

Clarborough and Welham Neighbourhood Development Plan 2016-2031

The Report by the Independent Examiner

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Summary

The preparation of a neighbourhood plan is a very large undertaking for a small parish like Clarborough and Welham. It is evident that the community has recognised an opportunity to shape development in a way that will make a positive contribution to the supply of housing and provide valuable new facilities for the village.

The documentation provided to me did not include the Non-Technical Summary of the Sustainability Appraisal. Also, although it referred to consultations with Natural England, the Environment Agency and Historic England on the various stages related to Strategic Environmental Assessment, their responses were not included. I have been provided with these documents and am satisfied that the appropriate procedures have been followed, but the full documentation should be posted on the neighbourhood plan website.

The main focus of the Plan is the development of the Broad Gores site coupled with: the provision of open space between the development of the canal, the improvement of linkages between different parts of the Clarborough built-up area and the realisation of the potential of the Chesterfield Canal for tourism. This is an imaginative proposal that embraces the three strands of sustainable development. I have found it necessary to significantly redraft Policies 1 and 3 to clarify the relationship between different elements of the development proposed as I am concerned that the designation of a specific area as a Local Green Space at this stage would unnecessarily constrain detailed proposals for residential development. I have also found it necessary to make some more minor changes to the other policies.

The community has been closely involved in the preparation of the Plan throughout and it is clear from the absence of substantial objections that the Plan has local support.

I have concluded that, if the modifications that I have recommended are made:

The Clarborough and Welham Neighbourhood Plan has been prepared in accordance with Sections 38A and 38B of the Town and Country Planning Act 1990 and the Neighbourhood Planning Regulations 2012;

Having regard to national policies and advice contained in guidance issued by the Secretary of State it would be appropriate to make the Plan;

The making of the Plan would contribute to the achievement of sustainable development;

The making of the Plan would be in general conformity with the strategic policies of the development plan for the area;

The Plan would not breach and would be otherwise compatible with European Union obligations and the European Convention on Human Rights.

I am therefore pleased to recommend that the Clarbrough and Welham Neighbourhood Development Plan should proceed to a referendum subject to the modifications that I have recommended.

I am also required to consider whether or not the referendum area should extend beyond the Neighbourhood Plan Area. I have seen nothing to suggest that the policies of the Plan will have “a substantial, direct and demonstrable impact beyond the neighbourhood area”.¹ **I therefore conclude that there is no need to extend the referendum area.**

¹ PPG Reference ID: 41-059-20140306

Introduction

1. The Localism Act 2011 has provided local communities with the opportunity to have a stronger say in their future by preparing neighbourhood plans which contain policies relating to the development and use of land.
2. Clarborough and Welham Parish Council is the qualifying body for the Clarborough and Welham Neighbourhood Development Plan 2016-2031 (which I shall refer to as the (ClaWe NP or the Plan). The Plan area covers the whole of the parish of Clarborough and Welham. It has been prepared by a steering group of Parish Councillors, local residents and business representatives.
3. The Parish of Clarborough and Welham lies two miles north-east of the market town of Retford. It contains the separate villages of Clarborough and Welham and had a total population of 1088 in 2011. Both villages lie on the A620 between Retford and Gainsborough; Welham is a small cluster of development with no local services near the southern boundary of the parish and Clarborough is a larger village with a primary school, two pubs and a village shop at the northern end. The Chesterfield Canal runs approximately north-south on the western side of the parish and to the east of the villages there is a large rural, mainly agricultural, area on rather higher ground.
4. If, following a recommendation from this examination, the Plan proceeds to a local referendum and receives the support of over 50% of those voting, it can be made and will then form part of the statutory development plan. As such it will be an important consideration in the determination of planning applications, as these must be determined in accordance with development plan policies unless material considerations indicate otherwise.

Appointment of the Independent Examiner

5. I have been appointed by Bassetlaw District Council (BDC) with the agreement of Clarborough and Welham Parish Council (CWPC) to carry out the independent examination of the ClaWeNP. I have been appointed through the Neighbourhood Planning Independent Examiner Referral Service (NPIERS).
6. I confirm that I am independent of both Bassetlaw District Council and Clarborough and Welham Parish Council and have no interest in any land which is affected by the ClaWeNP.

7. I am a Chartered Town Planner with over 30 years' experience in local government, working in a wide range of planning related roles, including 15 years as a chief officer. Since 2006 I have been an independent planning and regeneration consultant. I have completed 15 neighbourhood plan examinations and three health checks. I therefore have the appropriate qualifications and experience to carry out this examination.

The Scope of the Examination

8. The nature of the independent examination is set out in Sections 8-10 of Schedule 4B of the Town and Country Planning Act 1990.
9. I must:
 - a) decide whether the Plan complies with the provisions of Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004. These requirements relate primarily, but not exclusively, to the process of preparing the Plan and I shall deal with these first.
 - b) decide whether the Neighbourhood Development Plan meets the basic conditions contained in Schedule 4B paragraph 8(2) of the Town and Country Planning Act 1990. This element of the examination relates mainly to the contents of the Plan.
 - c) make a recommendation as to whether the Plan should be submitted to a referendum, with or without modifications, and whether the area for the referendum should extend beyond the Plan area.
10. The Plan meets the basic conditions if:
 - a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the Plan;
 - b) the making of the Plan contributes to sustainable development;
 - c) the making of the Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
 - d) the making of the Plan does not breach, and is otherwise compatible with, EU obligations.

11. Paragraph 9 of Schedule 4B indicates that as a general rule the examination should be carried out on the basis of written representations unless a hearing is necessary to allow adequate consideration of an issue or to allow a person a fair chance to put a case. In carrying out the examination I determined that it could be completed without a hearing. I did, however, seek clarification by e mail from BDC on some matters relating to the Strategic Environmental Assessment.
12. The documents which I have referred to in the examination are listed below.
- Clarborough and Welham Neighbourhood Development Plan 2016-2031
 - Clarborough and Welham Neighbourhood Development Plan 2016-2031: Basic Conditions Statement
 - Clarborough and Welham Neighbourhood Development Plan 2016-2031: Consultation Statement
 - Clarborough and Welham Neighbourhood Development Plan: Environmental Assessment of Plans and Programmes Regulations 2004 – SEA Screening Statement
 - Clarborough and Welham Neighbourhood Plan Sustainability Appraisal Scoping Report
 - Clarborough and Welham Neighbourhood Development Plan 2016-2031: Sustainability Appraisal
 - Clarborough and Welham Neighbourhood Development Plan Pre-Submission Draft 2015-2030 Written Comments from Residents
 - Rural community profile for Clarborough and Welham (Parish), prepared by Action for Communities in Rural England (ACRE) November 2013
 - Responses received to publicity in accordance with Regulation 16 of the Neighbourhood Plan Regulations
 - Bassetlaw Core Strategy and Development Management Policies adopted in December 2011
 - The Neighbourhood Planning (General) Regulations 2012 as amended in 2015 which are referred to as the NPR.
 - The Environmental Assessment of Plans and Programmes Regulations 2004 (EAPPR).
 - The National Planning Policy Framework which is referred to as the NPPF.
 - National Planning Practice Guidance referred to as PPG.
13. These documents include all of those that are required to be submitted with a neighbourhood plan under regulation 15 of the NPR.

