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1.0 INTRODUCTION

1.1 These representations have been prepared on behalf of Barratt Homes and David Wilson Homes Yorkshire East Division by Barton Willmore.

1.2 Our client has a keen interest in the future development of Bassetlaw with several site interests, and is grateful for this opportunity to engage in the forward planning process. Overall, Barratt and David Wilson Homes is keen to ensure that the Core Strategy sets a suitable framework for the delivery of housing to meet the growth needs of the district. Our client is keen to positively engage with the Council to help it achieve a robust Local Development Framework.

About Barratt and David Wilson Homes

1.3 Barratt and David Wilson Homes is Britain’s best-known house builder and has built over 300,000 new homes around the country, including 11,500 homes on 400 sites in 2009/2010. They are leaders in the field of low carbon design, urban regeneration, social housing and innovation.

1.4 Our client is one of the largest residential developers in the UK, helping to meet housing demands in a range of towns, cities and rural areas. This includes a variety of housing from first-time buyer apartments to family houses, plus many homes for social rent and shared ownership.

1.5 Barratt and David Wilson Homes is committed to ensuring that the right type of housing is delivered at the right time and in the right locations. Our client is therefore keen to work with Bassetlaw District Council to ensure that it takes forward a strategy that can meet these aspirations.

Consultation

1.6 The current consultation seeks comments on the Council’s Publication Core Strategy and Development Management Policies (with Proposals Maps) Development Plan Document (DPD) which was issued for consultation in November 2010. This document sets out the Council’s over-arching strategic planning framework for Bassetlaw and development control related policies which will be used to assess future planning applications.

1.7 We understand that following the current consultation, the Core Strategy, along with the representations received, will be formally submitted to the Secretary of State for an Examination in Public.
1.8 It is important that the document is considered against the legal requirements of Planning Policy Statement 12 on “Local Spatial Planning”. In particular, paragraphs 4.50 and 4.51 which state the following:

“Legal requirements”
4.50 Under the Planning and Compulsory Purchase Act 2004 S 20(5)(a) an Inspector is charged with firstly checking that the plan has complied with legislation. This includes in particular checking that the plan:

- has been prepared in accordance with the Local Development Scheme and in compliance with the Statement of Community Involvement and the Regulations9;
- has been subject to sustainability appraisal;
- has regard to national policy;
- conforms generally to the Regional Spatial Strategy; and
- has regard to any sustainable community strategy for its area (i.e. county and district).

“Soundness”
4.51 In addition the Section 20(5)(b) of the Act requires the Inspector to determine whether the plan is “sound”.
4.52 To be “sound” a core strategy should be JUSTIFIED, EFFECTIVE and consistent with NATIONAL POLICY.

Soundness
To be “sound” a core strategy should be JUSTIFIED, EFFECTIVE and consistent with NATIONAL POLICY.
“Justified” means that the document must be:
• founded on a robust and credible evidence base
• the most appropriate strategy when considered against the reasonable alternatives

“Effective” means that the document must be:
• deliverable
• flexible
• able to be monitored

The concepts of justification and effectiveness are expanded at paragraphs 4.36 – 4.38 and 4.44 – 4.47.”

1.9 The Council must ensure that the Core Strategy meets the legal requirements and test of soundness as set out in PPS12.

1.10 This representation sets out our client’s comments on the document which will assist the Council in preparing a ‘sound’ Development Plan Document. We trust that the comments provided are useful and look forward to ongoing engagement in the emerging Local Development Framework (LDF) in relation to this and other LDF documents. The structure of this report follows that of the consultation DPD noting relevant chapters, paragraph numbers and policies where relevant.
1.11 We note at this point that our client has a number of concerns regarding the alignment of Local Development Framework DPDs. In particular, we note that the Council’s Local Development Scheme (from 2009) identifies that the Core Strategy and Development Management Policies DPD will set a framework for Site Allocations and both Worksop and Harworth Area Action Plans, both of which are scheduled to be progressed at a later date. Work in respect of site allocations in the area action plans is at an embryonic stage. Notwithstanding this, the current publication document includes consultation in respect of “Development Limits” around settlements. We are concerned that by establishing defined Development Limits at this point, it may lead to inflexibility at a later stage in respect of specific sites. In parallel to this, it may also lead to concerns being raised by members of the public who consider that a Development Limit should be defined in perpetuity rather than defined in this document and then potentially reviewed when Site Allocations come forward. We consider that the DPD as drafted needs to clarify this mechanism.

