

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"/>
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

3. To which document does your representation relate?

Core Strategy	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)	DM2	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

* 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.

COMMENTS ON POLICY DM 2

We continue to OBJECT the soundness of this policy as currently drafted on the basis that it is ineffective though its operational inflexibility and its failure to reflect National Policy in PPS 7 in respect of the consideration of sustainable live/ work units as a form of mixed use as a preferred option for the conversion of rural buildings.

We remain concerned that the policy put forward by Bassetlaw District Council continues to place the acceptability of conversion to (market) residential use dependent upon demonstrating to the Council that there is no economic use of the premises including a minimum 12 month marketing period of the premises at a price which reflects an employment or community or service use. In terms of timescale and procedure this is a lengthy and inflexible approach to a policy which is intended to secure the long term future of rural buildings which make a positive contribution to their environment and are worthy of retention.

A number of local authorities will accept from the outset that conversion of many rural buildings for employment use is either not viable due to the limited financial returns relative to the refurbishment cost or is unsustainable as an employment or community building in that the travel implications for employees /patrons would be significantly greater than if it were converted to residential use. This scenario is recognised in paragraph 17 of PPS 7 and can often readily be recognised or justified by a competent agents report with a scheme viability appraisal, without the requirement for a 12 month marketing exercise and an initial presumption against market residential use. We note that the policy has been amended since the preferred options stage to include affordable housing as a preferred conversion option, yet with the more limited value /return associated with an affordable dwelling, there are, more often than not, financial considerations limiting the viability of affordable dwellings, just as with commercial conversions.

Where this situation is evident, it should be acknowledged by the LPA without having to go through the extensive and time consuming marketing exercise. This approach can easily be worked into the policy by the prefix wording set out below and some explanatory context acknowledging that there will also be situations where the preferred approach of employment or community use before market residential use as flagged up in PPS 7, is not always appropriate and should not exclusively prevail. The suggested amendment to the last sentence of the penultimate paragraph of Policy DM 2 below maintains the use preferences of the Council but adds in flexibility to consider a market housing conversion scheme without a lengthy marketing exercise, where the appropriate evidence has been submitted to the Council to clearly demonstrate that other uses are clearly not viable.

“ Unless previously agreed by submission of appropriate viability evidence to District Council, Applicants will be expected to demonstrate that all reasonable efforts have been made to sell and let the site or premises for an economic development , community/service or affordable housing at a realistic price for a period of at least 12 months”

A second concern is that this policy still does not incorporate the opportunity to promote live /work development which offers a very sustainable option for rural building conversions outside of established settlements. The provision of workshop or workspace within residential barn conversion schemes is a potentially efficient use of building that reduces the need to travel and can provide appropriate small scale diversification of the rural economy. Again in these circumstances there should not need to be an overriding presumption that employment only / community use should

prevail in the first instance. Indeed , paragraph 17 of PPS 7 states that local authorities should set out criteria within their LDD's for considering mixed use amongst the other specified options for the re-use of buildings in the countryside. This matter could easily be addressed by an addition to the first paragraph of Policy DM 2 by including reference to Live/Work units as a preferred use option as set out below: -

“ Consideration should always be given to the conversion of existing buildings before seeking to replace them with new units. Preference will always be given to conversion for economic development, live work units where this facilitates economic development, community/service or affordable housing uses before proposals for conversion for market housing” .

In summary, the Policy as currently drafted is not deemed to be sound in terms of its consistency with National Policy or its effectiveness in terms of its flexibility of application. The policy can easily be worded such that it can be both consistent with National Policy and more effective as an enabling tool, without underlying its core principles and priorities.

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.

Change first paragraph of DM2 to read:-

“ Unless previously agreed by submission of appropriate viability evidence to District Council, Applicants will be expected to demonstrate that all reasonable efforts have been made to sell and let the site or premises for an economic development , community/service or affordable housing at a realistic price for a period of at least 12 months”

Change last sentence of the penultimate paragraph of DM2 to read:-

“ Consideration should always be given to the conversion of existing buildings before seeking to replace them with new units. Preference will always be given to conversion for economic development, live work units where this facilitates economic development, community/service or affordable housing uses before proposals for conversion for market housing” .

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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 17.12.2010

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 .

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.