14. I made an unaccompanied visit to Clarborough and Welham on 21 October 2016 to familiarise myself with the Parish and help me to understand the implications of the Plan policies. I spent most of a day walking around the parish and its surroundings to view all the key locations referred to in the Plan.

The Preparation of the Plan

15. An application for the designation of the whole of the Parish of Clarborough and Welham as a Neighbourhood Area was submitted by CWPC to BDC on 1 July 2013. The Council undertook consultation as required by regulation 6 of the NPR for a period of 6 weeks, no objections were received and the Council approved the designation on 12 December 2013. The designation was subsequently published on the Council's website in accordance with regulation 7(1) of the NPR.
16. As required under Section 38B (1) (a) of the Planning and Compulsory Purchase Act 2004 the Plan clearly states the period to which it relates, which is 2016-2031.
17. The Plan must not include any provision about development that is excluded development as defined in Section 61K, which is inserted into the 1990 Town and Country Planning Act. Excluded development includes "county matters" such as mineral extraction and waste disposal and major infrastructure projects. I am satisfied that the submitted plan contains no such provision.
18. I am also satisfied that the ClaWeNP does not relate to more than one neighbourhood area.

Public Consultation

19. The process of public consultation on the preparation of the ClaWeNP is set out in the Consultation Statement. From the outset, there was a clear consultation strategy based on the concept of three key phases: awareness raising, gathering ideas and consulting people on the Plan. Throughout there was an attempt to engage all sections of the community using a wide range of techniques ranging from posters and leaflets to use of the Plan website and Facebook. Particular efforts were made to engage young people, older people, people at work and people with disabilities.
20. During the early stages, it emerged that the possible development of the Broad Gores Site would be a central issue for the Plan. The development of proposals for this site

involved an extensive process of consultation including detailed discussions with the landowner, Bassetlaw District Council.

21. The regulation 14 consultation on the Draft Plan took place between 1 January 2016 and 14 February 2016. All households and businesses in the Parish received: an Executive Summary of the contents of the Plan, a leaflet with 14 consultation questions and a leaflet giving details of all meetings and consultations on the Draft Plan. The full Plan could be viewed on the website and hard copies were available at the village hall, the two pubs and the Spar shop. Four public meetings were held during the consultation period and these were all widely publicised.
22. The Consultation Statement provides very clear information on the numbers of people involved in the various initiatives to publicise the Plan and a summary of the response to the specific questions on the questionnaire which showed very strong support for the objectives and policies of the Plan. It also provides a summary of written comments which led to changes in the Plan and a link to full comments of all resident responses and the response of the steering group to them. While this approach just accords with the requirements in the regulations, it would have been helpful and more explicit to summarise the main points made in these responses which did not lead to changes and the reasons for this.
23. Finally, the Consultation Statement includes a schedule of the responses from statutory consultees and a full list of the organisations consulted.
24. I am satisfied that the consultation process met the requirements of regulation 14 of the NPR and that the Consultation Statement meets the requirements of regulation 15(2).

The Development Plan

25. The statutory development plan is made up of:
 - The Bassetlaw Core Strategy and Development Management Policies adopted in December 2011
 - The Nottingham and Nottinghamshire Waste Core Strategy 2013
 - The Saved Policies of the Nottinghamshire Minerals Local Plan 2005
26. The Bassetlaw Core Strategy and Development Management Policies is being reviewed but the emerging Bassetlaw Plan is at an early stage of preparation. The Minerals and Local Plan is also being reviewed and will be replaced by a new Local

Plan. However, Nottinghamshire County Council have advised that there are no existing or proposed mineral extraction sites or mineral safeguarding and consultation areas within the Plan area.

The Basic Conditions Test

27. The consideration of whether the Plan meets the basic conditions is at the heart of the independent examination process. It is therefore essential to be absolutely clear on the meaning of each of the basic conditions. Detailed consideration of the first three conditions is carried out in relation to the policies of the Plan but the fourth relating to EU requirements is considered in detail here.

“having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan”.

28. There are two important points to emphasise in relation to this. The first is that this requirement means that an examiner must consider this requirement in relation to the making of the plan; it thus applies to the plan as a whole rather than to individual policies. The second point is the use of the phrase “*having regard to*”. This means that the examiner must consider the national policy and advice but it does not mean that each policy should be in absolute conformity with it. It provides for an element of flexibility. PPG explains that “*having regard to national policy*” means that “*a neighbourhood plan must not constrain the delivery of important national policy objectives*”. The Plan as a whole is clearly the sum of its policies and it is therefore necessary to consider the extent to which each policy complies with national policy and guidance. However, in reaching my overall conclusion on this basic condition it is the relationship of the plan as a whole with national policies and guidance rather than individual policies which is the key consideration.
29. The Basic Conditions Statement sets out the relationship of the ClaweNP objectives as a whole with the core planning principles of the NPPF. This is helpful and I am satisfied that there is no serious conflict between the core planning principles and the vision and objectives of the Plan. The scale and rural nature of Clarbrough and Welham means that not all of the NPPF principles are directly applicable to the Plan.
30. The Basic Conditions Statement then very helpfully goes on to relate each of the policies of the ClaweNP to specific paragraphs of the NPPF and I will consider this in more detail when I address the individual policies.

31. Also, relevant to the basic conditions test is “guidance issued by the Secretary of State” as set out in PPG. The Basic Conditions Statement does not consider the relationship of the Plan to PPG but I have had frequent need to relate aspects of the Plan to it.

