

Misterton Neighbourhood Plan

Summary of Representations Submitted to the Independent Examiner

Compiled March 2019

Anglian Water

From: [Patience Stewart](#)
To: [Patience Stewart](#)
Subject: FW: Misterton Neighbourhood Plan Regulation 14 consultation
Date: 27 February 2019 14:43:42

From: Patience Stewart
Sent: 25 May 2018 09:26
To: 'will.wilson@bassetlaw.gov.uk'
Subject: Misterton Neighbourhood Plan Regulation 14 consultation

Dear Will,

Thank you for the opportunity to comment on the Misterton Neighbourhood Plan Regulation 14 consultation. The following comments are submitted on behalf of Anglian Water.

Anglian Water is water undertaker for Misterton Parish. The views of Severn Trent Water who are responsible for water recycling services in Misterton Parish should also be sought on the Neighbourhood Plan.

I would be grateful if you could confirm receipt of this response.

Policy 7: NP01 Land off Haxey Road

Improvements to the existing water supply network are expected to be required to enable the development of this site. Reference to this requirement should be included in Policy 7.

Policy 8: NP02 Land off Church Road

Improvements to the existing water supply network are expected to be required to enable the development of this site. Reference to this requirement should be included in Policy 8.

There is an existing water main in Anglian Water's ownership which crosses the frontage of this site. There is a need to consider the existing asset in Anglian Water's ownership as part of the design of this development.

It is therefore proposed that the following wording should be included in the Neighbourhood Plan to follow Policy 8:

'An existing water main crosses the frontage of this site, therefore the site layout should be designed to take these into account. This existing infrastructure is protected by easements and should not be built over or located where access for maintenance and repair could be restricted. The existing water main should be located in highways or public open space. If it is not possible to avoid our asset a formal application to divert Anglian Water's existing asset may be required.'

In addition it proposed that the following wording should be included in Policy 8:

'd) that suitable access is safeguarded for the maintenance of water infrastructure;'

Policy 9: NP03 Land off Gringley Road (South)

Improvements to the existing water supply network are expected to be

required to enable the development of this site. Reference to this requirement should be included in Policy 9.

There is an existing water main in Anglian Water's ownership which crosses the frontage of this site. There is a need to consider the existing asset in Anglian Water's ownership as part of the design of this development.

It is therefore proposed that the following wording should be included in the Neighbourhood Plan to follow Policy 9:

'An existing water main crosses the frontage of this site, therefore the site layout should be designed to take these into account. This existing infrastructure is protected by easements and should not be built over or located where access for maintenance and repair could be restricted. The existing water main should be located in highways or public open space. If it is not possible to avoid our asset a formal application to divert Anglian Water's existing asset may be required.'

In addition it proposed that the following wording should be included in Policy 9:

'd) that suitable access is safeguarded for the maintenance of water infrastructure;'

Policy 10: NP06 Land off Meadow Drive

Improvements to the existing water supply network are expected to be required to enable the development of this site. Reference to this requirement should be included in Policy 10.

Policy 11: NP11 Land off Grange Walk

Improvements to the existing water supply network are expected to be required to enable the development of this site. Reference to this requirement should be included in Policy 11.

Policy 12: NP12 Land off Fox Covert Lane

Improvements to the existing water supply network are expected to be required to enable the development of this site. Reference to this requirement should be included in Policy 12.

There is an existing water main in Anglian Water's ownership which crosses the frontage of this site. There is a need to consider the existing asset in Anglian Water's ownership as part of the design of this development.

It is therefore proposed that the following wording should be included in the Neighbourhood Plan to follow Policy 12:

'An existing water main crosses the frontage of this site, therefore the site layout should be designed to take these into account. This existing infrastructure is protected by easements and should not be built over or located where access for maintenance and repair could be restricted. The existing water main should be located in highways or public open space. If it is not possible to avoid our asset a formal application to divert Anglian Water's existing asset may be required.'

In addition it proposed that the following wording should be included in Policy 12:

'd) that suitable access is safeguarded for the maintenance of water infrastructure;'

Should you have any queries relating to this response please let me know.

Regards,

Stewart Patience

Spatial Planning Manager

Anglian Water Services Limited

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BDC Planning Policy

Misterton Submission Draft Neighbourhood Plan - Bassetlaw District Council Planning Service Response

Bassetlaw District Council (BDC) has the following comments to make on the Submission Draft Misterton Neighbourhood Plan (MNP). These comments are split into the following sections:

1. Broad comment on the Basic Conditions
2. Detailed comments on the contents of the MNP following the structure and headings in the Draft Submission Neighbourhood Plan.

PART 1: Basic Conditions

Only a draft neighbourhood plan that meets each of a set of basic conditions can be put to a referendum and be made. It is only after the independent examination has taken place and after the examiner's report has been received that BDC comes to its formal view on whether the Draft Neighbourhood Plan meets the basic conditions.

The first Basic Condition is for the neighbourhood plan "to have regard to national policies and advice contained in guidance issued by the Secretary of State". The MNP refers to the National Planning Policy Framework (NPPF) July 2018. However, it should be noted that on 19 February 2019, after the submission of the MNP, the Ministry of Housing, Communities and Local Government published an 'updated' version of the NPPF.

One of the remaining basic conditions is for the neighbourhood plan to be in general conformity with the strategic policies contained in the Development Plan for the area. The Development Plan comprises the Bassetlaw Core Strategy and Development Management Policies Development Plan Document which was adopted in December 2011. BDC has started work on a new Bassetlaw Local Plan although this is at a very early stage with the Draft Plan being published for consultation in January 2019.

PART 2: Detailed Comments on the Draft Neighbourhood Plan

Bassetlaw District Council wish to congratulate Misterton Parish Council and the Neighbourhood Plan Steering Group on producing a very readable and well-structured document that has been based on significant community involvement. It will form a sound basis for determining planning applications in the parish over the coming years. It has not ducked its responsibility in making difficult allocation decisions and has had regard to strategic policies in the Core Strategy.

It is within this context that BDC offers the following detailed comments.

Paragraph 1.7

This is the first reference in the MNP to the Bassetlaw Core Strategy and Development Management Policies DPD and the withdrawn Site Allocations DPD. It would be useful to refer to the full titles of these documents and their significance to the MNP.

The neighbourhood plan must be in general conformity with the strategic policies contained in the Development Plan for the area. The last sentence of paragraph 1.7 is therefore incorrect.

Paragraph 1.9

The plan period for the Core Strategy is 2010-28 not 2011-28.

For clarification, the neighbourhood plan policies remain in force until the plan policy is replaced. There is no requirement to review or update the MNP. However, policies in the MNP can become out of date if they conflict with policies in the Bassetlaw Local Plan once it is adopted. In such cases, the more recent plan policy takes precedence. In addition, where a policy has been in force for a period of time, other material considerations may be given greater weight in planning decisions as the evidence base for the plan policy becomes less robust. The Qualifying Body can update the policies in the MNP if it becomes out of date and BDC will provide advice and assistance in this event.

The MNP is “to have regard to national policies and advice contained in guidance issued by the Secretary of State”. This is not the same as compliance, nor is it the same as part of the test of soundness provided for in respect of examinations of Local Plans which requires plans to be “consistent with national policy”. The last sentence of paragraph 1.9 is therefore incorrect.

Paragraph 9.8

Designated heritage assets and nature conservation sites within the plan area should be identified so that it is clear they have been taken into account.

Policy 1: Sustainable Development

Prior to this policy, there is no mention of specific environmental assets in the plan area. If these are to be ‘maximised’ the principle should be elaborated upon in the supporting text (as noted above).