1.12 We also raise concerns in respect of the Council’s evidence base regarding the overall housing requirements facing the district. Whilst we appreciate that, like all Councils, there has been somewhat of a policy vacuum created by the Coalition Government’s proposals to abolish RSS under the Localism Bill, it is also clear that Councils are required to develop and justify their own headline housing requirements based on a robust and credible evidence base. Indeed such a test must meet the requirements of Local Spatial Planning as set out in PPS12. We understand that the Council is further consulting in respect of its housing evidence base at a sub-regional level. It is therefore uncertain as to how this fresh work will be incorporated within the Core Strategy and Development Management DPD. Without such a mechanism to revert to the latest information, there is the potential that this publication version will be overtaken by events in respect of emerging evidence. We therefore suggest that the Council reviews this document and the evidence base thus far, to ensure that there is certainty in the longer term.
2.0 GENERAL COMMENTS

2.1 Before responding to the specific sections of the document, our client would like to set out some overarching comments to the overall structure and content of the document.

What is the purpose of a Core Strategy?

2.2 Paragraph 4.1 of Planning Policy Statement 12 on Local Spatial Planning (PPS12) published in 2008 sets out that a Core Strategy should include the following:

"1. an overall vision which sets out how the area and the places within it should develop;
2. strategic objectives for the area focussing on the key issues to be addressed;
3. a delivery strategy for achieving these objectives. This should set out how much development is intended to happen where, when and by what means it will be delivered. Locations for strategic development should be indicated on a key diagram; and
4. clear arrangements for managing and monitoring the delivery of the strategy."

2.3 In terms of spatial planning, PPS12 sets out that it is about place shaping and delivery. The delivery strategy is central and needs to show how the objectives will be delivered, and that the core strategy makes clear spatial choices about where development should go in broad terms. A Core Strategy is a spatial plan that should have all the place shaping characteristics referred to in paragraph 2.1 of PPS12.

2.4 Our client feels that the Core Strategy and Development Management Policies could be more aligned to the "Vision for Bassetlaw" and the Strategic Objectives which appear at the beginning of the document.

East Midlands Regional Spatial Strategy

2.5 On the 10th November 2010, the High Court upheld the Cala Homes challenge to the revocation of the Regional Spatial Strategies (RSS) by Eric Pickles. The claim was that the purported revocation was unlawful because it requires primary legislation. Therefore, the East Midlands RSS does forms part of the statutory development plan and should be given full regard as part of the emerging Local Development Framework.

2.6 As per our comments set out under paragraphs 1.11 and 1.12 above, in light of the Coalition Government’s Localism Bill and intention to abolish RSS, we would seek further clarification as to the Council’s evidence base regarding the housing requirements for the district. We are
not convinced that the Council has undertaken a thorough and credible evidence based assessment as to the ‘right’ level of housing for Bassetlaw.

**The Bassetlaw Publication Core Strategy and Development Management Policies**

2.7 The document aims to provide general and place specific policies for the Core Strategy and more detailed Development Management policies to be addressed when delivering new development at the planning application stage. However, it is noted that some of the Core Strategy policies include inappropriate content. For example, some of them (Policies CS2, CS3 and CS4 etc) include a requirement to provide viability assessments for housing. First, this is not a matter for a Core Strategy related policy, secondly, there is no justification for this and thirdly, this should be a matter for the Council’s local validation checklist.

2.8 The need to provide for an Economic Viability Assessment to provide a robust and viable target for affordable housing at a site specific level is a requirement of PPS3. Councils are required to provide a broad overview of their economic viability to guide their Core and Housing Planning Strategy. We have set out under paragraph 5.23 our concerns regarding the approach embraced by Bassetlaw in respect of requiring viability assessments seeking to achieve higher proportions of affordable housing. This is effectively seeking to prescribe profit levels for developers regardless of the actual evidence base regarding affordable housing need in particular locations. The document as drafted is not based on robust assessment evidence in respect of affordable housing viability and is therefore unsound.

**Amount and structure of the Core Strategy**

2.9 With regard to its coherence and internal consistency, the Core Strategy follows a clear and logical order. It is noted that the document as a whole comprises of 100 pages, which when compared to other Core Strategies documents produced by other Local Planning Authorities is reasonable given that this includes the Core Strategy, Development Management Policies and appendices. However, it is considered that the document could be further streamlined and shortened by ensuring that the policies only contain relevant and necessary text and that they do not repeat national planning policy.