The making of the plan contributes to sustainable development

32. Sustainable development is the fundamental principle guiding the planning process² and the assessment of this basic condition is therefore of prime importance. The NPPF spells out the three dimensions of sustainable development: economic, social and environmental and the interdependent nature of these. Again, it is important to note that the assessment to be undertaken relates to the plan as a whole, but clearly the contribution of each policy needs to be considered to enable a conclusion to be reached and policies which fail to contribute to sustainable development are likely to require modification or deletion. As the NPPF points out³ local circumstances vary greatly and that influences the way in which contributions to sustainable development can be made.

The making of the plan is in general conformity with the strategic policies contained in the development plan for the area.

33. As with the previous two conditions the test applies to the plan as a whole but this requires consideration of individual policies against relevant strategic policies in order to reach an overall conclusion. The test of “general conformity” is fundamentally that the neighbourhood plan policies should not undermine the strategic policies of the Local Plan. The test is spelt out more fully in PPG⁴. It does not preclude some variation from a strategic policy to reflect local circumstances providing the proposal upholds the general principle that underlies the strategic policy.

The making of the Plan does not breach, or is otherwise compatible with EU obligations

34. As this condition relates to the process of plan preparation I shall deal with it in detail at this stage.

² NPPF para 6

³ NPPF paragraph 10

⁴ PPG Reference ID: 41-074-20140306

a) Strategic Environmental Assessment

35. PPG indicates that *“where a neighbourhood plan is likely to have significant environmental effects it may require a strategic environmental assessment”*⁵, subsequently referred to as SEA. An SEA requires the preparation of an environmental report. In order to determine whether the plan would have a significant environmental effect, a screening assessment is necessary.
36. Regulation 15 of the NPR requires that the submission of a neighbourhood plan must include:
“either (i) an environmental report prepared in accordance with paragraphs (2) and (3) of regulation 12 of the Environmental Assessment of Plans Regulations (EAPPR) or (ii) where it has been determined under regulation 9(i) of these Regulations that the proposal is unlikely to have significant environmental effects (and accordingly does not require an environmental assessment), a statement of reasons for the determination”.
37. In the case of Clarborough and Welham a screening assessment of the need for SEA was carried out by BDC which concluded that the Plan was unlikely to have significant environmental effects and that SEA was therefore not necessary. The documents submitted to me did not contain evidence of consultation with the statutory consultees on the screening statement as required under regulation 9(2)(b) of the EAPPR. However, in response to a request for clarification on this I was sent copies of responses from Natural England, Historic England and the Environment Agency. In their response, Natural England expressed the view that the Plan may have significant environmental effects on the Chesterfield Canal SSSI and would therefore need an SEA because of this. The Sustainability Assessment (SA) submitted with the Plan includes a SEA. My e mail, the reply and the response from Natural England are attached as Appendix 1.
38. A Scoping Report for the Sustainability Assessment was prepared and was the subject of consultation with the statutory bodies in accordance with regulation 12(5) of the EAPPR, though again their replies are not included in the submissions, but have been supplied to me. The Scoping Report included baseline information on the environment of Clarborough and Welham and a summary of environmental issues.
39. The Environmental Report is contained in the SA. It cross refers to the Scoping Report and does not reproduce the baseline information contained in it. It then sets out clearly

⁵ PPG Reference ID: 11-027-20150209

the decision making criteria to be used in assessing the impact on each of the sustainability objectives. The consideration of reasonable alternatives is restricted to the evaluation of 5 options for the scale of development on the Broad Gores site. The reasons for discounting options 1-4 are clearly set out. In the detailed evaluation of the options there is an error in the scoring of options 4 and 5 on page 22 as the scoring bar at the top does not reflect the commentary beneath it. The correct scoring has been supplied to me and is attached at Appendix 2. The appraisal then evaluates all the policies against the sustainability objectives.

40. The report does not include a non-technical summary, which is listed in the requirements for an Environmental Report in Schedule 2 paragraph 12 of the EAPPR. In response to a query about this I was informed that a non-technical summary had been prepared and used in consultation but was not included in the submission documents. The Sustainability Appraisal was the subject of consultation with the statutory bodies, their replies were not included in material submitted to me but have now been provided. They have expressed satisfaction with the contents of it.
41. The absence of the responses from the consultation bodies at the screening, scoping and Sustainability Appraisal consultation stages is an unfortunate omission from the submitted documentation. However, I am satisfied that the issue of the SEA is not contentious and that the appropriate procedures have been followed. In the interests of openness, it would be helpful if these consultations were posted on the website along with the other documents.
42. The consideration of reasonable alternatives is rather limited. However, the need for SEA was precipitated by just one issue, namely the concern of Natural England about the effect of the Plan proposals on the Chesterfield Canal SSSI. The scope of the SEA is therefore limited and the restriction of the evaluation of reasonable alternatives to those for the Broad Gores site reflects the potential of the Plan to have significant environmental effects.
43. In considering both the absence of a non-technical summary and the limited approach to the consideration of alternatives I have had regard to PPG which indicates that SEA *“should focus on the environmental effects that are likely to be significant. It does not need to be done in any more detail or using more resources than is considered to be appropriate for the content and level of detail in the neighbourhood plan.”* The Sustainability Appraisal is not a very large document and given its limited scope does not contain a large amount of technical information. I therefore do not consider that the inclusion of a non-technical summary is essential. Also, I am satisfied that the range of

alternatives considered is appropriate having regard to the content of the Plan and the initial reasons for needing an SEA. For these reasons and having regard to the response of consultees to the consultation on both the Sustainability Appraisal and the submitted Plan I am satisfied that the SEA is consistent with the EAPPR, subject to the correction of the errors on Page 22.

Recommendations

That the Non-Technical Summary and the responses of Natural England, the Environment Agency and Historic England to the consultations on the SEA Screening Assessment, the Sustainability Assessment Scoping Report and the Sustainability Appraisal are posted on the Neighbourhood Plan website.

Amend the scoring of option 4 and 5 on page 22 of the Sustainability Appraisal to correctly correspond with the text that follows.

b) Habitats Regulation Assessment

44. Clarborough and Welham are not close to any European designated sites for nature conservation and I am satisfied that there is no need for an Appropriate Assessment under the Habitats Regulations.

c) Human Rights

45. I am also satisfied that nothing in the ClaWeNP is in conflict with the requirements of the European Convention on Human Rights.
46. I therefore conclude that the ClaWeNP would not breach and would be otherwise compatible with EU obligations.

