

PART B - Please use a separate sheet for each representation

Name or Organisation: [REDACTED]

3. To which document does your representation relate?

<input checked="" type="radio"/> Core Strategy	<input type="radio"/> Proposals Map	<input type="radio"/> 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)	CS1	Diagram(s)	Key Diag.

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

<input checked="" type="radio"/> Yes	<input type="radio"/> No
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6. Do you consider the Core Strategy to be 'sound'*?

<input checked="" type="radio"/> Yes	<input type="radio"/> No
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7. If you consider the Core Strategy to be 'unsound', please identify the test of soundness to which your representation relates.

<input checked="" type="radio"/> Justified	<input type="radio"/> Effective	<input type="radio"/> Consistent with National Policy
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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.

The Key Diagram and draft Policy CS1 do not comply with the Regional Spatial Strategy (RSS) or with the thrust of national policy in PPS1 that led to the RSS.

This is because reference to Worksop as a Principal Urban Area is misleading, particularly following the re-instatement of the RSS, wherein it is referred to as a Sub-regional Centre (SRC), and other, higher-order centres (e.g. Nottingham PUA) as Principal Urban Areas. Moreover, it is the only SRC in the district and the RSS requires all other settlements to grow only according to local needs, except where regeneration needs indicate otherwise. The Key Diagram and Policy CS1 suggest that settlements in the west of the district will all receive growth greater than based on needs. This should only apply to Worksop SRC.

There is no justification for the use of the words “town centre” in relation to “retail growth” for Worksop. This overrides the normal application of the sequential approach in PPS4 Policy EC5, implying that the identified retail needs can only be met by development in the centre itself, rather than on any other sequentially acceptable site. There is no good evidence for such a position. Indeed, evidence presented at the Public Inquiry into the appeal against the refusal of planning permission for development including main town centre uses at the former Vesuvius works in Worksop strongly indicates that retail needs cannot be met only in the town centre.

Consequently, Policy CS1 is also inconsistent with national policy in PPS4, in that it could act as a barrier to investment in Worksop.

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.

Worksop should be identified as a Sub-regional Centre (SRC) and all other settlements should be identified for local-needs growth only, except where additional growth is needed to realise regeneration objectives.

The hierarchy would benefit from simplification by combining Retford and Harworth-Bircotes into the same category and not mentioning the 'other settlements', since they will rightly be subject to countryside policies by default. The regeneration needs of Harworth-Bircotes can be dealt with either in its settlement-specific policy, by amending Policy DM7, or through a new policy on regeneration.

Exclude the words "town centre" from the description of Worksop's Settlement Classification in the table within the Policy.

These changes will make the CS compliant with the RSS, which is a legal requirement, and more consistent with National Policy, thus making it sound. The reduced complexity is likely also to increase its chances of being deliverable, therefore more effective and therefore sound.

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	<input type="checkbox"/>	Yes, I wish to participate	<input checked="" type="checkbox"/>
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Signature		Date	20 December 2010
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PART B - Please use a separate sheet for each representation

Name or Organisation: [REDACTED]

3. To which document does your representation relate?

<input checked="" type="radio"/> Core Strategy	<input type="radio"/> Proposals Map	<input type="radio"/> 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)	CS2	Diagram(s)

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

<input checked="" type="radio"/> Yes	<input type="radio"/> No
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6. Do you consider the Core Strategy to be 'sound'*?

<input checked="" type="radio"/> Yes	<input type="radio"/> No
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7. If you consider the Core Strategy to be 'unsound', please identify the test of soundness to which your representation relates.