2.10 A number of the policies are too detailed and could be shortened and written in a more clear and precise way. There are also some policies contained within the document which recital national, regional and local policy. By removing unnecessary information this will help to streamline the document.
2.11 Finally, throughout the whole document there is inconsistency regarding the numbering of sub-headings and paragraphs. Some of the numbering is duplicated by being used for both sub-headings and paragraphs with these often being on different pages. For example 4.8 is used for a paragraph on page 20 and a sub-heading on page 38 of the Core Strategy.
3.0 SPATAIL PORTRAIT

3.1 This chapter of the document provides a useful overview of the current general characteristics of Bassetlaw. It importantly picks up on the western edge of the District being well connected and offering huge regeneration and growth potential. However, much of the focus is on employment on the west side of the District and the chapter fails to emphasise the need to provide housing growth in these areas as well, in order to support the economic potential of key towns such as Harworth Bircotes.

3.2 It claims that there is a serious issue regarding affordable housing however it does not confirm what parts of the District this applies too and it is unclear as to what evidence this assertion is based upon. This claim appears to be based upon a regional Strategic Housing Market Assessment (SHMA) produced in 2007 which is not specific to Bassetlaw and therefore appears to provide a very broad baseline for the District. It is also based upon the Council’s waiting list data, however, no date is given and therefore it is not clear as to how recent this evidence is.

3.3 Our client feels that the Spatial Portrait chapter should expand on the current housing situation in Bassetlaw to help steer the aims and objectives of the Core Strategy.

3.4 Chapter 2 of the Core Strategy identifies that one of the main issues for Bassetlaw is that there is a limited range of housing in some settlements, in particular, Harworth. It is therefore important that the Core Strategy aims to address and tackle this by promoting a mix of housing in Harworth Bircotes consistently throughout the document.

3.5 From reading the Core Strategy and background evidence, it is clear that there is significant future growth potential for the District and therefore it is important the Core Strategy reflects this throughout the document and its policies by being both flexible and supportive of future growth in key locations such as housing in Harworth Bircotes.
4.0 VISION AND OBJECTIVES

Vision for Bassetlaw

4.1 Our client recognises that the vision set out relates specifically to Bassetlaw and could not be applied to anywhere in England. It is informed by an analysis of the local characteristics of the area and a reasonable attempt has been made to identify the key issues and challenges facing the District. However, it is felt that the vision could be more specific to Bassetlaw and reference should be made as to what Bassetlaw is known for now and what it will be known for in 15 years time.

4.2 The general overview given in the first paragraph for the vision of Bassetlaw does not include any direct reference to the need to provide a mix of house types in the District as identified in the Spatial Portrait in Chapter 2 of the Core Strategy. Our client therefore requests that housing is addressed in the first paragraph of the vision. In particular, we ask that housing is included to in the second sentence of the first paragraph so that it reads as follows:

"Through the provision of a wider range of housing, jobs and services in its larger centres................."

4.3 In the fourth paragraph regarding Harworth Bircotes, it needs to clearly state that part of the vision for the town is to provide a mix of housing to meet the needs of a variety of households that will need to be provided across the town. The vision states that the regeneration of Harworth Colliery will result in a well-integrated development that will contribute to a significantly improved range of housing in the town. However, the colliery ceased operations in 2006 due to viability and as stated in the current outline planning application (ref 61/09/00052) which has to be determined, the colliery could be brought back into use at a later date. No permission has yet been granted and there is the possibility of the site re-opening, thus, there is no certainty as to whether the site will be redeveloped.

4.4 The Core Strategy therefore needs to take this into consideration and should not be relying on the colliery to bring forward a significant proportion of housing in Harworth Bircotes. Even if outline permission is granted, a reserved matters application will need to be prepared and submitted followed by the discharging of any pre-commencement and pre-occupation conditions. Therefore, it will be a number of years before development can start and construction is likely to take place over a long period of time in a phased manner. Our client therefore requests that the Core Strategy supports other sites coming forward to help Bassetlaw meet its housing requirements.
Strategic Objectives for Bassetlaw

**Strategic Objective SO1**

Objection

4.5 In order to achieve the Bassetlaw Vision set out at the beginning of Chapter 3 of the Core Strategy, our client requests that a range of housing is only prioritised in the top three settlements listed in the proposed settlement hierarchy, in order to accord with the proposed housing distribution as set out in the table on page 20 of the Core Strategy. We therefore request that reference to all other settlements is deleted and that the policy is amended as follows:

<table>
<thead>
<tr>
<th>Strategic Objective SO1</th>
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<tr>
<td>To provide a range of high-quality market and affordable houses in Worksop, Retford, and Harworth Bircotes, Carlton in Lindrick/Langold, Tuxford, Miserton and sustainable rural settlements (as identified in the Settlement Hierarchy) to meet the diverse needs of Bassetlaw’s growing population.</td>
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**Strategic Objective SO3**

Objection

4.6 The Core Strategy need to clearly define what a “community regeneration opportunity” is, to provide clarity on what types of development this policy applies too.