Community Vision, Aims and Objectives

47. Section 7 of the Plan sets out a broad vision for Clarborough and Welham which has three elements. The first relates to the continuing separate but mutually supporting nature of Clarborough and Welham, the protection of their heritage and improved access to the countryside. The second element relates to carefully planned new development and improved community and recreational facilities and the third to a vibrant community spirit based on the presence of key central services and local employment. The vision embraces the three dimensions of sustainable development, economic, social and environmental and I have found it to be a very helpful statement of the aspirations for the two villages.

Pre-application Consultation on Major Development

48. Prior to the policies the Plan introduces what it calls a key principle relating to pre-application consultation. It aims to persuade applicants for major development as defined in the General Permitted Development Order 2015 to consult the local community in advance of submitting applications for major development. This sort of community engagement is encouraged by the NPPF⁶ and is clearly good practice. However, the same paragraph makes it clear that except for a narrow range of major developments, pre-application consultation cannot be required. The Plan quite correctly presents this principle differently from a policy but the difference in the format from that of policies is subtle and, the use of the word “should” presents pre-application consultation as a requirement. To make it clear that this is a piece of guidance and not a policy or a requirement the following modifications are necessary to meet the basic conditions.

Recommendation

To more clearly differentiate this principle from the policies remove the blue shading from the text box.

Replace “should” with “are strongly encouraged to”.

The Policies of the Clarborough and Welham Neighbourhood Plan

49. I have considered each of the policies having regard to the basic conditions. I have also had regard to the views expressed in response to public consultation both in the early stages of the preparation of the Plan and, in particular, in the responses to the regulation 16 consultation. Although I have not referred specifically to all the representations and suggestions that have been made I have taken them all into account.
50. I am only empowered to recommend modifications where they are necessary to enable the Plan to meet the basic conditions or to correct errors. PPG⁷ requires that policies should be “*clear and unambiguous*” and “*drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications*” and some modifications have been recommended with this in mind.

⁶ NPPF paragraph 189

⁷ PPG Reference ID: 41-041-20140306

Policy 1: The development of the Broad Gores site: housing and canal side community facilities and Policy 3: The designation of Local Green Space.

51. The development of the Broad Gores Site is the main driver for the ClaWeNP. The community has recognised and grasped the opportunity to plan positively for this development to achieve significant benefits for the community in addition to the provision of additional housing. This is a key location close to the centre of the village and the main community facilities. It lies between the main built up area and the Chesterfield Canal SSSI, which is important as a recreational asset and has a nationally important aquatic plant community. Policy 1 seeks to provide approximately 38 houses, to maximise the tourist potential of the Chesterfield Canal SSSI, to effectively integrate the new development into the village by providing new connections, including a new footbridge to the play park and the Village Hall and to achieve some variety of housing style to reflect the existing character of the village.
52. This is a positively framed and ambitious policy which has the potential to exert significant influence on the future development of the village. However, there is clearly a very close relationship between this policy and Policy 3 relating to the allocation of the area between the proposed housing development and the canal as Local Green Space. Indeed, without consideration of this space there is no obvious relationship between the tourism potential of the canal and the proposed housing development. It is evident that the Plan is seeking an integrated approach to the development of the whole area. In this context, the separation of Policies 1 and 3 is not helpful and I have therefore considered these two policies together and suggest combining them.
53. The approach to the Local Green Space is not consistent with that for the housing. Policy 3 is very precise in defining a specific area of land for designation as shown on Map 7, although the supporting text refers to an area of approximately 2 hectares. Policy 1 does not define the area to be developed for housing, referring only to Map 6 which shows the entire area owned by BDC. There is clearly a need for a consistency of approach, either identifying a specific area for housing development or using a more indicative approach to the way the site will be developed. The designation of Local Green Space would require clear definition of the area so designated, but in my view, it is important for consistency with the presumption in favour of sustainable development to allow some flexibility in the way detailed proposals are developed at this stage. This approach requires significant re-ordering and re-phrasing of Policies 1 and 3 but does not in any way alter or undermine the intentions of the Plan. I now consider the

separate elements of the development of the Broad Gores Site.

Housing

54. One of the key requirements of neighbourhood plans is that they should “*not promote less development than set out in the Local Plan or undermine its strategic policies.*” Clarborough together with the adjoining village of Hayton is designated as a Rural Service centre in the Bassetlaw Core Strategy (BCS). The BCS does not identify any specific scale of housing development to be accommodated in Clarborough but makes provision for 770 new dwellings to be accommodated in the 20 Rural Service Centres over the period 2011-2028. Of these 171 were built prior to the adoption of the BCS leaving 599 dwellings to be accommodated either through the completion of existing planning permissions or new permissions. I have no information on the scale of existing planning permissions in Clarborough and there is no explicit approach to the scale of development to be accommodated in each of the rural service centres. A pro rata division of the remaining 599 dwellings between the 20 rural service centres would mean about 30 dwellings in each up to 2028. As Clarborough with the adjoining village of Hayton is just one Rural Service Centre the provision of about 38 dwellings on the Broad Gores site would be substantially more than the policy would require for Clarborough on a simply arithmetical basis.
55. PPG suggests that if a neighbourhood plan allocates sites for development there should be an appraisal of options and an evaluation of alternative sites against clear criteria. No such evaluation has been undertaken in the ClaWeNP or its accompanying documents and it is evident that the preparation of the Plan has been led by the potential of the Broad Gores site. In a larger settlement where there are clearly several potential sites this could result in the failure of the Plan to meet the basic conditions. However, Clarborough is a relatively small village and the Broad Gores site is centrally situated, close to the main facilities of the village. Moreover, no alternative sites have been brought forward in the response to consultation at either the regulation 14 or regulation 16 stage, other than the suggestion by several individuals that the arrangement of the open space and housing should be reversed so that the open space connected with the existing open space to make a more central “village green”.
56. The SEA evaluated a range of options for the development of the Broad Gores site against the sustainability objectives. The options included Option 3 for the development of the whole site with 98 houses, which identified potentially negative effects on the landscape and natural environment associated with development close

to the Chesterfield Canal SSSI and outside the development boundary, contrary to the Core Strategy Policy CS8. While the option of reversing the locations of the open space and housing development would not have identical effects to Option 3 as it would involve less housing, it could still have an adverse effect on the Chesterfield Canal SSSI and would involve development outside the development boundary. It would have been helpful to fully evaluate this option, but I find no reason to consider that this, or any other alternative would contribute more to sustainable development.