<input checked="" type="radio"/> Justified	<input type="radio"/> Effective	<input type="radio"/> Consistent with National Policy
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We support the reference to promoting development that will contribute to the town's growth (albeit that this should remain "...as a Sub-regional Centre"). We also support the addition of "... and enhancing..." with respect to retail and leisure, but consider that evidence shows that not all such development can be accommodated within the town centre or primary shopping area. Moreover, RSS Policy 7 seeks to strengthen Worksop SRC by growth "...in and around [its] urban area" and such growth would also meet PPS4 objectives of promoting competition and choice. The potential for retail and leisure growth in and around the Worksop urban area to protect the town centre by retaining expenditure and investment within the town as a whole must be acknowledged.

Section C of Policy CS2 outlines proposals relevant to Worksop town centre and regeneration opportunities. Within this section of the draft policy, reference is drawn to the provision of new convenience and comparison goods floorspace being proposed only in line with the recommendations of the Council's most recent retail study, and to the need for retail impact assessments for proposals exceeding thresholds which are below those which are normally applied through PPS4. Evidence presented at the Public Inquiry into the appeal against the refusal of planning permission for development including main town centre uses at the former Vesuvius works in Worksop strongly indicates that Worksop town centre is, in fact, a relatively strong town centre, such that thresholds below those in PPS4 are unnecessary.

As noted in previous representations, and by Rapleys LLP in its Updated Retail Study (September 2009), submitted in support of the appealed application at Vesuvius works, we retain the view that the Council's Retail Study is fundamentally flawed and should already be considered out-of-date. This view is endorsed by subsequent changes in retail provision in Worksop and amendments in source documents confirming the appropriate method of calculating retail spending growth rates.

Moreover, it is our view that the Council's Retail Study understates the potential for Worksop to enhance its market's penetration as a whole, and fails to promote measures to counter the existing trends of retail spending leakage, despite the centre's Sub-regional Centre status. The previous comments we have submitted with regard to the Council's Retail Study remain valid and have been further emphasised by amendments to the planning system within PPS4 and its Practice Guidance.

The associated wording of this draft policy seeks to incorrectly apply the objectives of PPS4 relevant to the sequential test. The draft policy states that retail proposals will be supported within or immediately adjacent to the primary shopping area of Worksop, subject to the recommendations of the Council's Retail Study. Whilst now using the correct reference for the purposes of the sequential testing of retail proposals, this still relies on the Council's flawed Retail Study and still prejudices the application of the sequential test, which allows for developments in more peripheral locations, subject to an appropriate sequential test and justification being applied. The result is even more geographically restrictive than the Preferred Options draft policy and will further limit legitimate growth opportunities.

Within the context of new retail floorspace, the draft policy goes on to state that 'development opportunity' sites outside the Town Centre boundary will be allocated through the Site Allocations DPD. This approach is contradictory and incorrect. If new retail floorspace can beneficially be accommodated outside of the Town Centre boundary, then this should be unambiguously stated in the Core Strategy, otherwise the Site Allocations DPD, when prepared, risks being unable to conform to the Core Strategy. Pending the preparation of the Site Allocations DPD, it should be possible, indeed is necessary to allow retail growth, subject to the impact and sequential tests.

The policy also lacks any treatment of parking, a key issue to be assessed, monitored, balanced and addressed for the future vitality and viability of the town centre.

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.

Retain the reference to promoting development that will contribute to the town's growth.

Replace the reference to "Principle Urban Area" with "Sub-regional Centre".

Retain the reference to "... and enhancing..." rather than simply protecting.

Replace the reference to "...the town centre..." with "the town, focussed on its centre, but including where appropriate growth elsewhere in and around its urban area"

Replace "...the following thresholds (sq m):" and the table immediately following it with "...the thresholds in PPS4 Policy EC14.4."

Replace the reference to "...most recent Retail Study" with "...most recent Retail Study or more up-to-date or detailed evidence, including methodology on calculating retail spending growth rates"

Incorporate clear and unambiguous measures to counter the existing trends of retail spending leakage in accordance with the Worksop's Sub-regional Centre designation.

Replace "...within or immediately adjacent to the primary shopping area will be supported" with "in locations within or adjacent the urban area of Worksop subject to impact and sequential tests."