**Strategic Objective SO4**

Support

4.7 Our client supports policy SO4 which seeks to enhance and protect the vitality and viability of centres such as Harworth Bircotes through increasing the town centre retail, employment and leisure development.
5.0 SPATIAL STRATEGY

Spatial Strategy

5.1 This chapter of the Core Strategy sets out the Vision for the whole area and its purpose is to provide a spatial approach to future development in the District. It starts of by highlighting the fact that the western edge of the District can take advantage of the City Region due to its geographical position. Whilst our client supports the broad approach targeting development on the western edge of the District, our client feels that this could and should be emphasised more throughout the document.

Support

5.2 Our client supports the second paragraph in paragraph 4.1 which recognises the importance of providing a significant improved housing offer in Harworth Bircotes.

Key Diagram

Objection

5.3 The Core Strategy identifies Harworth Bircotes as an area with significant regeneration and growth potential. However, the Key Diagram shows both Harworth Bircotes and Worksop as areas of opportunity. Whilst Worksop is the Sub-Regional Centre in Bassetlaw and will be apportioned a significant amount of growth, Harworth Bircotes is the only town in the District which can be classed as an "Area of Opportunity". Our client therefore objects to the Key Diagram as currently shown and requests that only Harworth Bircotes is identified as an "Area of Opportunity". For clarification, we request that the Core Strategy defines what an "Area of Opportunity" is, to ensure that the Key Diagram is meaningful.

5.4 There is also no clear definition for “Local Needs Development”. Part of the Key Diagram is therefore meaningless. We therefore request that the Key Diagram is amended and that additional text is provided to clarify the main drivers for the spatial development strategy.

5.5 It is important that the Key Diagram reflects the approach for significant growth in Harworth Bircotes.

Policy CS1: Settlement Hierarchy

Objection

5.6 The settlement hierarchy fails to accord with the RSS.

5.7 First, it is unclear as to what the aims of the settlement hierarchy are, as referred to in the first paragraph of Policy CS1.
5.8 Secondly, the policy states that any new allocations required, in the event that development sites allocated in the Site Allocations DPD fail to progress as anticipated, will also be guided by the Settlement Hierarchy. However, the Core Strategy fails to set out how new sites will be brought forward should allocated sites not come forward during the plan period. It will therefore be impossible to monitor and manage this approach.

5.9 Thirdly, the policy does not align with the East Midlands RSS as Worksop is a “Sub-Regional Centre” and not a “Principal Urban Area” as shown in Policy CS1. The RSS clearly states that there are only five “Principal Urban Areas” and these are Leicester, Nottingham, Northampton, Derby and Lincoln.

5.10 Retford is also incorrectly referred to as a “Core Service Centre” where in fact it is referred to as a “Medium Sized Town” in the RSS.

5.11 Harworth Bircotes is not categorised in the RSS but given the major growth which can be delivered in the town, our client has no objection to it being classed as a “Main Regeneration Settlement” in the settlement hierarchy. However, this should be clearly recognised in the Key Diagram.

**Settlement Specific Policies**

**Support**

5.12 We note that the Council has based its housing growth target on that set out in the RSS which our client supports.

**Comment**

5.13 Given that the timeframe of the Core Strategy (2010 to 2026) does not align with the RSS (2006 to 2026), the document states that the housing growth target has been adjusted but it does not set out how. We therefore request that this is clearly explained to accommodate this.

5.14 We request that an explanation is given as to how the Council has arrived at the numbers presented in the fourth column of the housing table on page 17 of the Core Strategy. The column gives the total number of dwellings that could be provided though current permissions and allocations but it is unclear as to whether the total number of permissions have simply been added to the allocations, in which case there is a risk that the Council may have double counted.
5.15 Paragraph 4.8 states that housing targets have been distributed in line with the Settlement Hierarchy, with growth focused on the higher tier settlements. This supports our client’s earlier objection to Strategic Objective SO1 in Chapter 3, where we requested that only the top three settlements are named in the policy for strategic growth.

Objection

5.16 Our client objects to the proportion of housing allocated to the Rural Service Centres (RSCs) which is judged to be too high. To assist in focussing growth on the higher tier settlements, we request that the 10% assigned to RSCs is split between Worksop, Retford and Harworth Bircotes. The current suggestion would result in 564 dwellings being located in rural locations and is at odds with Policy CS1 which states that there will be limited growth in RSCs.