57. The BCS will be replaced by the Bassetlaw Plan which will roll forward the planning horizon for the district to 2034. However, this is at a very early stage and provides no guidance on the scale of development needed in the village. It is evident that there has been close liaison between the steering group and BDC and the scale of housing development envisaged here is consistent with the strategic context of the CS.
58. I have had full regard to the PPG with regard to site allocations and I am satisfied that, taking account of the scale and nature of Clarbrough and the absence of other options the proposal for development at the Broad Gores site is consistent with the basic conditions.

Canal related development

59. The second and third parts of the policy seek to realise the tourism potential of the Chesterfield Canal SSSI without harming the status of the canal as an SSSI. The policy is not explicit on what form this might take or how it will be achieved, but the supporting text suggests there is the potential for the canal to be widened opposite the Gate Inn to provide up to 15 mooring berths. It refers to evidence that there is a shortage of moorings on the canal and that there may well be increased demand for them when the Chesterfield Canal is linked via the river rother to the Sheffield and South Yorkshire Canal.
60. There is no explicit statement that additional moorings would be provided as part of the proposal for housing development through a planning obligation, but paragraph 80 of the Plan and the close relationship between criteria a) and b) suggest that they may be. The representation from the Canal and River Trust draws this inference and suggests a need to clarify the relationship between Policy 1 and the supporting text and I share that view. The supporting text makes it clear that planning obligations should not threaten the viability of new development. Any planning obligation would also have to meet the legal tests set out in paragraph 204 of the NPPF. It is not clear that an obligation to provide moorings would be “*necessary to make the (housing)*

development acceptable in planning terms” or “directly related to the development” or “fairly and reasonable related in scale and kind to the development”. The scale of investment involved in the widening of the canal to provide moorings would be substantial as BDC point out and it is unlikely that housing development on the scale envisaged would support it. It seems more likely that any canal related development of the sort described would be a complementary proposal that would be welcome rather than an integral element of the housing development. It is possible that this could be supported by some funding from Community Infrastructure Levy contributions deriving from the housing development. The wording of the policy requires clarification to reflect this.

Local Green Space

61. The principle of the provision of an area of open space between the proposed housing development and the canal is entirely consistent with the basic conditions. This area has the potential to provide an important facility for the village, accommodating a range of open space activities, and to improve connectivity between different parts of the village. However, as I have explained I am not satisfied that the proposals for the Broad Gores Site are at a sufficiently advanced stage for a formal designation of Local Green Space. Such a designation would normally relate to an existing green space which meets the criteria in the NPPF. In this case an area with the potential to be “demonstrably special to the local community” is suggested. However, the designation of a Local Green Space requires the identification of a specific area and the reference to an area of approximately 2 hectares is not consistent with this. I am, however entirely satisfied that the area could meet the requirements for Local Green Space Designation at some stage in the future and it would be appropriate for the supporting text to refer to this aspiration.
62. To reflect the points I have made, to more accurately reflect what is envisaged and to meet the basic conditions Policy 1 needs to be redrafted and Policy 3 deleted with consequential changes to the supporting text, maps and policy numbering. While this may appear to be a substantial change it does not change the basic aim of the policies and I have used the original wording wherever possible.

Recommendations

Reword Policy 1 to read:

“Policy 1: the development of the Broad Gores site: housing, open space and canal side community facilities.

1. The following development is proposed on the Broad Gores Site in accord with the indicative Plan (as shown in Map 7)

- the development of approximately 38 houses on the eastern part of the site**
- the provision of approximately 2 acres of open space between the proposed new housing and the canal and**
- development to realise the tourist potential of the Chesterfield Canal SSSI which may include the provision of additional moorings.**

2. All development proposals will be required to demonstrate that they do not impact harmfully on the significance of the Chesterfield Canal as a site of Special Scientific Interest.

3. Proposals for residential development will be required to demonstrate that

- a. boundary treatments and aspects are appropriate to a rural setting;**
- b. the layout maximises opportunities to integrate into the village through creating new connections and improving existing ones and allows for easy, direct movement to and from the village centre and the surrounding area, whilst not creating a through route for traffic between the two existing sections of Broad Gores. This should include the provision of a footpath via a green corridor through the site;**
- c. the development includes a variation of styles and types to reflect the existing character of the village, except where it includes a group of housing of a particular type to meet local need, for example retirement housing;**
- d. An area of approximately 2 hectares between the proposed residential development and the Chesterfield Canal is made available as public open space.**

4. On the area identified for open space

- a. new development will not be permitted unless it is consistent with its predominantly open and undeveloped character;**
- b. Opportunities to improve public access and recreational use that supports the flow and function of the Chesterfield Canal will be encouraged;**

- c. The development of the canal moorings should be part of a comprehensive management plan for this section of the canal;
- d. Proposals which conserve, enhance and/or restore the biodiversity of the area will be encouraged.”

Delete Policy 3

Delete the supporting text to Policy 3 (paragraphs 121-134) and insert it under the heading “Open Space” after paragraph 110. References to Local Green Space need to be deleted or amended thus:

Paragraph 121 – delete the first sentence.

Paragraph 122 delete “a Local Green Space” and insert “an open space. It is envisaged that when clearly defined and established this could become a designated Local Green Space.”

Paragraph 126 In the first line delete “a Local Green Space” and insert “a new open space”. In the second line delete “LGS” and insert “open space”.

Paragraph 128 delete “Local Green Space and insert Open Space”

Paragraph 130 delete “A Local Green Space” and insert “This new open space”

Delete paragraphs 131-134 and replace with a new paragraph 131: “When defined and established this new open space it is intended that it should be designated as a Local Green Space in accordance with the criteria in paragraph 77 of the NPPF.

Delete the existing Map 7 and replace with a new Map 7 which shows in diagrammatic form: the area to be developed for housing, the proposed open space, the location of canal side development / new berths, the location of the proposed footbridge.

Renumber Policies 4-10 to reflect the deletion of Policy 3.

Policy 2: Design of Residential Development

63. The first part of the policy sets out requirements for new development which will ensure that they respect local character and enhance quality and distinctiveness and is consistent with the basic conditions. The second part of the policy requires applicants for major development to demonstrate that their scheme accords with national design standards such as Building for Life 12. BDC suggest in their representations that BFL12 cannot now be used. No reason is given for this, but it may be based on the outcome of the Housing Standards Review which sought to simplify the regime for building standards for new housing. However, this related to matters which could be included within the Building Control Standards, whereas Building for Life 12 relates to wider design criteria and is still applicable.