Incorporate policies for the assessment, monitoring and development (including improvement or protection as appropriate) of parking, having regard to future town centre vitality and viability.

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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	<input type="checkbox"/>	Yes, I wish to participate	<input checked="" type="checkbox"/>
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PART B - Please use a separate sheet for each representation

Name or Organisation: [REDACTED]

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)		Policy Number(s)		Diagram(s)	Map 28, 30
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5. Do you consider the document to be legally compliant*?

Yes (...in this respect)

No

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

Yes (...in this respect)

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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We support the Development Boundary for Worksop on the basis that this provides a definition of the area within or adjoining the urban area of Worksop, within which growth may be focussed, which is now also in accordance with Regional Spatial Strategy Policy 7.

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.

(None)

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	<input type="checkbox"/>	Yes, I wish to participate	<input checked="" type="checkbox"/>
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PART B - Please use a separate sheet for each representation

Name or Organisation: [REDACTED]

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)

Policy
Number(s)

Diagram(s)

Map 28

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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Whilst the inclusion of the proposed Primary Shopping Area (PSA) for Worksop complies with PPS4 and its associated Practice Guidance and therefore is welcomed in principle, the proposed boundary extends too far south. In our view, the PSA should not extend beyond the north side of the Bridge Street and Newcastle Avenue/Street junction on the basis of the physical break in frontages resulting from the junction and the reduction in retail character of the frontages to the south. It is therefore not justified by survey, unlikely to be effective in maintaining optimum vitality and viability and does not comply with national policy in PPS4, with regard to which such policies are also legally required to be prepared.

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:

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The PSA should terminate at the north side of the Bridge Street and Newcastle Avenue/Street junction. This is because the junction results in a physical break in frontages and the retail character of the frontages south of the junction is much reduced. Such a PSA would therefore be justified based on survey, effective in terms of its ability to maintain optimum vitality and viability within the town centre and compliant with national policy in PPS4 and its associated Practice Guidance, with regard to which it will therefore also have been prepared in compliance with legislation.

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No, I do not wish to participate	<input type="checkbox"/>	Yes, I wish to participate	<input checked="" type="checkbox"/>
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Name or Organisation: [REDACTED]

3. To which document does your representation relate?

<input checked="" type="radio"/> Core Strategy	<input type="radio"/> Proposals Map	<input type="radio"/> 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)	DM7	Diagram(s)

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

<input checked="" type="radio"/> Yes	<input type="radio"/> No
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6. Do you consider the Core Strategy to be 'sound'*?

<input checked="" type="radio"/> Yes	<input type="radio"/> No
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7. If you consider the Core Strategy to be 'unsound', please identify the test of soundness to which your representation relates.

<input checked="" type="radio"/> Justified	<input type="radio"/> Effective	<input type="radio"/> Consistent with National Policy
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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 change of name and the amendment to the Preferred Options draft policy itself to accept all types of economic development on protected sites is welcomed, the criteria for the release of such sites for other uses remains unduly restrictive. Pending the preparation of a Site Allocations DPD to indicate which sites the Council considers are appropriate for release or development for mixed uses (and in what proportions), there must be a mechanism for deciding this on a case-by-case basis that admits up-to-date and truly independent market, viability and regeneration evidence.

The draft policy would base such decisions solely on the Council's most up-to-date employment land assessment or on a viability assessment by a Council-appointed assessor. This would rely on potentially out-of-date, insufficiently-detailed or biased evidence and thereby risks simply carrying over the allocation or protection of employment sites, contrary to PPS4 Policy EC2.1 (h).

Instead of this, an up-to-date, detailed and reviewed assessment of market need and likely take up during the plan period, as well as development viability and regeneration benefits, must be included as the basis for decisions. This would then comply with PPS4 Policy EC1, which requires such decisions to take into account up-to-date evidence in regional, local and site-specific studies.

