Strategy/Sustainability Appraisal does your representation relate?					
Paragraph Number(s)	Chapter 4	Policy Number(s)	CS1,	Diagram(s)	

5. Do you consider the document to be legally compliant*?	
Yes	No I Do Not

6. Do you consider the Core Strategy to be 'sound'*?	
Yes	No I Do Not

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.

Chapter 4 Spatial Strategy

1.1 The settlement strategy not only currently needs to reflect the framework set out in the RSS which provides the strategic direction to the LDF element of the Development Plan, but must also demonstrate the necessary realism to achieve the effectiveness of delivery required by paragraph 4.44 of PPS12.

Policy CS1: Settlement Hierarchy

1.2 The preferred approach of a settlement hierarchy is supported in principle. It is pleasing to note at Paragraph 4.1 that Worksop is identified as the major town of the District. This is supported.

1.3 Whilst the aspiration to focus upon Harworth Bircotes as the main regeneration settlement is a laudable objective, the degree of realism in relation to the level of growth expectation is a cause for considerable concern. Close monitoring of the progress will be essential and it is considered that the Core Strategy is unsound insofar that given the poor market demand hitherto evidenced for this location, it does not demonstrate the necessary contingency strategy required by paragraph 4.46 of PPS12 that would be implemented in the event that Harworth Bircotes does not deliver at the anticipated rate over the 15 year time horizon that PPS12 expects the Core Strategy to take.

iii) Housing Growth Target

1.4 This reflects the strategy contained at Policy Northern SRS1 within the RSS. It is pleasing to note that at paragraph 4.6, the Council accepts that the RSS targets remain a sound basis for decisions about local Housing growth. This is supported.

1.5 however, it is noted at paragraph 7.14 of the Preferred Options Consultation that the Council considers that Shireoaks and Rhodesia "should be regarded as a functional, albeit locally distinct, part of Worksop." However, in order to pursue this approach, whilst also reinforcing the role of Worksop itself as the Sub-Regional Centre, it is imperative that the proportion of housing and employment land allocated to the Worksop SRC is therefore substantially greater than that allocated to Retford and Harworth Bircotes. This concern was expressed to the Council in response to the Preferred Options Consultation, however the proportion of the overall housing growth target remains unchanged and due to this and for the reasons

discussed below, the Publication Core Strategy is considered to be unsound.

- 1.6 The table following paragraph 4.8 should be given a table number in the document for ease of reference. It sets out the Council's suggested disaggregation of housing provision. By reference to table 7.3 of the Council's published 2009 AMR, a total of 1225 housing completions are revealed to have occurred between 2006 and 2009, see **Appendix 1**. Subtracting the RSS Policy 13a requirement of 7,000 dwellings over the period 2006 – 2026 indicates a residual requirement of 5775, rather than the figure of 5636 stated in the second column of the Table of the Publication Core Strategy consultation document. There is thus an under allocation of 139 dwellings in the table and this element that needs to also be allocated.
- 1.7 It is suggested that the starting point in the construction of the Table should be to clearly identify and disaggregate between permissions and allocations currently contained within the 4th column. A realistic view should also be taken as to whether all of these sites are likely to be delivered as required within paragraphs 52-61 of PPS3. Where undeliverable sites continue to be included within the assessment, particularly outstanding local plan allocations, this is to the detriment of the inclusion of other deliverable sites and therefore increases the danger that the overall strategic housing target will not be delivered within the anticipated timeframe of the plan. The Core Strategy is unsound from this perspective. By combining the two figures into a single column it is not possible for readers to readily understand what proportion of the total 2131 dwellings stated within this column are expected to be derived from either existing planning permissions or unimplemented local plan allocations.
- 1.8 Unfortunately the most recently published December 2009 Housing Land Availability Position Statement and January 2010 Five Year Housing Supply Assessment both have a base date of 31 March 2008. As a consequence there appears to be a disparity between the base date in these documents and that of 2010 given for the current permissions, given as 2010 in the Core Strategy consultation document.
- 1.9 As the data in the Housing Land Availability Position Statement and Five Year Housing Supply Assessment both represent the most complete up to date published information at the publication of the Publication Core Strategy it is misleading for the Council to utilise these differing time periods. This amendment was requested in the response made to the Preferred Option that in the Publication core Strategy uses a base date that reflects the most recent set of complete published figures.
- 1.10 In the case of the Publication Core Strategy exercise, it is suggested that April 2008 should have been used as a more appropriate base date to enable the figures to be reconciled by the reader through reference to the supporting published data. As and when the monitoring figures are updated, ideally to a March 2010 base date, then the base date of the Core Strategy housing and employment figures should be rolled forward accordingly. However, at the time of consultation, this had not been published. This approach is necessary to ensure transparency and a full understanding by all stakeholders of how the figures are reconciled and to enable interested parties to be in a position to comment in a meaningful manner upon the potential "Soundness" of the proposed Core Strategy.