64. As presently worded it is not clear how the Policy would be applied to individual proposals and that is necessary if the Policy is to be consistent with PPG.⁸ The industry standard for BFL12 is 9 green assessments and no red ones. It may not always be possible to achieve this for reasons of viability or the particular characteristics of the site, but it is a reasonable target to set, providing it allows for some flexibility. The Building for Life assessment will be helpful in defining important design issues for the site. The number of major development proposals is likely to be small, but this policy would apply to the development of the Broad Gores site. This development will be prominent in the centre of the village and very important in terms of the connectivity between different parts of the village. It is therefore appropriate that it should achieve a very high standard of design.

Recommendation

Modify the second part of Policy 2 to read “For major development, applicants will be required to produce a report to demonstrate how their scheme accords with the Building for Life 12 standards. Schemes will be expected to meet the industry standard of no red scores and 9 green scores unless it can be demonstrated that this cannot be achieved for reasons of viability or the specific characteristics of the site.

Policy 4: Housing Type

65. This policy aims to ensure that proposals reflect the need for 2 bedroom houses which has been demonstrated by the Strategic Housing Market Assessment (SHMA). BDC has suggested a modified wording for the first part of the policy that reflects the need for 3 bedroom as well as 2 bedroom dwellings and this would more accurately reflect the established need. It is also possible that over the Plan period future SHMAs will demonstrate a different need and to ensure that the policy remains relevant a modification to the second part of the Policy is recommended.

Recommendations

In the first part of Policy 4 delete “for two bedroom and” and insert “smaller dwellings, particularly two bedroom, and ”.

Modify the second part of Policy 4 to read: “Developers should show how the most up to date published assessments of housing need at either a district or local level have been taken into account in the housing mix proposed.”

⁸ PPG Reference ID: 41-041-20140306

Policy 5: Infill Development

66. Policy 5 provides for infill development within the built-up area of the village. While the policy refers to “the village”, it appears to apply to both Clarborough and Welham. BDC have pointed out the different status of Clarborough and Welham in the settlement hierarchy in the CS and suggested that as worded the infill policy would conflict with the CS in relation to Welham. Welham is classified in the “other settlements” category in the CS, which are considered unsuitable for residential development because of the lack of services and facilities.
67. I accept that Policy 5 is not wholly in accordance with the CS in this respect, but recent changes to PPG have suggested a more positive approach to the provision of new housing even in small villages. *“in rural areas, all settlements can play a role in delivering sustainable development”* and *“blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence”*.⁹ Welham is a small settlement with few services but it close to both Clarborough and Retford and I have seen no evidence that would justify overriding the PPG guidance, which is more recent than the CS. The criteria set out in Policy 5 would only allow for very small scale development and I am satisfied that, subject to a minor modification to clarify that the Policy applies to both Clarborough and Welham it satisfies the basic conditions.

Recommendation

In Policy 5 after “and redevelopment sites” insert “in Clarborough and Welham”.

Policy 6: Reducing the Risk of Flooding

68. The Policy aims to ensure that new development does not contribute to flood risk and is not susceptible to flooding. It responds to the experience of flooding caused by run off from the higher ground to the east of the villages of Clarborough and Welham in recent years. I am satisfied that it meets the basic conditions subject to modifications to reflect the concerns expressed by BDC. As worded, the Policy could be used to justify any development, and this may not be consistent with sustainable development. I have suggested a modification that would limit its application to appropriate development. The second criterion aims to impose a responsibility to reduce flood risk on development proposals. New development can only reasonably be expected to mitigate any risk directly attributable to it rather than to resolve an existing problem and

⁹ PPG Reference ID: 41-044-20160519

the second modification is therefore necessary to address this and meet the basic conditions.

Recommendations

On part 1 of Policy 6 after “development” insert “which is consistent with other development plan policies”.

In part 2 of Policy 6 delete “to reduce the overall level of flood risk on the site compared to current use” and insert “to prevent any increase in the level of flood risk on the site.”

Policy 7: Green Infrastructure and the Natural Environment

69. The policy aims to encourage development outside the development boundary which would improve or extend existing cycleways, footpaths and bridleways. BDC rightly point out that it is very open ended and could be used to apply to any type of development that contributed such improvements. Subject to a minor modification to reflect this I am satisfied that it meets the basic conditions.

Recommendation

In Policy 7 part 1 insert “d) are consistent with other development plan policies”.

Policy 8: Supporting Local Businesses

70. Under this policy proposals for the conversion of farm building and for new development for employment uses are encouraged subject to criteria to protect the character and amenity of the area.
71. The first part of the Policy is phrased in a discursive way more appropriate to supporting text. To meet the requirements of PPG for clarity some rewording is necessary.
72. In the second part of the Policy the numerical limits on the scale of development are not supported by any evidence or justification. The third criterion refers to the existing development boundary of Clarbrough or Welham. Welham does not have a development boundary and rewording to reflect this is necessary.

Recommendations

Reword the first part of Policy 8 to read:

“The conversion of redundant farm buildings to employment uses will be supported where

- a. There would not be any unacceptable environmental impacts that could not be overcome;**

- b. The structural integrity of the original farm building is retained.”**

In Part 2 of Policy 8 delete criterion a) and in criterion f) after “...Clarborough or” insert “the built-up area of Welham”.

Policy 9: Better Broadband

73. Policy 9 aims to support any improvement to the quality of broadband infrastructure and to ensure that new development can access the infrastructure that is available. The third criterion is phrased in such a way that it could require new residential developments to connect to the superfast broadband network, however far away it is and this would be too onerous to meet the basic conditions. The intention is clearly to ensure that new developments are designed for easy connection to the superfast broadband network when it is made available and a modification is necessary to clarify this

Recommendation

Reword criterion 3 of Policy 9 to read “Where there is no current access to the superfast broadband network, residential developments should be designed to facilitate connection when it is made available.”

Policy 10: Promoting Tourism

74. The policy aims to encourage developments related to tourism in the form of accommodation or the interpretation of the Plan area. The wording part b) is grammatically incorrect as it supports development that will “inform... the Plan area”. It is visitors rather than the Plan area who need to be informed. Otherwise the Policy is consistent with the basic conditions.