Section 10: Figure 2 Neighbourhood Profile Map

This map would benefit from a key that gives a brief description of the character of each area.

Policy 3: Housing Density

The wording of this policy can be improved. Part 1 states that planning applications for large housing schemes will only be supported where a set of circumstances are met but this is immediately contradicted by part 2.

Paragraph 10.12

To be sound, emerging plans should be based on the most up to date evidence. For housing need, this is the North Derbyshire and Bassetlaw SHMA - OAN Update, Final Report, October 2017. While the report forms part of an evidence base alongside the 2013 SHMA Report, it would be better to draw data and references from the 2017 Update where possible.

Policy 5: Allocation of Affordable Housing

BDC have concerns about the operation of this Policy, which conflicts with the District Council’s Choice Based Letting Policy that sets out how it allocates social housing to those most in need.

Allocation of Sites

A neighbourhood plan can allocate sites for development, including housing. Where they do contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need.

The strategic policies of the Draft Bassetlaw Local Plan have been informed by an up-to-date local housing need assessment, conducted using the standard method in national planning guidance. Rural settlements will accommodate a minimum of 1,777 new dwellings and deliver the necessary associated infrastructure from 2018 to 2035. This will be delivered through existing planning permissions and sites allocated through the Neighbourhood Plan process and Local Plan site allocation process. Where neighbourhood plan groups choose to take forward a neighbourhood plan, the Draft Local Plan sets out the housing requirement to be met.

For the Misterton Neighbourhood Area, the housing requirement 2018 to 2035 is 98 dwellings, representing a 10% increase in the number of dwellings in the settlement as at August 2018. Growth is capped at 207 dwellings- 20% of existing dwellings in the settlement.

It is appreciated that the Qualifying Body will not have been fully aware of the housing provision in the emerging Draft Bassetlaw Local Plan during the preparation of the Misterton Neighbourhood Area. Nonetheless, it is important that the Neighbourhood Plan sets out how the housing allocations relate to the latest and up-to-date evidence of housing need.

Policy 7: NP01 Land off Haxey Road

BDC has concerns about access to the site from the main road. However, we defer to any comment from NCC Highways as to the suitability of this site.

Policy 9: NP03 Land off Gringley Road (South):

Spelling error in the title – of/off.

BDC raises objection to this site as an allocation as it is considered separate from the existing built form of the village when assessed under the criteria used to inform site assessments for the Council's own Land Availability Assessment. This states that the continuous built form of the settlement excludes individual buildings and groups of dispersed, or intermittent buildings, that are clearly detached from the continuous built-up area of the settlement. In this location the Chesterfield Canal forms a strong southern boundary to the village. A site visit reinforced our opinion that existing buildings are intermittent, with distinct gaps and no corresponding pattern of development on the opposite side of the road. Furthermore, the trees and other vegetation that currently occupy the site further suggests that this group of buildings is not a part of the village, but is peripheral.

Policy 13: West Stockwith Industrial Park (and supporting text)

The whole site lies within Flood Risk Zone 3. The Qualifying Body needs to demonstrate that it has had regard to the National Planning Policy Framework's policies on flood risk. It should show how development here would be consistent with the application of the Sequential Test.

Policy 16: Enhancing the provision of community facilities

The NPPF (paragraph 16) expects plans to avoid the avoiding unnecessary duplication of policies. Part three of the policy duplicates Core Strategy Policy CS9 (part C) and should be deleted.

Policy 17: Improving Green Infrastructure

This policy is unclear. The approach to improving Green Infrastructure is muddled with protecting biodiversity and ensuring new development responds to landscape character.

Policy 18: Local Green Space (LGS):

In response to the proposed LGS designations, BDC raises the following issues:

1: Old School Field:

Given the secluded location with limited access it is questioned whether this site is of demonstrable local significance.

4: An area of land between the Chesterfield Canal and the Church Farm estate:

This site was initially put forward to the Council as a potential housing site and was assessed as being potentially suitable. Although the whole site is accessible from the existing public right of way, if it is accessible only on a permissive basis it is not considered a public open space. At present BDC cannot support this as a LGS designation.

5: Grange Estate Open Land.

While the Council does not necessarily object to this site as a LGS, the 'special' significance is nonetheless questioned.

9: Primary School Fields.

It is questioned whether this site satisfies the NPPF test in terms of local significance.

Conclusions

In summary, the council welcomes the positive approach to new development adopted by the Submission Draft Misterton Neighbourhood Plan. The Council's Planning Policy Team will be happy to discuss any of the identified issues with the Neighbourhood Plan Steering Group should it be pertinent to do so.

BDC Strategic Housing

From: Terry Roe <Terry.Roe@bassetlaw.gov.uk>

Sent: 13 March 2019 13:53

To: Will Wilson <Will.Wilson@bassetlaw.gov.uk>

Subject: : Misterton neighbourhood plan

After reviewing the Misterton Neighborhood plan I would like to make the following comment.

Policy 5, Allocation of affordable housing would not be in line with Bassetlaw District Councils own Allocations Policy “**see enclosed file** “ if the housing was “Social Housing. Even if the property was owned by a registered provider the nomination comes from the local authority, so again the Allocations Policy would be the vehicle for delivery.

This “Policy 5” would not be acceptable as the councils policy is **Distinct wide** and could not be adapted just for one area. If the property was to be discounted market sale or shared ownership this would remove the allocations policy from the equation. For starter homes then Bassetlaw would be the “**local**” **definition** not an individual area or ward.



Bassetlaw District Council HomeFinder Choice Based Lettings Policy

- 1. Introduction and Overview**
- 2. Acceptance onto the Housing Register**
- 3. Lettings Criteria**
- 4. Lettings Bands and Allocation of Tenancies**
- 5. Advertising and Bidding**
- 6. Exclusion and Suspension from the Housing Register and Other Restrictions**
- 7. Removal of an Application from the Housing Register**
- 8. Discretion in Application of the Policy**
- 9. Administration of the Policy**
- 10. Other Provisions**
- 11. Assessment of Medical Need for Re-housing**
- 12. Local Lettings Policies**

SECTION 1 - Introduction and Overview

1.1 Introduction

This is the Lettings Policy of Bassetlaw District Council and is managed on its behalf by A1 Housing Bassetlaw Ltd (“A1 Housing”)

A1 Housing is Bassetlaw District Council's Arm's Length Management Organisation (“ALMO”)

This policy:

- Ensures that properties are allocated fairly
- Meets the Bassetlaw District Council's legal obligations
- Allocates housing to people in need
- Gives applicants choice and control over where they wish to live

1.2 Overview

The Choice Based Lettings Policy is based on five main principles:

1.2.1 Access

Access to Bassetlaw District Council's housing register is available for anyone aged 18 and over. This is explained in section 2.

1.2.2 Lettings Bands

Applicants with similar needs for housing are grouped into 1 of 6 Lettings Bands that are used for deciding who will get a new tenancy. These are explained in section 4

1.2.3 Advertising

Vacant properties are advertised openly so that anyone accepted onto the Housing Register can request the tenancy. This is explained in section 5

1.2.4 Offers

Normally a new tenancy is offered to the applicant who is top of the list of applicants who have put their name forward for the property. This is explained in section 5.

1.2.5 Feedback

We will advertise the results of allocations of vacant properties through the Choice Based Lettings Brochure, on the Internet and in our Property Shops, to allow applicants to make informed decisions and choices in the future.