5.17 We request that a detailed explanation is provided to clearly demonstrate how the figures have been arrived at in the table on page 20 of the Core Strategy.

5.18 Further clarification needs to be provided on the housing distribution percentage for each settlement that appears in the housing table on page 17 of the Core Strategy. In the table, there is a specific percentage, however in the Core Strategy policies for the top three settlements it states that the housing distribution will be “at least” that percentage quoted in the table. Clarity is therefore required on the flexibility of the Districts housing distribution.

Policy CS4: Harworth Bircotes

Support

5.19 Our client agrees with the supporting text accompanying Policy CS4 which identifies significant potential for both housing and employment growth in Harworth Bircotes.

5.20 We also support parts of the first paragraph of the policy where it seeks to significantly improve the range and quality of housing available in order to provide a more mixed community.

Part A

Objection

5.21 As previously mentioned, our client is of the view that too much housing distribution is being allocated to RSCs and therefore more should be directed to the three main settlements. We therefore request that not only should the settlement hierarchy table on page 20 of the Core Strategy be adjusted accordingly but so should part A of Policy CS4 by increasing the percentage of the Districts housing requirement in Harworth Bircotes.
5.22 Our client also objects to paragraph two under part A of the policy which stipulates that all housing developments resulting in a net gain of one or more units will be required to contribute towards affordable housing provision. It is unclear as to how this affordable housing requirement trigger has been arrived at.

5.23 Furthermore, our client also objects to the third paragraph in part A of Policy CS4 which requires development proposals on allocated sites to provide a viability assessment to demonstrate whether or not it can achieve a higher percentage of affordable housing than the target of 15% set out in the policy. This means that all applications on allocated sites will need to produce and submit a viability assessment regardless of whether they meet the proposed affordable housing target set out in the Core Strategy. It therefore questions the need for an affordable housing percentage target in the first place. This requirement is unreasonable, unjustified and would undermine the Council’s evidence base.

5.24 PPS3 makes it clear that in Local Development Documents, Local Planning Authorities should set an overall target for the amount of affordable housing to be provided. It does not set out that planning applications on allocated sites need to provide a larger proportion of affordable housing over and beyond the target set by a Local Planning Authority.

**Part D**

**Objection**

5.25 We also object to part D of the policy which only addresses and supports an increase in the range and quality of housing in the town as part of the potential redevelopment of Harworth Colliery. First, there is no guarantee at this moment in time as to whether it will be approved and/or go ahead and secondly if it does, then it will happen over a long period of time in a phased manner. We therefore request that an additional bullet point is added in part D which supports improvements to the range and quality of housing provision in the town to support other housing developments to come forward.

5.26 Finally, we object to the last paragraph of the policy which is unnecessary and therefore should be deleted.

**Policy CS8: Rural Service Centres**

**Comment**

5.27 Policy CS8 says that future development in RSCs will be limited to that which will sustain local employment, community services and facilities. It is unclear as to what mechanism will be used to determine what is the maximum growth for each of the 21 RSCs. Thus, clarification needs to be provided.
5.28 Elsewhere in the Core Strategy it refers to the future growth of RSCs being limited and it is judged that this needs to be reflected more in Policy CS8.

**Objection**

5.29 As previously mentioned our client is of the view that 10% of the Districts future housing growth being apportioned to RSCs is too much and does not represent limited growth. We therefore object to the 10% housing proportion set out in the policy and request that this is redistributed between the top three main settlements and in particular Harworth Bircotes.
6.0 DEVELOPMENT MANAGEMENT POLICIES

Policy DM3: Development in the Countryside

Comment

6.1 This policy refers to development in the countryside which is defined as those areas outside of the “Development Boundaries”. However, it is unclear as to how the Council have arrived at the selected development boundaries for each settlement. We therefore request that a full explanation is provided on this.

6.2 The policy then goes on to say that development outside of the “Development Boundaries” will not be supported except where it meets the exceptions criteria in the Spatial Strategy policies. It is not clear as to which policies this is referring to and therefore further clarification is required.

Policy DM4: Design and Character

Part A

Comment

6.3 First, it is considered unnecessary to make specific reference to sites allocated through the Site Allocations DPD when talking about minor development proposals. The policy either needs to refer to all major development or non-major development. This should apply to all Development Management policies throughout the document.

Object

6.4 Our client objects to the third bullet point in part A of the policy because it would jeopardise the significant growth anticipated for Harworth Bircotes. We therefore request that this is re-worded as follows:

"are of a scale appropriate to the existing settlement and surrounding area or to the proposed growth for that settlement as set out in the Core Strategy".