1.11 An attempt to disaggregate and understand the figures to an 31 March 2008 base date, an assessment has been undertaken by iPlan Solutions by reference to both the December 2007 and December 2008 Housing Land Availability Position Statement in conjunction with the January 2010 Five Year Housing Land Supply Assessment. This reveals that the Council appear to have approached the compilation of the figures in the Table at paragraph 4.8 from a residual basis of firstly including both existing permissions and also local plan allocations without consideration as to the appropriateness to continue to do so.

1.12 Table 1 of the December 2008 Housing Land Availability Position Statement revealed there were a total of 2027 dwellings with planning permission within the district, of which 465 were under construction at April 2007 with 1562 dwellings not started. These figures for sites with planning permission within Appendix 3 from that report have been reworked and collated into the proposed Core Strategy settlement hierarchy, see **Appendix 2**. A close examination of these planning permissions reveals that many are small sites distributed widely across the many settlements of the district, with a significant number being likely to be close to their expiry date, or indeed having now expired. **Appendix 1** considers the completions for the years 2006-2009 by comparing the 2007 and 2008 based HLAPS with the figures in Tables 7.3 and 7.9 of the 2009 AMR. A number of arithmetical inconsistencies have been identified between Tables 7.3 and 7.9 of the AMR and the more detailed information provided in the HLAPS. HLAPS has been taken as stating the definitive position.

Residual Local Plan Allocations

1.13 When analysed in the context of the local plan allocated housing sites, it is evident that a significant level of the housing that the Council originally intended should be released since 1995, and completed during the period 1991-2006, remains to be brought forward. Therefore after some 14 years or more there is clear doubt as to the realism of these remaining allocations actually being delivered and, as a consequence whether these sites can be considered to be genuinely available in the sense required by PPS3. By reference to Tables 3 – 5 in the December 2008 HLAPS, the following is revealed;

	Total Dwellings
Allocated Housing Sites with planning permission at 1 April 2008	139
Allocated Housing Sites without planning permission at 1 April 2008	652
Total remaining local plan Housing Allocations	791

Table 1: Analysis of Remaining Not built Local Plan Allocations at 31/03/2008

1.14 Consequently, it is also deduced that a total of 1888 dwellings out of the total of 2027

dwellings with the benefit of planning permission identified in paragraph 2.19 above must have been brought forward as windfall sites. Without these, the district would undoubtedly have struggled to deliver the level of housing that has been provided in recent years. Indeed going forward given the stance taken toward garden land development and density by the new government through its amendment to PPS3 in June 2010, and allied to the more rigorous settlement hierarchy, it will mean that far more reliance must now be placed in the Core Strategy upon whether allocated sites are capable of being delivered within the requisite timeframe anticipated.

1.15 Given the current position in the economic cycle and the lengthy period that these historic local plan sites have been allocated, it is questioned whether they can realistically be said to be deliverable within the context of the concept of “effectiveness” of a Core Strategy that is sought by paragraph 4.44 and 4.45 of PPS12. It is difficult to reconcile how to continue to allocate such sites can be justified and therefore if the Council chooses to do so, it calls into question the very “Soundness” of the basis of the Core Strategy as required by Section 20(5) (b) of the Planning and Compulsory Purchase Act 2004.

1.16 Even though the Council may wish to see these remaining local plan allocation sites developed, short of compulsorily purchasing them, there is little that can be done to coerce their delivery. However, for them to remain in the Core Strategy, would be to arguably undermine the strategic objective of delivering the identified quantum of housing required. In the current local plan period, as evidenced at paragraph 2.22 above, housing delivery has been largely achieved by the high dependence upon windfalls. With the very recent change in the approach of PPS3, this must be expected to diminish significantly going forward and therefore it places a greater degree of reliance upon the deliverability of the chosen strategic sites.