1.3 Choice of Accommodation

Under Section 166A Housing Act 1996 (as amended by the Localism Act 2011) it is Bassetlaw District Council's policy to allow applicants as wide a range of choice of accommodation as possible.

Under Section 160ZA Housing Act 1996 (as amended by Localism Act 2011) Bassetlaw District Council has the power to determine what classes of person are not qualified to be allocated housing (these requirements are in addition to the provisions on eligibility in respect of persons from abroad)

It is the intention to advertise vacant properties to enable applicants to bid for any property in which they are eligible for. This is explained in Section 3.

In exceptional circumstances an applicant may have their choice of accommodation limited where this is not in the best interests of the applicant or the local community. This is covered in section 6 (Exclusion and Suspension from the Housing Register and Other Restrictions)

SECTION 2 - Acceptance onto the Housing Register

2.1 Registration

Bassetlaw District Council operates an Open Housing Register.

Anyone aged 18 years and over can apply to go on the Housing Register. For applicants aged 16/17 please refer to section 2.7.

2.2 Qualification for Acceptance on to Housing Register

Applicants are entitled to make one application on the Housing Register.

On receipt of an application the Housing Register will be checked to identify any possible duplication of applications and the applicants are required to clarify their housing needs. If their circumstances change an applicant may amend their application or register a new application. If a new application is registered the initial application will be removed from the Housing Register.

2.3 Identification and Verification

To ensure applicants are assessed correctly information is required to confirm their identity.

For children and other household members evidence is required confirming that they are a member of the household.

EEA Nationals

If you are an EEA National or subject to immigration control we may ask you for further information to determine if you are eligible to go on the housing register.

2.4 Proof of Identity

For every applicant on the application form we must see proof of **National Insurance number** and at least **one** of the following forms of proof of identity:

- full birth certificate
- medical card
- marriage certificate
- driving licence
- passport
- benefit entitlement letter

2.5 Proof of address can be made by providing a recent bank statement, Council tax bill, benefit letter or a recent utility bill or any documents as requested by A1 Housing.

2.6 Checks and References

On application we will make a number of checks to verify that the details and information provided to us are correct and up to date. When an offer of housing is made these details will be rechecked to ensure circumstances have not changed, these include:

- A reference from a current landlord for Council and Housing Association tenants; for private rented sector tenants a reference may be requested
- Proof of the applicants National Insurance number is required, in some cases further checks may be made for verification purposes
- Verification checks on previous addresses
- Previous criminal convictions checks, within the provisions of the Rehabilitation of Offenders Act 1974
- Pre offer checks, which may include a visit to the place the applicant currently lives
- Appropriate checks to find out if the applicant or any person who will live with them has breached tenancy conditions in the past, including non-payment of rent and/or other charges
- Checks to make sure that the applicant has not purposefully worsened their circumstances to obtain more priority on their application
- Checks that the applicant does not have a financial interest in a property
- Work related checks will be carried out under the 'Right to Move' criteria

If getting a landlord's reference is likely to cause problems the applicant should contact A1 Housing for advice, they may ask for other information, for example, a rent book or Council Tax details.

2.7 Age

Applicants must be at least 18 years of age.

Applicants aged 16 or 17 years will also be accepted in the following circumstances:

- they have been accepted as Homeless and in Priority Need by Bassetlaw District Council and have a Support package through a recognised Supporting People provider or
- they have a Floating Support Package through a recognised Supporting People provider or
- they have another Support Package from a recognised agency.

The support package must be in place as a condition of allocation of a property and must include an appropriate guarantee of the tenancy including rent payments. A letter must be provided at the time of registration from the support provider outlining commitment to provide support at time of allocation.

Applications from a couple, one of whom is under 18 years of age, will be registered as a single person application in the name of the older applicant. The application will be amended to a joint application on the 18th birthday of the second applicant on request retaining the original date of application.

2.8 Qualifying Persons

Bassetlaw District Council will fulfil its obligations under the current statutory provisions to ensure only "qualifying persons" are accepted onto the housing register.

Bassetlaw District Council cannot accept applications from persons who are not "qualifying persons" as defined under Section 160A of the Housing Act 1996. This is covered in detail in Section 6.

2.9 Local Connection

Applicants are accepted into one of the Housing Register Bands A – E if they have a local connection to the Bassetlaw District Council area. A local connection will be:

- If the applicant has lived in the Bassetlaw District Council area for a continuous period of 5 years as their main home
- The applicant does not currently live in the Bassetlaw District Council area or has not lived in Bassetlaw for a continuous period of 5 years but they have a close relative who lives in Bassetlaw, and has done for a continuous period of 5 years. A close relative is spouse, parent, child, sibling.
- The applicant is currently serving in Her Majesty's Forces and wishes to reside in the Bassetlaw District Council area
- The applicant has not lived in the Bassetlaw District Council area for 5 years but has been a tenant of Bassetlaw District Council or registered social housing provider in the Bassetlaw District Council area for more than 2 years.
- The applicant is a victim of domestic violence with a need to reside in the Bassetlaw District Council area – and has been referred by Women's Aid under the terms of the move on protocol
- The applicant is a secure, introductory or assured tenant of a registered housing provider in England with a need to move to the Bassetlaw area for work under the right to move (see Band C9 criteria)

A1 Housing will carry out checks to ensure that applicants meet the local connection criteria, and further supporting evidence may be required.

Applicants who do not satisfy the local connection criteria will be accepted onto the register and placed in Band F. Applicants in Band F will not be able to move to another band unless they satisfy the local connection criteria.

2.10 Declaration of Interest

In order that that all applicants are treated fairly any applications from employees of A1 Housing, or Bassetlaw District Council, A1 Housing Board Members, Bassetlaw District Council Elected Members and their close relatives must be disclosed via the application form.

Applications with a declaration of interest will be processed in the normal way but offers of accommodation will not be released without the approval of a Principal Officer of A1 Housing.

The definition of a close relative will include an applicant's

- spouse or partner
- parent or parent in law
- step parent
- son or daughter
- son in law or daughter in law
- stepson or stepdaughter
- brother or sister

- aunt or uncle
- grandparent
- grandchild

2.11 Property Ownership

Applicants who own a residential property or have a financial interest in it (whether or not they occupy it as their home) will only be accepted into Housing Register Band E or F.

Where a property is going to be allocated to an applicant who owns or has a financial interest in a property confirmation of sale, intended sale or repossession of the property must be supplied in writing before the allocation is completed.

For owner occupiers who are awarded Band A or B Medical priorities please refer to Section 11.5.6.

2.12 Change of circumstances

A change in an applicant's or their household's circumstances may affect the applicant's qualification for acceptance onto the Housing Register.

A change in circumstances will result in a re-assessment of their application.

If an applicant is changing their address they are required to provide up to date proof of the new address.

Where a change in circumstances entitles an applicant to move from Housing Register Band E - F to Band A – D the date of the application will be amended to the date of qualification to the new Band.

Where an applicant qualifies for Bands A, B or C their effective date will be the date when they qualify for the Band.

Where an applicant is in Band A, B or C but subsequently moves to Bands D, E or F the application date will revert to the original date of application.

It is the applicant's responsibility to inform A1 Housing directly of any change in their or their household's circumstances (see section 3.5)

SECTION 3 - Lettings Criteria

The Lettings Criteria are the rules that are used to determine the properties for which applicants may apply.

3.1 General Needs Accommodation

General Needs Accommodation includes properties designated for the use of single persons, couples and families and includes flats, maisonettes and houses.

3.2 Older Person Designated Accommodation

Applications for Older Person designated accommodation are accepted from applicants of at least 60 years of age. For joint applicants at least one of the applicants must have reached the age of 60 years.