6.5 We also object to the last paragraph in part A of policy DM4. First, it is unclear as to what will be considered to be a good score. Especially as it could relate to various design guidance which would make it very difficult to define what is a good score.

6.6 We also object to a policy which requests that a development accords with particular design guidance such as Building for Life, because over the plan period this particular guidance is likely to be superseded. It is also noted that the policy requests that development accords with guidance produced by CABE, although we appreciate that this request in the policy is followed by “or comparable organisation”. However, an announcement was made by
Government on the 20th October 2010 that funding would be withdrawn from CABE as part of the Comprehensive Spending Review. There is therefore doubt as to whether CABE will be in existence when the Core Strategy is adopted.

6.7 This policy should not demand that major development accords with specific guidance which could be superseded and therefore not apply throughout the life span of the Core Strategy document. It is important that the Core Strategy document is flexible and adaptable to allow for potential changes that may occur during the plan period. The net effect of Policy DM4 is to create an additional level of bureaucracy and policy hurdles for developers to comply with as part of their planning applications. It introduces an inflexible approach as part of this document.

**Part B**

**Comment**

6.8 It is unclear as to whether part B of the policy titled “General Design Principles” will apply to all development. The term “individual development proposals” used in the policy is ambiguous as it does not give an exhaustive list of what type of development is deemed to fall within this definition.

6.9 The section titled “Accessibility” in part B is not clear or precise and therefore needs to be re-worded.

6.10 Our client welcomes the flexibility outlined in the last sub-section of part B when addressing carbon reduction in developments. It is important to recognise that sustainable construction techniques are likely to dramatically change over a 15 year period and therefore proposed policies need to reflect this by being flexible.

6.11 The last two paragraphs in the policy are considered to be unnecessary and should therefore be deleted.

**Policy DM5: Housing Mix and Density**

**Part A**

**Comment**

6.12 The supporting text to Policy DM5 states that it delivers Strategic Objective SO4, however this appears to be an error given that it deals with the viability and vitality of town centres.

**Object**

6.13 Our client objects to the first sentence of policy DM5 which specifically makes reference to “allocated sites”. As previously mentioned, we do not feel that it is necessary to make
specific reference to allocated sites when making reference to new housing development or major developments. The policy should relate to all applicable developments regardless of whether they are on an allocated site or not.

6.14 The second paragraph of the policy states that the Council will support proposals for the delivery of houses meeting Lifetime Homes standards. We echo our comments in response to Policy DM4, that the policies should be flexible and should not tie development to specific standards which are applicable and topical at the time of writing and preparing the Core Strategy given the length of time the document will be in place. There is no guarantee or certainty that Lifetime Homes will be applicable or the most up to date housing standards in five or ten year’s time and therefore we would request that the policy is re-worded. It is our client’s requirement that the need for greater quality in delivery of new homes should be balanced with the financial viability of delivering such housing. There is a need for a flexible approach in policy in order that schemes can actually come forward. Overly stringent quality standards will stifle development.

6.15 On the 25th November 2010 Housing Minister Grant Shapps announced a pledge to overhaul complicated building standards that make it hard for developers to complete their projects. Part of the announcement stated the following:

"Currently housebuilders face a complex mix of building standards and codes that are attached to planning permissions. Ministers believe these extra requirements are often unnecessary 'gold plating' which can be contradictory and place additional costs on developers, making their projects less viable."

6.16 Given that changes are to be made in the near future, we would request that the Core Strategy deals with housing requirements in a flexible manner to allow it to accord with the most relevant standards at the time a planning application is submitted and assessed by the Local Planning Authority.

Part B
Object

6.17 Our client objects to part B of the policy given that it simply replicates guidance set out in PPS3. The Core Strategy should not repeat or reformulate national or regional policy as stated in paragraph 4.30 of PPS12. We therefore request that part B of the policy is deleted.

Policy DM9: Green Infrastructure, Biodiversity & Geodiversity; Landscape; Open Space and Sports Facilities
6.18 The second paragraph addresses open space and sports facilities and says:

"New development proposals (particularly for allocated sites) will be expected to provide functional on-site space and/or sports facilities"

6.19 First, it is unclear as to what “new development proposals” the policy refers to, as it considered that not all development will be required to provide on-site open space. It is therefore not clear as to what type of development will trigger this requirement and therefore this needs to be addressed in the policy. Secondly, the quote above is yet another example where particular reference has been given to allocated sites unnecessarily.