Current Overreliance upon Small Sites

1.17 Analysis of the remaining unconstructed dwellings, identified at Appendix 3 of the 2008 HLAPS, of sites with a capacity of less than 15 dwellings that have the benefit of planning permission, reveals a total of 292 sites have permission for a total of 695 dwellings. Furthermore, the vast majority of these are single plots. Many have existing buildings or houses already on the site. Notwithstanding the policy changes discussed above, given the recent fall in residential land values and house prices, the viability of such redevelopments should also be called into question.

No. Sites < 15 units	292
No. Dwellings on Sites < 15 units	695

Table 2: Analysis of Number of Sites and Dwellings with Planning Permission on Sites below 15 units at 31/03/ 2008

1.18 In the event that a number of these permissions lapse, as is to be expected, the extent to which the Council should be prepared to renew them is extremely questionable. It is

requested that an express policy position to this effect be included within the Core Strategy. Given the amendment to the definition of previously developed land at Annex B of the reissued PPS3 of June 2010, and also the removal of the national minimum density in the same re-issue, coupled to the settlement hierarchy set out in the RSS and which the Council have now indicated that it proposes to follow in the Core Strategy, the opportunity should be taken to redirect the distribution of housing land to more strongly reflect the settlement hierarchy. It is suggested that as published in the Preferred Option Consultation, Table 7.2 does not achieve this. Fundamentally, the level of allocation to Worksop is currently disproportionately low and does not achieve the growth focus that it is believed is envisaged in the RSS and which the Council state at paragraph 4.7 of the Publication Core Strategy that it continues to endorse.

Housing Distribution Distortion

1.19 The imbalance of this relationship is usefully demonstrated by looking at the proposed level of allocation housing growth targets from Table at paragraph 4.8 as a percentage of the overall allocation to Worksop. From this perspective following is revealed;

Settlement & BDC Preferred Option Allocation	% of BDC Suggested Worksop 1804 Target
Retford 1465	81
Harworth 1240	69
Rural Service Centres 564	31
Other Settlements 563	31

Table 3: Settlement Allocations as a Proportion of the 2010 Publication Core Strategy Preferred Option Allocation for Worksop

1.20 An analysis of Appendix 3 of both the 2007 and 2008 HLAPS reinforces the evident skewing of the distribution away from Worksop, contrary to the intentions of the RSS. See Table 4 below

Settlement	Completion s 2006-2008	Not Started Permissions at 31/03/08	Under constructio n at 31/03/08	Remaining Local Plan Allocations at 31/3/08	Allocations Not Built & Existing Permission s at 31/3/08
Worksop*	309	246	154	0	246
Retford	241	586	152	424	1010
Harworth & Bircotes	116	152	29	42	194
Carlton & Langford	1	27	3	0	27
Tuxford	30	39	5	10	49
Misterton	2	60	16	36	96
Rural Service Centres	99	276	80	95	371
All Other Settlement s	32	176	26	45	221
Total	830	1562	465	652	2214

* Includes Worksop, Rhodesia & Shireoaks

Table 4: Disaggregation of Not Started Allocations and Planning Permission by Proposed Settlement Hierarchy of the 2010 Proposed Core Strategy Preferred Option Allocation at 31/03/2008

1.21 Indeed, consideration of the distribution of the dwellings with planning permission at 31 March 2008 from the 2008 HLAPS reveals that only 16% are located within the SRC of Worksop, given that it follows that 84% are de facto located elsewhere, it demonstrates the step change in policy direction that needs to be embodied in the Core Strategy if the aspiration that significant new development is to be concentrated within the SRC and the stated objectives delivered. See Table 5 below.

Settlement	Not Started Permissions at 31/03/08	% of Total
Worksop*	246	16
Retford	586	38
Harworth & Bircotes	152	10
Carlton & Langford	27	2
Tuxford	39	2
Misterton	60	4
Rural Service Centres	276	18
All Other Settlements	176	11
Total	1562	100

* Includes Worksop, Rhodesia & Shireoaks

Table 5: Proportion of Planning Permissions By Settlement Category Allocation

1.22 The detailed analysis that has been undertaken;

- **raises questions over the true availability of the residual local plan allocations**
- **demonstrates that the current level of commitments do not reflect the distribution of dwellings required under the RSS, favouring Worksop**
- **demonstrates that within the existing commitments there is a very high dependence upon very small sites biased towards single units in locations other than the Worksop Sub-Regional Centre.**

1.23 RSS Policy Northern SRS1 requires that a significant proportion of the new housing growth be directed to Worksop. In order for this to be “significant”, it is requested that the quantum of housing that is currently proposed to be allocated be significantly increased to represent a more substantive emphasis of this prominent role than the currently proposed proportional relationship between Worksop, as the Core Service Centre, and the other settlements within the district as given at Table 4.8 in the Publication core Strategy.