The draft Policy should be amended to include a cross-reference to the requirement for impact and sequential tests for any main town centre economic development uses outside of town centres or above the specified floorspace thresholds within centres.

The presumption that mixed use redevelopment will be required to contain the minimum amount of 'non-economic development' uses risks determining the urban design of larger areas that are subject to economic change based on historic site boundaries, which may no longer be relevant or may indeed be harmful to the prospects of future comprehensive design-led redevelopment.

The draft Policy is onerous in requiring the Council's choice of viability assessor at the applicant's expense. This is against the interests of natural justice and is unlikely to result in good evidence.

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.

Up-to-date, detailed and reviewed assessments of market need and likely take up during the plan period, as well as development viability and regeneration benefits, must be admissible as evidence for decisions on the re-use of employment sites for other purposes. This would then comply with national policy in PPS4 Policy EC1, which requires such decisions to take into account up-to-date evidence in regional, local and site-specific studies, and therefore make the policy sound.

The draft Policy should be amended to include a cross-reference to the requirement for impact and sequential tests for any main town centre economic development uses outside of town centres or above the specified floorspace thresholds within centres. This would ensure compliance with PPS4 Policy EC17 and therefore make the policy sound.

The presumption that mixed use redevelopment will be required to contain the minimum amount of 'non-economic development' uses should be deleted. There are sufficient other policies, both in the draft CS and in existing national policy, including PPS4, to allow regeneration and urban design benefits to be balanced against any loss of employment potential.

The requirement that a viability assessor be chosen by the Council at the applicant's expense should be deleted.

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	<input type="checkbox"/>	Yes, I wish to participate	<input checked="" type="checkbox"/>
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PART B - Please use a separate sheet for each representation

Name or Organisation: [REDACTED]

3. To which document does your representation relate?

<input checked="" type="radio"/> Core Strategy	<input type="radio"/> Proposals Map	<input type="radio"/> 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)	DM9	Diagram(s)

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

<input checked="" type="radio"/> Yes	<input type="radio"/> No
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6. Do you consider the Core Strategy to be 'sound'*?

<input checked="" type="radio"/> Yes	<input type="radio"/> No
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7. If you consider the Core Strategy to be 'unsound', please identify the test of soundness to which your representation relates.

<input checked="" type="radio"/> Justified	<input type="radio"/> Effective	<input checked="" type="radio"/> Consistent with National Policy
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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 Section D of the policy allows exceptions to the general protection that it otherwise affords all open spaces and sports facilities, the Council appears to have simply protected all the open spaces and sports facilities it has audited. This approach does not have regard to national policy in PPG17 at paragraphs 1 and 11. The latter specifically states that only “Open space and sports and recreational facilities that are of high quality, or of particular value to a local community, should be recognised and given protection by local authorities through appropriate policies in plans.”

The “current Bassetlaw Open Space Assessment (OSA) and the Playing Pitch Assessment (PPA)” referred to in the explanatory text are both by consultants KKP. These rely on the earlier ‘Open Space 2008 – Consultation Draft’ by the Council, which included an incorrect audit and typology, and a weak accessibility assessment.

As a result, the combined KKP/BDC methodology for value assessments is opaque on key issues of locational and inherent accessibility. The BDC audit used radius catchments (ignoring railway lines, canals, rivers, etc) and subjective assessments of whether sites had an ‘isolated location’ (no detail was provided as to what this meant). It is much more objective (and quite easy) to establish the locational value of facilities by counting households within real walk, cycle or drive distances. Such an approach also allows spatial (rather than arithmetic) analysis of capacity.

Facilities can also be valued more objectively by including consideration of who may use them, the greater the proportion of the community representing increasing inherent value. The original BDC audit dealt with tenure and access rights by treating public, private and school facilities as separate typologies. This is incorrect in terms of the PPG17 Practice Guidance and prevents any assessment of relative value. Elements of this approach appear to have been carried into the KKP assessments, which report (not always correctly) on whether a facility is available for ‘community use’.