6.20 We also note that many development schemes occur without providing functional on-site space and sports facilities. Often by adopting a flexible approaching, the Council can requisite qualitative improvements to open space which contribute towards more strategic sports/open space requirements within the district. The policy should reflect the fact that in most circumstances a flexible approach to open space is required.

Policy DM10: Renewable & Low Carbon Energy

Part A – Carbon Reduction

Objection

6.20 A common theme throughout the policies within the Core Strategy is that developments must accord with specific legislation or guidance which may be superseded or not relevant later on during the plan period. Our client therefore requests that Policy DM10 does not stipulate compliance with specific diagrams or studies which could become dated over time and therefore not hold as much weight. Otherwise, there is a high risk that parts of the Core Strategy could become outdated earlier on in the plan period.

6.21 We also note that there is a need to balance renewable and low carbon energy requirements with that of financial viability of schemes. The Government’s code for sustainable homes identifies that to achieve higher levels of the code there is a significant cost per dwelling of up to £40,000. Such a cost would render many schemes simply unviable. We therefore request that a flexible approach and wording is put forward in DM10 to reflect this.

Part B – District Heating and Co-location

Objection

6.22 Part B of policy DM10 is unclear and not precise. It is therefore suggested that this part of the policy is deleted and replaced with a flexible and more suitably worded policy such as follows:
"All applications for more than 50 dwellings or non domestic developments above 1,000m^2 floorspace in District Heating opportunity Areas (as identified on an up-to date District Heating Opportunity Area Plan) shall consider the feasibility of Combined Heating and Power/District Heating."

**Part C – Site Allocations**

**Objection**

6.23 Whilst our client supports the general objective of part C of policy DM10, our client objects to policies placing greater expectations and standards on site allocations when compared to all major development proposals in general. Part C either needs to apply to all major development or should be deleted all together.

**Part D – Community Energy Schemes**

**Comment**

6.24 There is no definition explaining what will constitute a "community led energy scheme". Further clarification on this is required within the document.

**Policy DM11: Developer Contributions & Infrastructure Provision**

**Objection**

6.25 Our client objects to Policy DM11 which makes reference to infrastructure being in place *in advance* of new development. This is unreasonable and should be deleted. The policy should request that the necessary infrastructure will be provided alongside the development and not prior to it. This would not prevent the Council from applying suitably worded conditions where in some instances infrastructure may be required to be completed prior to a development being brought into use.

6.26 We request that paragraph two of Policy DM11 is deleted given that it does not form part of the policy, but merely provides guidance to applicants regarding pre-application discussions.

6.27 We note that a flexible approach is required in respect of development contributions and infrastructure provision. Policy DM11 as worded appears to be overly prescriptive in respect of the approach to development contributions and infrastructure provision. Many schemes are simply unviable and cannot provide any development contributions. The Council will need to balance carefully its overall delivery with the level of contributions sought. Whilst we support a flexible approach based on site specific viability appraisal, Policy DM11 as drafted appears overly prescriptive.
6.28 Our client objects to the last part of the first paragraph which appears under the bullet points on page 71 of the Core Strategy. We therefore request that part of the policy is deleted as follows:

It is accepted that there may be times when development viability may prevent proposals from meeting all of their necessary Planning Obligations. Where such a case is being made, applications will need to be accompanied by a detailed viability assessment, which will be considered by an independent assessor of the Council’s choosing, at the applicant’s expense.

6.29 There is no justification provided or any legislation referred to which warrants the requirement of applicants being expected to cover the cost of an independent assessor of the Council.

6.30 The last two paragraphs merely refer to potential future mechanisms for tariffs and are not considered to be appropriate for inclusion within the policy. Our client therefore requests that these two paragraphs are deleted.

Policy DM12: Flood Risk, Sewerage and Drainage
Comment

6.31 The supporting text to this policy claims that it delivers Strategic Objectives SO6 and SO8. Whilst it is clear that the policy is intended to help support Strategic Objective SO6, it is considered that following our recommendation to delete the last paragraph of policy DM12, the policy will not assist in delivering Strategic Objective SO8 and therefore should not be referred to in the supporting text.

Part B
Objection

6.32 We object to the majority of part B of Policy DM12 and request that all of it is deleted except from the penultimate paragraph. The Development Management polices should not insist on what is required to accompany a planning application which is the purpose of a local validation checklist. The final paragraph of the policy is considered to be irrelevant as Policy DM9 deals with biodiversity. Our client therefore requests that the majority of part B of the policy is deleted and the penultimate paragraph amended as follows:

B. Sewerage and Drainage

All applications for new development (other than minor extensions) in:

Beckingham
will be required to contain a Surface Water Drainage Assessment, to be produced in discussion with the District Council. This Assessment must show to the Council’s satisfaction that the proposed development will not exacerbate existing land drainage and sewerage problems in these areas.