1.24 In an attempt to assist this process, a detailed analysis has been undertaken by iPlan Solutions

from a base date of 2008. This seeks to apportion of the split of housing growth in a manner which more accurately reflects the strategic role of Worksop and the settlement hierarchy contained within the RSS and the Table at paragraph 4.8 of the Publication Core Strategy This is reproduced at **Appendix 3**.

- 1.25 The assessment makes an allowance of 10% for non-implementation of existing planning permissions that have yet to commence. Non-implementation is a normal feature and indeed given the preceding comments within this representation, and in the context of the changed perspective of PPS3, it is suggested that this is highly likely to ultimately prove to be an underestimate of the actual level of fallout. At present all remaining local plan allocations are assumed to be built and are included within the table present. However, given the comments made in respect of existing local plan allocations between paragraphs 2.20-2.23 above, it is requested that a very critical assessment of these allocations be undertaken by the District Council with a view to removing the vast majority, particularly those situated within the lower order Rural Service Centres and All Other Settlements categories. The onus is on the Council to stringently justify the reasons why it may continue to choose to retain any of these allocations.
- 1.26 Whilst it is acknowledged that there is a desire to deliver the regeneration of Retford, it is delusionary to perpetuate the allocation of sites which have, over a considerable period of time, demonstrably failed to be brought forward for development. As an alternative, it would be better to remove these sites as specific allocations and deal with them on a case-by-case basis as windfalls if the situation arises whereby a developer is able to bring them forward in due course.
- 1.27 Details of how the figures within the fourth column of the table at Paragraph 4.8 are derived by the District Council are not clarified within the material published currently published by the Council in support of the Publication Core Strategy. The Council should publish its 2010 based Annual Monitoring Report early in 2011, and certainly well in advance the Core Strategy EiP. iPlan Solutions would welcome the opportunity to work with the Council to seek to reach an agreed position on housing numbers and where there is a difference between the two parties, to enable these to be clearly understood and be considered on the same comparable time periods to ease the understanding of the position between each party by the EiP Inspector. At present this is not possible due to the disparity in the time frames of published data in comparison with that used by the Council in its Publication Core strategy.

i) Affordable Housing

- 1.28 The proposed adoption of variable affordable housing targets are discussed at paragraph 4.9 of the Publication Core Strategy and the Council indicated within its preferred Options Consultation of May 2010 that the majority of respondents to the previous consultation exercise support the principle of variable targets for affordable housing in specific areas of the district. It was indicated in that document by the Council that further guidance on the subject is to be provided in the forthcoming SPD on Affordable Housing.

- 1.29 It is requested that this SPD is therefore produced in tandem with the Core Strategy and Development Management Policies so that they can be considered in tandem as a combined entity to ensure coherence between them and provide an evidence base in order to justify the levels of aspired affordable housing provision.
- 1.30 Affordable housing frequently represents the most significant financial component of a planning gain package and it is supported that an affordable housing target is to be set out in the Core Strategy. This will guide and form an integral component of the Core Strategy and Development Management Policies document. However, any document of this nature is but a snap-shot in time and the trend in recent years, in Bassetlaw and elsewhere, has been for a growing disparity between the level of affordable housing delivered, that sought, and the actual level of need identified. A principle reason for this is the fluctuating viability of development schemes, and the disparity in price ratios.
- 1.31 The suggestion in Policy CS2 – CS7 that a viability appraisal will be undertaken as part of the application process to inform the appropriate level of affordable housing is therefore supported. Fundamentally, the ability of any development site to provide affordable housing is predicated by the viability of the development scheme itself, and whilst these draft Policies currently require a viability assessment to establish whether a higher percentage of affordable housing can be delivered, it is the case that such an appraisal may equally demonstrate that the development scheme can support only a lower level of affordable housing provision than that aspired by the Council.
- 1.32 The current economic climate reinforces this situation and indeed paragraph 1.7 of the Bassetlaw District Council Affordable Housing Viability Report of August 2009 concludes that such an exercise may result in the level of provision being only one third of the then aspired 30% of affordable housing target. Indeed the view is expressed that even this may be optimistic in the current economic climate. This perspective is highlighted by the comparison of Tables 7.3 and 7.7 within the 2009 AMR which reveals that only 122 affordable houses were completed, in comparison with 1204 houses overall, during the period 2006 – 2009, an affordable housing delivery figure of only 10%. This is significant since it was achieved during a period that included the peak of the recent boom market.
- 1.33 Consequently, the suggestion at paragraph 4.9 that the affordable Housing trigger be set at one dwelling is also supported as this spreads the planning gain requirement equally across housing sites and developments, rather than biasing the contribution to only the larger housing sites. Clearly under these circumstances, a financial contribution would need to be obtained from the very smallest sites so that it could be pooled with other similar contributions to ultimately deliver off-site affordable housing. Such a pragmatic approach would also minimise the preponderance of applications at the margins of the affordable Housing threshold, with schemes being engineered to fall just under that threshold, thereby avoiding the requirement. However, any policy must also clearly reflect the development viability of the scheme, which at present is severely depressed and in many instances curtailing the extent to which planning gain can be provided.