Also as a result, it seems from tables in the Assessments and the Proposals Map that several boundary and factual inaccuracies remain, including: (1) The PPA reports a playing field (ref. 21 “Shireoaks Road”) in a location broadly corresponding to the former Vesuvius Works as available for community use with one senior and one junior pitch of good quality. No evidence is adduced for this conclusion and, in fact, there is one unplayable senior pitch in a locked private site. (2) The PPA reports one senior cricket pitch (ref. 20 “Sandy Lane, Worksop”) as available for community use somewhere on Sandy Lane, when there are three in the vicinity, all private. (3) The OSA reports areas of natural and semi-natural greenspace (ref. 186 “Land Behind the Football Ground, Sandy Lane”) and amenity greenspace (ref. 187 “Sandy Lane”), but it is unclear where these (and other facilities) are due to the poor quality of the OSA and PPA maps and ambiguous naming (5) In terms of need, the PPA’s own application of the Sport England Playing Pitch Model shows a surplus of 13 senior and three junior pitches and a shortfall of three mini-pitches in Worksop. Nonetheless, “KKP recommends that current provision should be protected as much as possible”.

Consequently, these evidence base documents do not represent the “robust assessments of the existing and future needs of their communities for open space, sports and recreational facilities” required by PPG17 paragraph 1. This means that the draft policy is also inadequately justified.

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:

Whilst concerns were raised in response to the 'Open Space 2008 – Consultation Draft' by the Council, there has been no further consultation on the documents produced by KKP except for an interview in which we explained the type and amount of pitches on the site and the previous company use. None of the information offered appears to have been incorporated.

Consequently, this is the first opportunity to raise concerns in regard to the survey work, analysis and the policy and proposals map that has resulted.

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 inaccuracies highlighted in the background studies should be corrected and the open space sports and recreational facilities audited should be re-evaluated on the basis of a more robust methodology that includes, as far as possible, objective quantitative measures, such as the number of households within realistic walking, cycling and driving catchments and the number of people to whom a facility is regularly and realistically available. Only those facilities of high quality, or of particular value to a local community, should be protected. Sound conclusions from the study should then remove the need for the exceptions written into the policy, since any change in need or supply subsequent to adoption would be material consideration in any case.

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PART B - Please use a separate sheet for each representation

Name or Organisation: [REDACTED]

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)

Policy
Number(s)

Diagram(s)

Map 30

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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If you wish to support the legal compliance or soundness of the Core Strategy/Sustainability Appraisal/Proposals Map, please use this box to comment.

Because the Proposals Map shows generic 'Protected Open Space', it is not clear in each case why (i.e. within which typology and due to what value assessment) land has been protected. Indeed, it is apparent that virtually all open space sport and recreation facilities audited have been identified on the draft Proposals Map for protection, so that the value assessment has either been ignored or the unlikely conclusion reached (despite findings in the Open Space Assessment and the Playing Pitch Assessment) that every facility in every typology is of high value.

This is contrary to PPG17 paragraph 11, which states that only "Open space and sports and recreational facilities that are of high quality, or of particular value to a local community, should be recognised and given protection by local authorities through appropriate policies in plans."

Whilst the maps in the Open Space Assessment and the Playing Pitch Assessment are inadequate for establishing exactly where facilities actually are and the names given are too ambiguous in many cases to assist, it is apparent from overlaying the maps on to OS base plans and comparing them with the original BDC 'Open Space 2008 – Consultation Draft' that virtually all of the original faulty audit data, including boundaries, has been carried across into the Open Space Assessment and the Playing Pitch Assessment, thence into the draft Proposals Map.

Examples of incorrect boundaries include the identification of areas of land at the former Vesuvius Works as protected open space that has always been used for open storage in association with the former industrial use of the site. This can easily be verified by checking on-line mapping from when that use was active. An overlay is attached showing this. Our review of other audited sites at the time of the original BDC 'Open Space 2008 – Consultation Draft' suggested that similar mistakes have been made on other sites (e.g. part of the A57 Worksop Bypass is identified as protected open space), undermining confidence in the survey.