Applicants aged 60 years and over (including couples where one applicant is aged 60 years and over) must register for either General Needs accommodation or Older Person accommodation but not both.

Where an applicant reaches the age of 60 and wishes to change their request from General Needs Accommodation to Older Person Accommodation they cannot bring forward the waiting time accrued before their 60th birthday. A pre-existing application will therefore be re-dated for allocation purposes to the date of the oldest applicant's 60th birthday.

Applicants aged under 60 assessed by Medical Panel as needing ground floor accommodation can bid for certain property types of Older Person designated accommodation, if agreed and stipulated by the Medical Panel.

Applicants accepting properties with a warden call system which is part of the property, and stated within the advert for the property, will be liable to pay the service charge for the warden call system,

3.3 Choice of Accommodation Criteria

The size and type of property will normally be offered you will depend on the size and type of your household as shown in the following table.

OLDER PERSON DESIGNATED ACCOMMODATION		
	Single Person	Couple
Older Person designated Flat		
Bedsit	✓	
1 Bed	✓	✓
2 Bed	✓	✓
Bungalow		

1 Bed	✓	✓
2 Bed	✓	✓

OLDER PERSON DESIGNATED ACCOMMODATION		
	Single Person	Couple
Older Person Designated Sheltered Flat *		
Bedsit	✓	
1 Bed	✓	✓
2 Bed	✓	✓
* Applicants bidding for sheltered accommodation will be subject to an assessment to determine their suitability for this type of accommodation.		

GENERAL NEEDS ACCOMMODATION				
	Single Person	Couple	Family 1 or more Child / Children	Family 3 or more Children
Flat or Maisonette				
Bedsit	✓			
1 Bed	✓	✓		
2 Bed	✓	✓	✓	
3 Bed			✓	✓
House				
1 Bed	✓	✓		
2 Bed		✓	✓	
3 Bed			✓	✓
4 Bed				✓

Where it has not been possible to allocate the property to any qualifying applicant from Housing Register Bands A – D the property will be offered to Band E-F applicants who would normally qualify for that type of property in accordance with the table above.

3.4 Re-advertising of Properties

In the absence of a qualifying applicant from Bands A – E properties will be advertised for a second time. Band F applicants are able to bid on the second advert.

On the second advertisement the property will be allocated in the following order:

- For Older Person designated properties:
Applicants will be considered in order of their Band and then the applicant's position within that Band in the following order:
 - Applicants in Band A over 60
 - Applicants in Band A over 40
 - Applicants in Band B over 60
 - Applicants in Band B over 40
 - Applicants in Band C over 60
 - Applicants in Band C over 40
 - Applicants in Band D over 60
 - Applicants in Band D over 40
 - Applicants in Band E over 60
 - Applicants in Band E over 40
 - Applicants in Band F over 60
 - Applicants in Band F over 40

- For Sheltered Schemes:

Sheltered schemes will be allocated to applicants over 60.

Bids from applicants under 60 for sheltered schemes will only be considered after the second advert and will be looked at on an individual basis and a decision made by the Head of Housing in consultation with the Supported Housing Manager

- For General Needs properties:

In the absence of an applicant from Bands A – F who would normally qualify for the property (e.g. couples or families for a house) bids will be considered from applicants who would not normally qualify for that type of property. This will be looked at on an individual basis and a decision made by the Head of Housing.

3.5 Definition of Eligibility

3.5.1 Minimum age for any offer of a property

We will not normally offer a property to an applicant aged under 18 years.

However applicants aged 16 or 17 years will be accepted as in line with section 2.7.

3.5.2 Older Persons

Older Persons include an applicant aged 60 years and over. In the case of couples at least one applicant must be aged 60 years and over. However, should the applicant aged 60 years or over, pass away prior to allocation, the remaining applicant will cease to receive any accrued waiting time, prior to

their 60th birthday. If the remaining applicant is still under 60 they will not be classed as Older Person.

3.5.3 Single Persons

Where a person has applied for re-housing solely for him or herself they are classed as a single person.

3.5.4 Couples

Where two applicants have applied for accommodation together they are classed as a couple. Couples include applicants who are married or have a civil partnership or intend to live together on a permanent basis. Couples do not currently have to share the same accommodation. There is no distinction between opposite and same sex relationships.

3.5.5 Families

The definition of a family includes:

- Where a household includes a child aged under 18 years who lives with the applicant on a permanent basis
- Where a household includes a family member aged 18 years and over who currently lives with the applicant and intends to do so on a permanent basis
- Lone parent families are treated the same as two parent families
- There is no distinction between opposite and same sex relationships
- Where a single applicant has parental responsibilities with a clear legal agreement for residency arrangements.

3.6 Conditions for Allocations of Properties

Applicants holding a tenancy with a Registered Social Landlord (that is a Council, ALMO, Housing Association or other “Not For Profit” organisation) will not be considered for a property within the first year of the tenancy.

Applicants with a local connection to the Bassetlaw District Council area may register an application immediately after the commencement of their tenancy but will not be allocated another property within the first 12 months of their current tenancy. Applicants will be suspended until this time.

3.7 Amendment of a Housing Application

Where a relationship between joint applicants breaks down the application will be cancelled. Both parties may submit a new housing application which will be dated from receipt of the new form.

Where there is a dispute between former joint applicants about the custody of children, proof of legal access to the children will be required.

A single person’s housing application can be amended to a couple or family application at the request of the applicant if:

- The applicant and their partner have married or have a civil partnership. Proof will be required.
- The applicant and their partner have been living together as a couple, for at least 12 months at the same address, and the partner has a local connection to the Bassetlaw area.
- The applicant now has a child that is living with them on a permanent basis proof of which will be required
- Where a single applicant has parental responsibilities with a clear legal agreement for residency arrangements.

The application will be amended to a joint housing application (if applicable), retaining the original application date and any subsequent tenancy granted as a joint tenancy.

Where a housing application has been amended it will be re-assessed on the basis of the change of circumstances and may result in a change of the applicant's Housing Register Band.

SECTION 4 - Lettings Bands and Allocation of Tenancies

4.1 Lettings Bands

Bassetlaw District Council has 6 Housing Register Needs Bands.

There is a single Housing Register and existing A1 Housing tenants will have their request for re-housing assessed on the same basis as other applicants on the Register.

4.2 Allocation of properties

Properties will be allocated to applicants who have expressed an interest in the property in band order with priority first:

- **BAND A - Applicants with SEVERE / URGENT housing needs**
- **BAND B - Applicants with HIGH housing needs**
- **BAND C - Applicants with SOME housing needs**
- **BAND D - Applicants with LOW housing need**
- **BAND E – Applicants who meet the local connection criteria**
- **BAND F – All other applicants**

4.3 BAND A - Applicants with SEVERE / URGENT needs for re-housing

A1 Statutorily Homeless

An applicant is prioritised where, following assessment by Bassetlaw District Council under the Housing Act 1996 and Homelessness Act 2002, they are found to be statutorily homeless, eligible for assistance, in priority need and not intentionally homeless.

A2 Statutorily Unfit for Human Habitation

An applicant is prioritised, where following; assessment by Bassetlaw District Council, the applicant's property is subject to a prohibition order, emergency action, demolition order or clearance under the Housing Health and Safety Rating System of the Housing Act 2004.