Recommendation

Reword part b) of Policy 10 to read “providing facilities which provide information on and interpret the Plan area”

Other Aspirations

75. The final section of the Plan sets out community aspirations for Clarborough and Welham that are not planning policies and with therefore not carry the weight of development plan policies if the Plan is made. It is entirely appropriate for the Plan to do this. Two minor changes are appropriate to correct inaccuracies. The low bridge warning gantry on the A620 referred to in paragraph 200 is now complete, indeed I saw two on my visit, and paragraph 205 incorrectly refers to the Highways Agency rather than the Highways Authority.

Recommendations

Delete the first two sentences of Paragraph 200 and insert “Nottinghamshire County Council installed low bridge warning gantries in 2016”

In Paragraph 205 delete “Agency” and insert “Authority”.

Summary and Referendum

75. The preparation of a neighbourhood plan is a very large undertaking for a small parish like Clarborough and Welham. It is evident that the community has recognised an opportunity to shape development in a way that will make a positive contribution to the supply of housing and provide valuable new facilities for the village.
76. The documentation provided to me did not include the Non-Technical Summary of the Sustainability Appraisal. Also, although it referred to consultations with Natural England, the Environment Agency and Historic England on the various stages related to Strategic Environmental Assessment, their responses were not included. I have been provided with these documents and am satisfied that the appropriate procedures have been followed, but the full documentation should be posted on the neighbourhood plan website.
77. The main focus of the Plan is the development of the Broad Gores site coupled with: the provision of open space between the development of the canal, the improvement of linkages between different parts of the Clarborough built-up area and the realisation of the potential of the Chesterfield Canal for tourism. This is an imaginative proposal that embraces the three strands of sustainable development. I have found it necessary to significantly redraft Policies 1 and 3 to clarify the relationship between different elements of the development proposed as I am concerned that the designation of a specific area as a Local Green Space at this stage would unnecessarily constrain detailed proposals for residential development. I have also found it necessary to make some more minor changes to the other policies.
78. The community has been closely involved in the preparation of the Plan throughout and it is clear from the absence of substantial objections that the Plan has local support.
79. I have concluded that, if the modifications that I have recommended are made:

The Clarborough and Welham Neighbourhood Plan has been prepared in accordance with Sections 38A and 38B of the Town and Country Planning Act 1990 and the Neighbourhood Planning Regulations 2012;

Having regard to national policies and advice contained in guidance issued by the Secretary of State it would be appropriate to make the Plan;

The making of the Plan would contribute to the achievement of sustainable development;

The making of the Plan would be in general conformity with the strategic policies of the development plan for the area;

The Plan would not breach and would be otherwise compatible with European Union obligations and the European Convention on Human Rights.

80. **I am therefore pleased to recommend that the Clarborough and Welham Neighbourhood Development Plan should proceed to a referendum subject to the modifications that I have recommended.**
81. I am also required to consider whether or not the referendum area should extend beyond the Neighbourhood Plan Area. I have seen nothing to suggest that the policies of the Plan will have “a substantial, direct and demonstrable impact beyond the neighbourhood area”.¹⁰ **I therefore conclude that there is no need to extend the referendum area.**

Richard High

24 November 2016

¹⁰ PPG Reference ID: 41-059-20140306

Appendix 1 Clarification of matters relating consultation with statutory bodies re SEA Screening and Sustainability Appraisal

E mail to James Green (Bassetlaw District Council) dated 31 October 2016

Dear James

I have a query relating to the documentation of the consultation on SEA.

The Screening Statement included in the documents sent to me is attached to a letter dated March 2016. It concludes that the Plan is unlikely to have significant environmental effects and an SEA is therefore not necessary. The letter sought the views of the statutory consultees on this opinion. I cannot trace in my documentation or on the website the responses of the statutory consultees.

In spite of the conclusion of the screening report, the Sustainability Appraisal states that it includes an SEA. The Sustainability Appraisal is undated but it appears from the timescale given in it that it was produced later than February 2016 when the final version of the Scoping Report was produced. Again, I cannot see the responses of the statutory consultees to the consultation on the Scoping report or any evidence that they were consulted on the Sustainability Appraisal itself prior to the regulation 16 publicity. Their responses to this do not refer to the Sustainability Appraisal.

Is there any information that I should have received in relation to these points.

Kind Regards

Richard

E mail from James Green (Bassetlaw District Council) 1 November 2016

Good morning Richard,

Firstly apologies these documents were not included in the package I sent over to you. There are a lot of documents attached so I will list them as well below. As you will see from NE response to the SEA Screening, they suggested that an SEA may be required, this is why this work was incorporated into the Draft Sustainability Appraisal, that Natural England were happy with.

Scoping Report - consulted on 21/12/15 - 08/02/2016_

- Environment Agency
- Natural England

SEA Screening - consulted on 16/03/16 - 20/04/2016

- Historic England
- Natural England
- Environment Agency

Draft Sustainability Appraisal - consulted on 01/06/2016 - 06/07/2016

- Natural England
- Historic England
- Environment Agency
- The Draft SA consulted on

Again my apologies these documents weren't included. Hopefully the documents attached address your comments below, if not I am more than happy to discuss this further.

Kind regards

James

Date: 22 April 2016
Our ref: 181485
Your ref:



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James.Green@bassetlaw.gov.uk

Dear James

Strategic Environmental Assessment Screening of the Clarbrough and Welham Neighbourhood Plan

Thank you for your consultation on the above dated 16 March 2016 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

We previously commented to you on the Neighbourhood Plan on 27 January 2016 and refer you to that letter. In that letter we advised you that to be clear about the special interest of SSSIs that you should consider amendments the wording to policy 2 in respect of protecting the "special interest features" of the Chesterfield Canal SSSI. That wording has not been amended and we advise again that you should consider amending the wording to read "does not impact on the special interest features of the Chesterfield Canal as a Site of Special Scientific Interest".

Further to our discussions recently we also advise that there is an error in the Clarbrough & Welham Neighbourhood Development Plan SEA Screening Statement, in that the document contradicts itself between paragraphs 2 and 6. Paragraph 2 states that SEA is required and paragraph 6 states it is not required. You may wish to check and amend this as required.

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils), that there may be significant environmental effects from the proposed plan.

We advise that there may be significant impacts on Chesterfield Canal SSSI as a result of proposals for increased recreation on, and near, the canal and the housing proposals that may lead to changes in hydrology. Whilst it is acceptable to fully assess some impacts at a later stage, and so a final decision can be passed to the project stage, we advise that this should only be done if you are satisfied that the proposals can be achieved in some way without damage to the SSSI occurring.