All new development will be required to incorporate Sustainable Drainage Systems (SuDS) and provide details of adoption, ongoing maintenance and management where feasible. Proposals will be required to provide reasoned justification for not using SuDS techniques, where ground conditions and other key factors show them to be technically feasible.

Preference will be given to systems that contribute to the conservation and enhancement of biodiversity and green infrastructure in the District.

6.33 It is important that “where feasible” is inserted in to the paragraph above as it will be unnecessary and unreasonable to expect all new development to incorporate SuDS. Most monitor development and change of use applications will not warrant the need to incorporate SuDS.

Policy DM13: Sustainable Transport

Part A

Objection

6.34 Our client objects to the last paragraph in part A of Policy DM13 stating that development proposals will be accompanied by a Transport Statement or Assessment and refers to the Dft guidance on Transport Assessment or subsequent highway guidance to determine what
development proposals trigger the need for such an application. First, this part of the policy is just replicating other guidance and secondly it is for the local validation checklist to determine what is required to accompany a particular planning application. We therefore request that this paragraph is deleted from the policy.

**Part C**

**Comment**

6.35 The last paragraph of the policy is meaningless for the purposes of the policy and is unnecessary and should therefore be deleted.

**Policy DM14: Ground Conditions and Land Stability**

**Objection**

6.36 Our client objects to Policy DM14 and requests that it is deleted.

6.37 The policy reiterates national policy guidance set out in Planning Policy Guidance 14 on Development on Unstable Land (PPG14) and the policy therefore conflicts with guidance contained within PPS12.
7.0 MONITORING AND IMPLEMENTATION

7.1 The Core Strategy fails to set out how further sites will be brought forward should the Council fail to deliver their annual housing target. Policy CS1 states that new allocations may be required if allocated sites fails to come forward. In order to ensure that the Core Strategy adopts the role of the “plan, monitor and manage approach” it needs to devise a contingency plan for bringing other sites forward.

7.2 PPS12 stresses the importance of monitoring given that it is essential in order to provide an effective strategy and will form the basis upon which contingency plans within the strategy will be triggered. It goes on to say that a Core Strategy must have clear arrangements for monitoring and reporting results to the public and civic leaders.
8.0 CONCLUSION

8.1 Overall, the Core Strategy sets out the target areas for development growth in the District. However, the document needs to support more general housing in the Harworth Bircotes area.

8.2 Uncertainty lies over whether the re-development of Harworth Colliery will go ahead given that outline planning permission has yet to be granted and that the colliery may reopen. It is therefore unknown as to whether the proposed re-development will come forward and if so when. If it does go ahead then it will require a long lead in time and will take a significant period of time to deliver. Thus, the Core Strategy needs to be more flexible and should not be structured in a way that expects the Colliery to deliver a significant amount of housing in Harworth Bircotes over the next 15 years. It is therefore critical that the Core Strategy supports other housing opportunities in the town to ensure that its housing requirement can be met over the plan period.

8.3 There appear to be contradictions throughout the strategy as parts of it state that RSCs will receive limited growth, yet in other parts of the document, 10% of the District overall housing distribution is being allocated to RSCs. This percentage does not amount to limited development and therefore should be redistributed amongst the top three main settlements and in particular Harworth Bircotes given the towns regeneration aims and aspirations.

8.4 Affordable housing requirements need to be based on robust and credible evidence to ensure that targets are not too high in light of the market values in the District. Otherwise, this could restrict housing growth and result in the Council not achieving its housing targets.

8.5 No justification has been provided to warrant the need for planning applications on allocated sites to provide a viability assessment to demonstrate whether or not a higher percentage of affordable housing than the target set in the Core Strategy can be provided on a site. This element of the document and proposed policies therefore should be deleted.

8.6 It is important that the Development Management Policies do not replicate or repeat national or regional planning guidance. Furthermore, the policies should only include wording that controls development at a local scale and should not include wording about what documents are required to support a planning application nor should it refer to potential future documentation or guidance that may or may not come forward in the future. It is felt that some of the policies as written are muddled and/or contain superfluous background information and that they should be shorter and more precise.
8.7 Throughout the document, a number of policies are intended to apply to all new development proposals, however it is clear that not all should apply to some of the policies. We therefore request that further clarification is provided as to what types of development particular policies apply to.

8.8 Our client generally supports much of the document but considers that there are a number of fundamental changes and deletions that need to take place in order to make the Core Strategy a sound and PPS12 compliant document.