A3 Statutorily Overcrowded

An applicant is prioritised where; following assessment by Bassetlaw District Council, the applicant's property is statutorily overcrowded under Part X of the Housing Act 1985. This will only apply where the overcrowding is a result of natural growth and not deliberate overcrowding of the property

A4 Immediate Threat of Severe Violence or Threat to Life

An applicant is prioritised where there has been severe violence or threat to life, which is normally supported by the Police, Women's Aid, Social Services, and will be determined by the seeking of a delegated decision by A1 Housing, and includes the following:

- Domestic abuse by a partner or someone else that lives with them or an ex-partner where the abuse occurs in the property. (This provision applies to all victims irrespective of sex and type of relationship)
- Racial and other harassment of Council tenants. This applies where a tenant or a member of their household is subject to hate crime (i.e. they are targeted because of their personal circumstances including race, sex, sexuality, religion, disability, mental health)
- Anti-social behaviour affecting a Council tenant. This applies where it is necessary to re-house a tenant on a permanent basis because it is no longer reasonable for them to remain in their home or re-house them on a temporary basis whilst action is being taken

A5 Temporary accommodation for major works

An applicant is prioritised where their current Bassetlaw District Council property requires major repair works and it is not possible to complete these whilst the tenant continues to occupy the property. In these circumstances temporary re-housing will be offered and the tenant expected to return to their original property at the completion of the works.

A6 Emergency circumstances

An applicant is prioritised where there are emergency circumstances which mean they can no longer live in their current Bassetlaw District Council property. In these circumstances temporary re-housing will be offered and the tenant expected to return to their original property at the completion of the works, for example a house fire or severe flooding of a property.

A7 Severe Medical needs in accordance with terms of reference of the Medical Panel

An applicant will be prioritised where, following assessment by A1 Housing's Medical Panel in accordance with its terms of reference, the applicant is found to have severe medical needs for re-housing. This will include where an applicant or member of their family has a medical problem where re-housing is essential to improve the quality of life or health

A8 A need for a substantially adapted property

An applicant will be prioritised where, following assessment by A1 Housing's Medical Panel in accordance with its terms of reference, the applicant or a member of their family has severe mobility needs and:

- They are unable to reach essential facilities in their home and a move to a different property would solve these problems
- They are unable to get in or out of their current home without severe difficulty

4.3.1 Position within the Band

An applicant's position within Band A is determined by the date at which Band A status was granted, i.e. the date when the applicant qualified for Band A. Offers of accommodation will be made by date order of the status date.

If two or more applicants have the same Band A status date the applicant with the earliest original housing application registration date will be offered the property first.

4.3.2 Time Limit on Priority

Priority is granted to enable applicants to be re-housed as quickly as possible to resolve their severe and urgent needs and is not intended to allow applicants to access a restricted choice of accommodation.

Priority is given to applicants for an initial period of two months.

Once the applicant has been granted a Band A status A1 Housing will provide advice and assistance on how to bid for properties and the review process if they have not been re-housed within 2 months.

Applicants are expected to consider and bid for as wide a range of housing and areas as possible unless otherwise specified by an A1 Housing delegated officer. Once priority is granted the applicant will be advised of the

accommodation and areas that are considered suitable for their needs and for which they are expected to bid. Bassetlaw District Council will make this decision in the case of Homeless priority applicants (A1) and by A1 Housing for other priority applicants (A2 – A8).

If the applicant has not accepted an offer of accommodation at the end of this period the application will be reviewed by A1 Housing taking into account the properties which became available for which the applicant was expected to bid, the bids made by the applicant and whether any offers were made to the applicant. Where an applicant has been awarded a priority under category “A1 Statutorily Homeless”, by Bassetlaw District Council’s Housing Needs Team, the review of the priority will be taken in conjunction with the Housing Needs Team.

The following options will be considered:

4.3.3 Applicant failure to bid

This applies where:

- There has been a range of properties for which it was reasonable for the applicant to bid and they have failed to do so or
- They have restricted their bids to a limited number of properties

And as a result of this has not received an offer of a property.

In these cases A1 Housing will start to bid for a suitable property on the applicant’s behalf. If a bid is successful and the applicant subsequently refuses the offer, the priority will be cancelled and the application re-assessed and moved to the relevant Band.

4.3.4 Applicant has bid unsuccessfully

This applies where:

- An applicant has bid for a wide range of properties that have been available but has been unsuccessful in these bids

In these cases the priority status will be extended for a further two months at the end of which the priority will be reviewed.

4.3.5 Lack of suitable properties

This applies where:

- The applicant requires a specific type of property or their priority has been restricted to a specific area and
- There have been no properties available that meet these requirements or the applicant has bid unsuccessfully

In these cases the priority status will be extended for a further two months at the end of which the priority will be reviewed.

4.3.6 End of priority status

Where an applicant with a priority has failed to accept an offer of a suitable property their priority status will be removed and their application will be re-assessed in line with this Policy. The factors leading to the priority status will not be taken into account in the re-assessment.

This will apply during the initial period of two months and also if the priority is extended.

4.4 **BAND B - Applicants with HIGH housing needs**

B1 Bassetlaw District Council Tenants wishing to downsize accommodation

An applicant will be given Band B priority status where they are an existing Bassetlaw District Council tenant and by moving to a property with less bedrooms this would release at least one bedroom.

B2a Bassetlaw District Council successor tenant who will move to smaller accommodation

An applicant may be given Band B priority status if they have succeeded to the tenancy of a property and are willing to move to a smaller property. (Bassetlaw District Council/A1 Housing will reserve the right to take legal action to re-possess the property in accordance with the Housing Act 1996, for example due to under occupation).

B2b An applicant without a right of succession to a Bassetlaw District Council tenancy

An applicant will be given Band B priority status if they would have qualified to succeed the tenancy of the property at that time, if there had not previously been a succession, and they would not normally qualify in accordance with the Choice of Accommodation Criteria in Section 3 of the Lettings Policy for the type of property which they currently occupy.

If the applicant is not re-housed within two months Bassetlaw District Council/A1 Housing may take legal action to repossess the property.

Applicants with no rights of succession where this section does not apply will not be granted a Band B priority status but will qualify for Band C status in C3 Insecure Accommodation. Bassetlaw District Council/A1 Housing has the right to take legal action to re-possess the property.

B3 A Bassetlaw District Council Tenant who will release a property with substantial adaptations and are no longer needed by the household

An applicant may be given Band B priority status when:

- A tenant is occupying Bassetlaw District Council property which was specifically built or substantially adapted for a person with a disability and the accommodation is no longer needed or
- A tenant has succeeded to the tenancy of Bassetlaw District Council property which was specially built or substantially adapted for a person with a disability and they do not need this accommodation

If the applicant is not re-housed within two months A1 Housing may take legal action to repossess the property.

B4 A Bassetlaw District Council Tenant who will release Older Person accommodation and this is no longer required by the applicant (see also B1)

An applicant may be given Band B priority status when:

- A tenant has succeeded to the tenancy of Bassetlaw District Council property, which is designated, for use by an Older Person and they do not qualify for this accommodation in accordance with the Choice of Accommodation Criteria in Section 3 of the Lettings Policy.

If the applicant is not re-housed within 2 months then Bassetlaw District Council/A1 Housing may take legal action to repossess the property.

B5 Release identified supported accommodation in accordance with a formal protocol between Service Providers, Bassetlaw District Council & A1 Housing

An applicant will be given Band B priority status when their re-housing would release a unit of supported accommodation provided within the Bassetlaw District Council area. This provision will apply where:

- There is a formally agreed protocol between the Service Provider, Bassetlaw District Council and A1 Housing that define the circumstances under which priority housing is appropriate
- The supported accommodation is in the Bassetlaw District Council area
- The agreed quota for the number of cases to be re-housed in the year has not been exceeded

Applicants are expected to consider and bid for as wide a range of housing and areas as possible. Once priority is granted the applicant will be advised of the accommodation and areas that are considered suitable for their needs. A1 Housing will make this decision in consultation with the Service Provider.