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within



the National Planning Practice Guidance¹. Where Neighbourhood Plans could have significant environmental effects, they may require a Strategic Environmental Assessment (SEA) under the Environment Assessment of Plans and Programmes Regulations 2004. Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the National Planning Practice Guidance at: <http://planningguidance.communities.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/sustainability-appraisal-requirements-for-neighbourhood-plans>

The guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development;
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan; or
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan may have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We would suggest that the Claborough and Welham Neighbourhood Plan, at present falls within these requirements because it:

- a) Allocates sites for housing, e.g. in **policy 2**, the plan supports 38 dwellings on the Broad Gores site (along with support for canal side community facilities), and will accommodate other housing on unspecified sites, which may damage the special interest of the Chesterfield Canal SSSI.
- b) The plan promotes further use/recreation on Chesterfield Canal which may damage its special interest. I.e. **policy 2** supports maximising the tourist potential of the Chesterfield Canal, although this is supported by a caveat "it does not impact on the significance of the Chesterfield Canal as a Site of Special Scientific Interest"; **policy 3** designates open space on the Broad Gores site, encouraging improving public access and recreational use of the canal for the wider community, the development of canal moorings and encouragement of proposals that would conserve, enhance and/or restore the biodiversity of the area; and policy 7 (green infrastructure) promotes proposals that will create cycling and walking routes to Claborough Tunnel SSSI and Chesterfield Canal SSSI.
- c) The Bassetlaw Local Plan is currently at an early stage of preparation and has not yet been adopted. Therefore the Sustainability Appraisal cannot be relied upon until adoption. If the Claborough and Welham Neighbourhood Plan is to be progressed in advance of the adoption of the Local Plan it would need a Strategic Environmental Assessment in its' own right.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek



our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

For any queries relating to the specific advice in this letter only please contact Janet Belfield on 0208 026 1824. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Natural England's pre-application Discretionary Advice Service (DAS)

Natural England has identified that this Plan or the proposals it contains may be suitable from benefitting from our pre-application advice service due to the proximity to designated sites of nature conservation, potential for green infrastructure gains and potential for biodiversity enhancements. Through early engagement with Natural England customers will receive high-level customer service to support an efficient planning application process and achieve development which is more sustainable. Through accessing our service customers will receive:

- Initial scoping advice on every case at no charge (unless already provided).
- The opportunity to access continued advice around our statutory conservation issues on a charged basis.
- Agreed timescales for responding to customer needs.
- An assigned local Natural England consultant for all pre-application advice.

Should you, the Neighbourhood Plan Steering Group or a potential applicant be interested in this service, the first step is to fill out a simple '[Request Form](#)' and email it to consultations@naturalengland.org.uk so we can register interest and assign a local Natural England consultant.

If there are European Protected Species on site, Natural England offers a separate Pre-submission Screening Service (PSS) for planning proposals that will require a mitigation licence. More about this service can be found [here](#).

Please note that our pre-application advice is provided without prejudice to the consideration of any statutory consultation response or decision which may be made by Natural England in due course.

Yours sincerely

Janet Belfield
Lead Adviser
Sustainable Development
East Midlands Area Team



Appendix 2

Clarification of matters relating to Sustainability Appraisal non-technical summary and options appraisal

1. E mail to Bassetlaw District Council dated 14/11/2016

Copied to Paul Willcock

Dear James

I should be grateful if you could let me have responses to the following questions.

1. SA/SEA Schedule 2 to the Environmental Assessment of Plans Regulations sets out the requirements for the environmental report required as part of the SEA process. Sub para 10 refers to a non-technical summary of the report. I have not been able to identify this, does it exist?
2. SA/SEA P22. The scoring against the sustainability objectives in relation to option 4 does not reflect the commentary. It is the same as that for option 1 and does not show the positive scores against objectives 1-6 referred to in the text. Am I right in thinking this is an error?

Regards

Richard

2. Reply from James Green dated 15/11/2016

Morning Richard

Apologies for the delay, I was on leave last week and unfortunately was off sick yesterday.

1. A non-technical summary copy of the SA was produced by the Steering Group, please see attached. This wasn't used in the formal consultation with statutory consultees but was used at local consultation events with local residents.
2. Yes this is an error, from what I can see it wasn't copied over correctly from the SA to the 'NP style' document that was used for consultation. I have attached the copy that was used during the initial Draft Consultation with statutory consultees, this has the correct scoring. Please note the scoring for Options 4 & 5 are incorrect in the Submission version you have received.

Kind regards

James

3. Corrected P22 of Sustainability Appraisal (formatting modified to fit page)

Potential Impact of the Options	Sustainability Appraisal Objective													
	SAO 1	SAO 2	SAO 3	SAO 4	SAO 5	SAO 6	SAO 7	SAO 8	SAO 9	SAO 10	SAO 11	SAO 12	SAO 13	SAO 14
Option 4 (48 houses)	✓ ✓	✓	✓ ✓	✓	✓ ✓	✓ ✓	✓	-	-	-	-	-	-	-
	This option would comprise of the development of 38 houses inside the development boundary and then an addition 10 houses outside the development boundary to the south. The scheme would also allow for a large proportion of the site outside the development boundary to be left as open space for community benefit. This scores highly against SA objectives 1- 6 as it provides the housing needs for the settlement along with improved health, social cohesion and recreational opportunities. It also would not have a negative effect on the Chesterfield Canal as the development leaves a large greenfield site between it and the proposed development on the Broadgores site. This option was discounted through community consultation as part of the neighbourhood plan due to the community not wanting so many houses. Therefore this option has been discounted.													
Option 5 (38 houses)	✓ ✓	✓	✓ ✓	✓	✓ ✓	✓ ✓	✓	-	-	-	-	-	-	-
	This option would comprise of the development of 38 houses with the majority of the houses being developed inside the development boundary and 4 of them being located outside of the development boundary. This scheme would also allow for a large proportion of the site outside the development boundary to be left as open space for community benefit. This option scores highly against SA objectives 1- 6 as it provides the housing needs for the settlement along with improved health, social cohesion and recreational opportunities. It also would not have a negative effect on the Chesterfield Canal as the development leaves a large greenfield site between it and the proposed development on the Broadgores site. This option was the most favourable for the community as it allowed for the development of some housing to meet the needs of the current and future residents in the settlement along with a significant amount of public open space.													