ii) Employment

- 1.34 Paragraph 4.10 set out the proposed disaggregation of employment land and seeks to increase the overall target for employment land provision by over 20% in comparison with the level proposed Preferred Options Consultation of May 2010. Moreover, the shorter plan period, reducing from 17 to 16 years, therefore also indicates an expected acceleration in the rate of land take-up.
- 1.35 Whilst the aspiration to increase employment provision opportunities is highly laudable, the soundness and deliverability of the of proposed quantum employment land allocation is challenged and considered not to be deliverable within the Core Strategy plan period 2010-2026. If pursued, such a policy approach may deny the release of land for other uses, such as housing and will be contrary to the requirements set out in Policies EC1 and EC2 of PPS4 on Planning for Sustainable Economic Growth. In particular criterion h of Policy EC2 states;
- “Existing site allocation should not be carried forward from one version of the development plan to the next without evidence of the need and reasonable prospect of their take-up during the plan period. If there is no reasonable prospect of the site being used for the allocated economic use, the allocation should not be retained, and wider economic uses or alternative uses should be considered.”**
- 1.36 As proposed, the figures provided within the table accompanying paragraph 4.10 equate to an average take-up of approximately 6ha per annum and notably exceeds the range of between 79.5 to 92.5ha of employment land recommended within the East Midlands Northern-Region Employment Land Review for the period 2006-2026. This assessment equates to an anticipated average annual take-up range of between 3.97ha and 4.6ha as indicated at paragraph 7.4 and 7.5 of the 2009 Bassetlaw Annual Monitoring Report.
- 1.37 Table 7.1 of the 2009 AMR of the employment and business core output indicators does not clarify the units used within that table, however it is assumed that the figure is expressed in square metres. Af this is the case, it demonstrates that only 7079sqm of additional employment floorspace was created in the 12 month period of 1 April 2008-31st of March 2009.
- 1.38 Based upon an average site utilisation ratio of 40%, this would imply a take-up of only 1.75Ha (4.34ac)
- 1.39 As indicated above at paragraphs 1.2-1.3 and at **Plan 1**, Messrs Machin have had an 18 ha area of allocated employment land available since the mid-1990s with no discernible commercial interest being expressed for that land. A commercial viability appraisal of the deliverability of the site for employment purposes together with an overall independent assessment of the overall employment land situation within Bassetlaw is currently being prepared on behalf of the landowners and will be submitted to the Council early in 2011.

1.40 However, it must be the case that if a prominent area of land such as that currently allocated at policies 2/3 and 2/4a of the current local plan adjoining the Principle Urban Area of Worksop cannot be successfully brought forward, the realism is challenged of not only the quantum of proposed employment land allocation within Worksop itself, but also that of Retford and Harworth Bircotes and as a consequence the Employment Land Allocation strategy of the Publication Core Strategy is unsound.

1.41 The Publication Core Strategy is unsound because there is insufficient justification or evidence base to support the quantum of employment land proposed.

iii) Local Services

1.42 Paragraph 4.11 discusses the issue of local services and the manner in which they support the settlement hierarchy. It is a laudable objective to seek to protect such services. However where these are provided by commercial operators, or the public sector with the current downward pressure on capital resources, there is a limit to the ability by which the planning system can ensure the retention of such services and facilities.

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.

See Section 8.

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

This document is sent electronically and therefore unsigned.
If you would like a signed copy, please contact iPlan Solutions Ltd
and one will be forwarded to you

Date 20/12/2010

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

Planning Services, Bassetlaw District Council, Queens Buildings, Potter Street, Worksop,
S80 2AH or by email to future.plans@bassetlaw.gov.uk .