B6 Multi Agency Public Protection Agreement (MAPPA) - formally identified and agreed cases

An applicant may be given Band B priority status when their re-housing has been requested by a Level 1 MAPPA referral in accordance with the formal protocol agreed by MAPPA, Bassetlaw District Council and A1 Housing.

B7 Duties under the Children's Act 1989

An applicant may be given Band B priority status when their re-housing has been requested by a Nottinghamshire County Council referral under the Children's Act 1989 in accordance with the formal protocol agreed by Nottinghamshire County Council, Bassetlaw District Council and A1 Housing.

B8 High medical need in accordance with terms of reference of the Medical Panel

An applicant will be given Band B priority status when, following assessment by A1 Housing's Medical Panel in accordance with its terms of reference, the

applicant or a member of their family is found to have a high medical need for re-housing.

This will include:

A medical problem where re-housing could substantially improve the quality of life or health of the applicant and/or;

- Mobility needs where they are unable to reach essential facilities without severe difficulty in their home and a move to a different property would solve these problems
- They are unable to get in or out of their current home without substantial difficulty or assistance of others

B9 Hospital discharge where no suitable temporary or permanent accommodation

An applicant may be given Band B priority status when the Doncaster and Bassetlaw Hospitals NHS Foundation Trust and Nottinghamshire County Council have requested their re-housing. This may be subject to any formal protocol agreed by the Doncaster and Bassetlaw Hospitals NHS Foundation Trust, Nottinghamshire County Council, Bassetlaw District Council and A1 Housing.

4.4.1 Position within the Band

An applicant's position within Band B is determined by the date at which Band B status was granted, i.e. the date when the applicant qualified for Band B.

Offers of accommodation will be made by date order of the status date.

If 2 or more applicants have the same Band B status date the applicant with the earliest original housing application registration date will be offered the property first.

4.4.2 Time Limit on Band B Status

Band B status is granted to enable applicants to be re-housed as quickly as possible to resolve their high housing needs and is not intended to allow applicants to access a restricted choice of accommodation.

Band B status is given to applicants for an initial period of two months.

Once the applicant has been granted a Band B status A1 Housing will provide advice and assistance on how to bid for properties and the review process if they have not been re-housed within two months.

Applicants are expected to consider and bid for as wide a range of housing and areas as possible. Once priority is granted the applicant will be advised of the accommodation and areas that are considered suitable for their needs and for which they are expected to bid.

After two months the application will be reviewed by A1 Housing taking into account the properties which became available for which the applicant was expected to bid and the bids made by the applicant.

The following options will be considered:

4.4.2.1 Applicant Failure to bid

This applies where

- There has been a range of properties for which it was reasonable for the applicant to bid and they have failed to do so or
- They have restricted their bids to a limited number of properties

The Band B status will be cancelled and the application re-assessed and moved to the relevant Band.

4.2.2.2 Applicant has bid unsuccessfully

This applies where:

- An applicant has bid for a wide range of properties that have been available but has been unsuccessful in these bids

In these cases the Band B status will be extended for a further two months at the end of which the Band B status will be reviewed.

4.2.2.3 Lack of suitable properties

This will apply where:

- The applicant requires a specific type of property or their priority has been restricted to a specific area and/or
- There have been no properties available that meet these requirements or the applicant has bid unsuccessfully

In these cases the Band B status will be extended for a further two months at the end of which the Band B status will be reviewed.

4.2.2.4 End of priority status

Where an applicant with a priority has failed to accept an offer of a suitable property their priority status will be removed and their application will be re-assessed and placed in the appropriate Lettings Band. The factors leading to the priority status will not be taken into account in the re-assessment. This will apply during the initial period of two months and also if the priority is extended.

4.5 BAND C - Applicants with SOME housing needs

An applicant will qualify for Band C if any of the following conditions apply:

C1 Families with children aged 10 years or under in a 2nd floor flat or above

The applicant has a dependent child aged 10 years or under who live in a flat or maisonette where the main access to the property is at 2nd floor level or above.

Applicants who are pregnant or who have a child aged 10 years or under will not normally be allocated a flat at 2nd floor level or above.

Where an applicant's youngest child becomes 11 years old the applicant will cease to receive this qualification.

Where applicants bid for a property above 1st Floor they will cease to receive this qualification.

C2 Older Persons aged 60 and over in a 2nd floor flat and above

The applicant or their partner is aged 60 years and over and live in a flat or maisonette where the main access to the property is at 2nd floor level or above.

Where applicants bid for a property above 1st floor they will cease to receive this qualification.

C3 Insecure or shared accommodation

This applies where an applicant currently occupies a property suitable for their needs but is unable to do so on a long term basis or they do not currently have separate accommodation for the entire household for their sole use. Examples will include but not be restricted to:

- Occupiers of tied accommodation where the applicant has received legal written notice to leave (proof must be provided)
- Shorthold tenancies, which are coming to an end and a Section 21 Notice (to end the tenancy) has been issued – an exception may apply where the applicant has broken their Conditions of Tenancy. Applicants who are subject to an order of possession or notice from their Landlord will be assessed on an individual basis by the Voids and Allocations Manager, and may or may not be eligible for this band depending on circumstances.
- Applicants occupying a property without rights of succession to the tenancy
- Homeless applicants not owed a full duty under the Housing Act 1996 and Homelessness Act 2002
- Applicants sharing accommodation and facilities with others who are not part of their household e.g. living in lodgings, House in Multiple Occupation (unless applicant is named on the tenancy agreement by agreement of all parties), with friends. This could also include applicants with no forwarding address, or applicants who have had to return to the

family home. Applicants who have always lived at home (family) will not qualify for C3 unless they have had an addition to their household.

- Relationship breakdown where the former partners are sharing the same accommodation but living as separate households, unless both partners are on the tenancy and therefore only eligible for Band D
- Split households. Applicants who are living apart requiring accommodation together with the exception of where one or both of the applicants has their own tenancy, unless the accommodation is not suitable e.g., bedsit
- Applicants currently in Her Majesty's Prison who have not been formally excluded from the Housing Register or meet the Local Connection criteria in Section 2.8. These applicants will be suspended from the Waiting List until released from prison, and an updated Change of Circumstances Form received (see section 2.11 and 3.7)

C4 Poor condition of property

Where, following assessment by Bassetlaw District Council, the applicant's property is considered to be prejudicial to health as defined by multiple Category 2 hazards under the Housing Health and Safety Rating System of the Housing Act 2004.

Once these hazards have been removed the applicant will cease to receive this qualification.

C5 Cramped but not statutory overcrowding

Applicants who qualify for C5 banding can choose whether to be in Band C and bid only for larger properties or to be in Band D and bid for any size property

Where an applicant (not necessarily the tenancy holder) has inadequate bedroom space but is not assessed as statutorily overcrowded according to the following criteria. A claim of cramped living conditions will generally only be considered where it is the result of natural growth i.e. children from the relationship including long term foster children and adopted children. The statutorily overcrowded criteria are:

- A child aged under 1 year of age does not need their own bedroom and can share a bedroom with their parents.
- A child under the age of 16 can share a bedroom if they are the same sex
- A Child under the age of 10 can share a bedroom regardless of sex.

The following table shows examples of where this qualification does or does not apply.