It is almost impossible to discern from Figure 5.3 in the Open Space Assessment where the sites with KKP reference numbers 186, 196 and 197 are exactly, the latter two even having the same name "Shireoaks Road". It is impossible to establish why they have the quality and value rating they have or why the boundaries (which can only be assumed to have resulted from the Open Space Assessment) have been set as they have been. There appears to be no evidence base to support the 'Local Wildlife Site' designations, beyond the county record list, which is not up-to-date or referred to and the protected open space designations that presumably result from them.

More up-to-date evidence on the status of land at the former Vesuvius Works on Shireoaks Road and Sandy Lane in Worksop has been provided as part of the application and subsequent appeal there.

This means that the draft Proposals Map designations are not consistent with, and fail to take account of, national policy and are also inadequately justified. They are therefore fail to comply with the legal requirement to have regard to national policy and are also not sound.

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:

Whilst concerns were raised in response to the 'Open Space 2008 – Consultation Draft' by the Council, there has been no further consultation on the documents produced by KKP except for an interview in which we explained the type and amount of pitches on the site and the previous company use. None of the information offered appears to have been incorporated.

Consequently, this is the first opportunity to raise concerns in regard to the survey work, analysis and the policy and proposals map that has resulted.

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 inaccuracies highlighted in the background studies should be corrected and the open space sports and recreational facilities audited should be re-evaluated on the basis of a more robust methodology that includes, as far as possible, objective quantitative measures, such as the number of households within realistic walking, cycling and driving catchments and the number of people to whom a facility is regularly and realistically available. Only those facilities of high quality, or of particular value to a local community, should be protected.

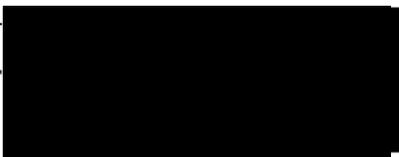
Equally, only open space identified and justified as a local wildlife site on the basis of its value in terms of biodiversity or public access to natural or semi-natural greenspace should be protected.

Specifically, the land highlighted on the overlay plan that has never had any open space function should be removed from the protected open space designation.

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	<input type="checkbox"/>	Yes, I wish to participate	<input checked="" type="checkbox"/>
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Signature		Date	20 December 2010
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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: [.plans@bassetlaw.gov.uk](mailto:plans@bassetlaw.gov.uk) .

PART B - Please use a separate sheet for each representation

Name or Organisation: [REDACTED]

3. To which document does your representation relate?

<input checked="" type="radio"/> Core Strategy	<input type="radio"/> Proposals Map	<input type="radio"/> 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)		Diagram(s)	DM10
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5. Do you consider the document to be legally compliant*?

<input checked="" type="radio"/> Yes	<input type="radio"/> No
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6. Do you consider the Core Strategy to be 'sound'*?

<input checked="" type="radio"/> Yes	<input type="radio"/> No
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7. If you consider the Core Strategy to be 'unsound', please identify the test of soundness to which your representation relates.

<input checked="" type="radio"/> Justified	<input type="radio"/> Effective	<input checked="" type="radio"/> Consistent with National Policy
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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 we welcome the recognition of the benefits of renewable or low-carbon energy, such as district heating, we are concerned that the Energy Opportunities Diagram is to much too small a scale to be useable. We are therefore unable to comment in detail on this, since it is not possible to confirm whether the diagram and the policy based on it is justified. This failing also means that it is not legally compliant or consistent with advice in PPS12.

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:

No such diagram in earlier versions.

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.

Re-issue the diagram and re-consult on the policy.

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	<input type="checkbox"/>	Yes, I wish to participate	<input checked="" type="checkbox"/>
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Signature		Date	20 December 2010
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