

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"/>	<input type="text" value="N/A"/>
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

**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:

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)	3.2 - Vision	Policy Number(s)		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 <input type="checkbox"/>	Effective <input type="checkbox"/>	Consistent with National Policy <input type="checkbox"/>
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* 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.

Whilst the Trust considers that the Vision could be more specific and aspirational in terms of the value and contribution of nature conservation sites and species to the qualities of the District it is not considered that this issue is so great as to fundamentally affect the overall soundness of the plan.

It is noted that the section of the Vision that gives particular attention to Climate Change (penultimate paragraph) has been amended in such a way that it satisfactorily addresses the issue raised by National Trust previously. The amended wording 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.

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 Date 20th December 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 .

PART B - Please use a separate sheet for each representation

Name or Organisation:

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)	3.3 Strategic Objectives	Policy Number(s)		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.

<input checked="" type="checkbox"/> Justified	<input type="checkbox"/> Effective	<input type="checkbox"/> Consistent with National Policy
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National Trust remains concerned about the appropriateness of the detailed wording of SO6 in respect of climate change. In particular the latest wording is still not considered to adequately respond to the concerns previously raised that the Objective needs to ensure a response to climate change in terms of both a) reducing emissions and b) adapting to those impacts that are now unavoidable (as per the Supplement to PPS1).

As currently worded SO6 is considered to lack clarity about what it is that needs to be addressed. It also deals with it solely in the context of 'new development' whereas strategies, other DPDs and related initiatives (as well as new development) will be the mechanisms to deal with some of these matters – especially those relating to climate change adaptation.

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 following amended version of SO6 is suggested:

"To ensure that all new development addresses the **causes and** effects of climate change **are addressed** by, as appropriate, reducing or mitigating flood risk; realising opportunities to utilise renewable and low carbon energy sources and/or infrastructure, alongside sustainable design and construction; taking opportunities to achieve sustainable transport solutions; and making use of Sustainable Drainage Systems **and promoting the measures necessary to adapt to those impacts of climate change that are now unavoidable.**"

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No, I do not wish to participate

Yes, I wish to participate

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Name or Organisation:

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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)	DM8 – The Historic Environment	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 <input type="checkbox"/>	Effective <input type="checkbox"/>	Consistent with National Policy <input type="checkbox"/>
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The submission version of the Policy has been suitably amended in respect of Section B and the matter of settings in accordance with the Trust's earlier submissions. It is considered that it is now satisfactory and in accordance with PPS5.

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?

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PART B - Please use a separate sheet for each representation

Name or Organisation:

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)	5.26	Policy Number(s)	DM10 Renewable and Low Carbon Energy	Diagram(s)	5.3 - Energy Opportunity 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

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The amended policy and related text is an improvement on the previous version; however, it is considered that it would benefit from some additional changes to add clarity and ensure that environmental impacts are properly addressed.

To be effective it is important that all the caveats in the opening paragraph of the Policy are addressed. At present there is some ambiguity in the wording as the third sentence (and the bullet points that then follow it) appears to stand alone whereas it needs to be read and considered in conjunction with the second sentence which provides additional guidance. A straightforward addition, as set out below, can address this matter.

In the bullet points that follow the reference to ‘landscape character’ is a welcome addition that is supported; however, it is considered that this, and biodiversity, are features of the environmental considerations and should more logically sit within the first bullet point – relevant suggested changes are set out below.

Whilst the new text at para 5.26 does advise that Diagram 5.3 takes a “policy off” approach this is somewhat divorced in the text from the Diagram itself which has no such caveat associated with it. It is requested that a suitable footnote is added to the Diagram itself to confirm what it actually shows.

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.

Amend the third sentence in the first paragraph as follows:

“Proposals for renewable and low carbon energy infrastructure will **also** need to demonstrate that they:...”

Amend the first and fourth bullet points in the first paragraph as follows:

“ are compatible with policies to safeguard the built and natural environment, including heritage assets and their setting, **landscape character and features of recognised importance for biodiversity;**”

“ will not result in unacceptable impacts in terms of visual appearance; ~~landscape character;~~ noise; shadow-flicker; watercourse engineering and hydrological impacts; pollution; **or** traffic generation; ~~or loss of features of recognised importance for biodiversity;~~”

Add a footnote to Diagram 5.3, e.g.:

“This diagram shows technical renewable energy potential rather than deployable potential.”

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No, I do not wish to participate

Yes, I wish to participate

Signature

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Name or Organisation:

3. To which document does your representation relate?

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

Paragraph Number(s)	Policy Number(s)	DM14 – Ground Conditions & Land Stability	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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National Trust is concerned about the late inclusion of this Policy which it considers does not reflect the current position and responsibilities in respect of new development in the Clumber Park area; overall it is our view that the requirements are neither appropriate nor proportionate. Furthermore the extremely brief supporting text fails to set out the necessity for the Policy and the particular issues in Bassetlaw that need to be addressed.

In respect of Clumber Park the Trust is aware that there are two alternative scenarios that apply, these are as follows:

- a) an area for current coal mining licensed by the Coal Authority to UK Coal Mining Ltd; and
- b) a former mining area where the Coal Authority has taken on responsibility from the former British Coal – the general approach in such areas is that any ‘instability’ resulting from mining will have taken place within 12 months of the mining activity itself following which the Coal Authority considers it to be “stable” land; i.e. these former mining areas are not unstable land.

In respect of a) above, any recommendations for changes to new building design, such as the use of specialised (and therefore more expensive) foundation designs, would need to be identified and funded by the licensed mine operator or The Coal Authority as the requirement would be a direct result of the current activities that have been licensed.

The clear concern is that in the context of coal mining activity it appears that the approach being taken could put developers to increased and unreasonable expenditure which ought in any event to be met by the Coal Authority.

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: **New Policy not previously consulted upon.**

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.

If it is to be retained then the Policy needs to be much clearer about both the circumstances in, and the areas to, which it applies. Furthermore, if mitigation is deemed to be necessary then the liability should clearly fall upon the Coal Authority.

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

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Signature

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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.