Examples of Qualification for Band C (C5)	Qualification Applies	Qualification Does Not Apply
Family in a 1 bedroomed flat with a child aged 6 months		✓
Family in a 1 bedroomed flat with 2 children aged 6 months and 3 years	✓	
Family in a 2 bedroomed property with a boy aged 4 years and a girl aged 9 years		✓
Family in a 2 bedroomed property with a boy aged 4 years and a girl aged 10 years	✓	
Family in a 2 bedroomed property with 2 girls aged 7 years and 15 years		✓
Family in a 2 bedroomed property with 2 boys aged 12 years and 16 years	✓	
Family in a 3 bedroomed property with a boy aged 7 years and a girl aged 12 years		✓
Family in a 3 bedroomed property with a boy aged 7 years and a girl aged 12 years and a girl aged 15 years		✓

C6 Applicants with a need to give or receive support

This applies to applicants who have a substantial need to move accommodation to give or receive support from a relative, friend or carer.

An applicant's qualification under this category will be determined by the Voids and Allocations Manager of A1 Housing following a written request from the applicant outlining the need to give or receive support and the reasons why it cannot be provided at their current accommodation.

C7 Some medical needs for re-housing

In accordance with the Terms of Reference of the Medical Panel.

C8 HM Forces

The applicant is:

- A member of the Armed Forces or former service personnel and the application is made within 5 years of discharge; or
- A bereaved spouse or civil partners of a member of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner; or
- A serving or former members of the Reserve Forces who need to move because of a serious injury or medical condition or disability sustained as a result of their service

The applicant must have has a close family connection in Bassetlaw District Council area or was enlisted from the Bassetlaw District Council area.

A close family connection is a spouse or partner, parent or parent in law, son or daughter or grandparent.

C9 Need to move because of Employment in the Bassetlaw Area or to take up work in the Bassetlaw area

The applicant is either a secure, introductory or assured tenant of a private registered provider of housing in England with a need to move to the Bassetlaw area:-

- Because they are working in the Bassetlaw area
- Have been offered work in the Bassetlaw area

An assessment will take place to ensure that the applicant needs to move for work, and if they were unable to do so it would cause hardship, in line with the Housing Act 1996 regulation 5 (1).

4.5.1 Position within Band C

An applicant's position within Band C is determined by the date at which they qualified for Band C Status. Offers of accommodation will be made by date order of the Band C status date.

4.6 BAND D - Applicants with LOW housing need

D1 Applicants with a LOW housing need

Applicants who do not qualify for any Housing Need Bands A, B or C because they have no immediate need for re-housing.

D2 HM Forces

The applicant is:

- A member of the Armed Forces or former service personnel and the application is made within 5 years of discharge; or
- A bereaved spouse or civil partners of a member of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner; or
- A serving or former members of the Reserve Forces who need to move because of a serious injury or medical condition or disability sustained as a result of their service

The applicant does not have a local connection with the Bassetlaw area but wish to reside in the Bassetlaw District Council area.

4.6.1 Position within Band D

An applicant's position within Band D is determined by the original date of an application for re-housing. Offers of accommodation will be made by date order of the housing application.

4.7 BAND E – Applicants who meet the local connection criteria

E1 Owner occupiers

This Band applies to applicants who currently own or have a financial interest in a residential property unless assessed for Band A Priority status or Band B medical needs.

This includes all owners of residential accommodation whether or not they currently occupy the property.

E2 Applicants who do not live in the Bassetlaw area but have a Local Connection (2.9).

Position within Band E

An applicant's position within Band E is determined by the original date of application for re-housing.

If Band E applicants are moving to another band, the position within the Band is determined by the date at which they qualified for that band.

Offers of accommodation

Properties will be allocated to Band E in the absence of suitable applicants from Bands A – D.

4.8 BAND F – All other applicants

This band applies to all applicants who have not lived in the Bassetlaw District Council area for 5 years or do not meet the local connection criteria.

If an applicant does not meet the local connection criteria they will be allocated Band F irrespective of their housing need.

Position within Band F

An applicant's position within Band F is determined by the original date of application for housing.

If Band F applicants are moving to another band, the position within the Band is determined by the date at which they qualified for that band.

Offers of accommodation

Properties will be allocated to Band F in the absence of suitable applicants from Bands A-E, and only if the property has been advertised in the first instance solely to Bands A-E.

4.9 First Come First Served

Where a property has been advertised twice and there have either been no bids for the property and/or the property has not been allocated the property will be made available on a 'First Come First Served' basis.

First Come First Served properties will not be allocated according to waiting time or priority. They will be offered to the applicant who is the first to 'bid' for the property following the advertising cycle commencing.

Any applicant who 'bids' for a property on the First Come First Served basis must still meet the same eligibility criteria for properties, which is stated within the Bassetlaw District Council's Choice Based Lettings Policy.

SECTION 5 - Advertising and Bidding

Vacant properties will be advertised publicly to ensure all applicants have a reasonable chance to bid for the property. Properties may be excluded from the bidding process where it is necessary to make direct allocations to applicants in extreme and urgent circumstances where an applicant's need for re-housing cannot be dealt with through the bidding process. This could include the need to deal with a major natural disaster such as extreme flooding.

5.1 Advertising

The advertising of the properties available for allocation:

- Will be done on the A1 Homefinder website and in the A1 Property Shops
- Available properties will normally be advertised weekly with five calendar days given to place a bid ("Advertising Period")

5.2 Bidding

- Bids will only be registered if the applicant is on the Housing Register with an active application
- Applicants will not be contacted individually if their bid is unsuccessful.
- Applicants can express an interest in up to a maximum of 3 properties in any Advertising Period (see section 5.1)
- When the applicant wishes to bid for more than one property they should bid in their order of preference of the properties - that is bidding firstly for the property they would most like to live in
- Bids will be accepted from nominated representatives of the applicant. To make a bid on behalf of an applicant the representative will be required to give the Housing Application Reference Number and date of birth for the first applicant
- Bids received after the advertised closing date and time will not be accepted under any circumstances
- At the end of each lettings cycle the bids will be sorted in order of:
 - Meeting the lettings criteria as stated in the property advert.
 - Application effective date for the Band
 - Application registration date
- Where an applicant has bid for more than one property and is top of the short list for more than one property they will be offered the property for which they have bid first

5.3 Applicant refusal of a suitable property in Bands C, D, E & F

Applicants in non-priority bands C, D, E & F who have refused 3 offers of suitable accommodation, having 'bid' for the property and refused the property without good reason will have their application suspended. The suspension period will be for 6 months and during this time applicants will not be allowed to place any 'bids' for advertised properties (see 6.3.7)

5.4 Offers to All Bands

Applicants will be considered for an offer for any property for which they have bid successfully

Applicants will only be made one offer of a property at a time. Once an applicant has been made an offer they will not be able to bid or be considered for other offers of accommodation until the current offer is refused

The successful bidder will normally be contacted within 48 hours of the close of bids. Applicants should ensure that at the time of bid A1 Housing has up to date contact details for the applicant, or their nominated representative, who has bid on their behalf. If A1 Housing is unable to contact the successful bidder within 48 hours this could result in the bid being withdrawn and the property being offered to the next suitable bidder.

Applicants may be invited to a viewing of the property, if they do not attend the viewing they are deemed to have refused an offer of accommodation

Applicants are expected to decide whether to accept or refuse the offer at the time of viewing the property.

SECTION 6 - Exclusion and Suspension from the Housing Register and Other Restrictions

6.1 In making an assessment to exclude or suspend an applicant from the Housing Register, A1 Housing will fully consider all factors of the case.

6.2 Exclusion from the Housing Register

Applicants can be excluded from the Housing Register under the Housing Act 1996 and the Localism Act 2011. An exclusion from the Housing Register is where A1 Housing decides that it should not re-house the applicant. In this case the applicant is removed from the Housing Register and will not be considered for re-housing.

6.2.1 Qualifying Persons

Bassetlaw District Council and A1 Housing will meet the obligations under the current statutory provisions to ensure only “qualifying persons” are accepted onto the housing register. Applications cannot be accepted from persons who are not "qualifying persons" as defined under Section 160ZA of the Housing Act 1996.

People who are subject to immigration control within the meaning of the Immigration and Asylum Act 1996 are not a qualifying person and cannot be registered.

6.2.2 Housing Act 1996 Section 160ZA

Bassetlaw District Council and A1 Housing reserve the right to refuse to register a housing application, cancel an application or re-house an applicant under the Housing Act 1996 Section 160ZA.

This can include but will not be restricted to:

- Bassetlaw District Council or other tenants evicted for a breach of their conditions of tenancy (whether by them or a member of their household)
- Applicants or a member of their household convicted of a serious criminal offence that would be in substantial breach of the Bassetlaw District Councils/ A1 Housing’s tenancy conditions if they were a Council tenant

Examples of unacceptable behaviour will include but will not be restricted to:

- Malicious damage to or neglect of a property
- Using or allowing the use of a property for illegal or immoral purposes
- Violence or aggression towards staff or agents of A1 Housing and Bassetlaw District Council

6.2.3 Anti-Social behaviour

Any applicant, or a member of his/her household, will be excluded from the Housing Register, if they have:-

- Received an anti-social behaviour warning or an acceptable behaviour contract; and/or
- Have been made subject to an anti-social behaviour order, criminal behaviour order and an anti-social behaviour injunction or civil injunction relating to anti-social behaviour: and/or
- Where possession proceedings have been commenced and a possession order whether outright, suspended or demoted has been made.
- have a Police record for public order Incidents or anti-social behaviour

An applicant's right to a review is set out in section 9.

6.3 Suspension from the Housing Register

6.3.1 Suspension from the Housing Register

A suspension from the Housing Register is where an applicant retains their presence on the register but is not offered re-housing.

6.3.2 Satisfactory Conduct of a Current Tenancy

Applicants who are tenants of Bassetlaw District Council, another Local Authority, an ALMO or a Registered Social Landlord or other Not For Profit Organisation are expected to conduct their tenancy satisfactorily in accordance with their Tenancy Conditions.

A1 Housing will check this once an application form for the Housing Register has been received. Checks will be repeated before allocation of a property.

Applicants who have recently left a tenancy with Bassetlaw District Council, another Local Authority, an ALMO or a Registered Social Landlord or other Not For Profit Organisation will also have the conduct of their tenancy checked.

6.3.3 Debts and arrears

Debts and arrears owed to Bassetlaw District Council, another Local Authority, an ALMO or a Registered Social Landlord or other Not For Profit Organisation, or to a private landlord who is a registered member of East Midlands Landlord Accreditation scheme in respect of a housing tenancy must normally be cleared before an offer can be made.

A1 Housing expects current or former tenants to have a clear payment record in respect of their rent account and any other housing related debts. This will include but not be restricted to:

- Current tenant rent accounts for dwellings or other properties
- Former tenant rent accounts for dwellings or other properties
- Outstanding debts for Court Costs
- Outstanding debts for rechargeable repairs

It will be the applicant's responsibility to provide any proof of a clear account requested by A1 Housing in respect of their application for re-housing.

A1 Housing will take into account the payment history of the applicant(s) on the Housing Application. Where the application is in a sole name, account will also be taken of the applicant's spouse or partner's payment history. An application cannot be registered in a sole name to avoid the spouse or partner taking responsibility for their current or former debts or arrears.

Applicants who owe debts will have their application suspended from the Housing Register.

Applicants who feel they have special and unusual circumstances that A1 Housing should take into account can make a special debt application.

Applicants will have to explain

- What their special circumstances are
- What is unusual about their case
- What efforts they have made to pay the debt
- How they intend to clear the debt and ensure their rent is paid in future.

A special debt application is unlikely to be approved unless the applicant has already made a repayment arrangement and have started to comply with it.

Following receipt of a special debt application the Voids and Allocation Manager of A1 Housing will consider this. The applicant will be informed in writing of the decision and this will include:

- If the special debt application is rejected what the applicant needs to do in the future to lift the suspension
- If the special debt application is agreed what the applicant needs to do for them to be considered for re-housing. Where an agreement to lift the suspension is in place A1 Housing will check that this has been adhered to before any allocation takes place. If an applicant has failed to meet the Terms of the Agreement then the application will again be suspended.

6.3.4 Anti-Social Behaviour

Any applicant, or member of their household, against whom legal or other enforcement action is currently being taken for anti-social behaviour will have their application suspended and will not be eligible for an offer of accommodation.

Legal or other enforcement action will include but not be restricted to:

- Damage to a property which has been provided by Bassetlaw District Council, another Local Authority, an ALMO or a Registered Social Landlord or other Not For Profit Organisation
- Action taken under the Terms of a Tenancy agreement at Notice of Seeking Possession, Notice of Possession Proceedings or Notice To Quit or equivalent and above
- An Anti-Social Behaviour Order, Criminal Behaviour Order, Injunction or other legal proceedings

- Conviction for an indictable offence affecting the well being of their current neighbourhood

Where an application has been suspended A1 Housing may subsequently consider whether to exclude the applicant from the Housing Register.

6.3.5 Keeping an A1 Housing Property in Satisfactory Condition

An existing Bassetlaw District Council tenant must keep their current property in a satisfactory condition before A1 Housing will offer the tenant another property.

The application may be suspended where the property is in an unsatisfactory condition.

6.3.6 Right To Buy Applications

Where an applicant who is a current tenant of Bassetlaw District Council applies to purchase their property under the Right to Buy Scheme (“RTB”) their Housing Register application will be immediately suspended. The application will continue to build up time on the waiting list but will not be considered for allocation whilst ever the RTB is still current.

Where an applicant cancels their RTB the Housing Register application will be returned to the active Housing Register.

If the applicant purchases their property all existing Housing Register applications will be cancelled.

Applicants may subsequently re-apply to go on the Housing Register following the purchase of their property. Applicants will be re-assessed in accordance with this Choice Based Lettings Policy and their current housing circumstances.

Where an applicant has been suspended they will be informed in writing and advised of the conditions that must apply for the suspension to be lifted.

An applicant’s right to a review is set out in section 9.

6.3.7 Refusal of a Suitable Property

Applicants in bands C, D, E & F who have refused 3 offers of suitable accommodation, having ‘bid’ for the property and refused the property without good reason will have their application suspended for 6 months. During this time applicants will not be allowed to place any ‘bids’ for advertised properties (see section 5.3)

6.4 Restrictions

A restriction is where a decision is made that it is inappropriate to offer a particular type of property or area, for example if there is concern that this may expose other people or the applicant to unacceptable risk.

6.4.1 Inappropriate re-housing

A1 Housing reserves the right not to offer a particular area, type of property or a specific property requested by the applicant where this is considered not to be in the interest of the applicant, the local community or A1 Housing.

Examples of circumstances where this will apply will include, but not be restricted to, if the applicant:

- Requests an area where they may be unable to sustain a tenancy from lack of support
- Requests a property that is too small for their family circumstances and this would lead to an unacceptable overcrowding or cramped living conditions of the property including non statutory overcrowding
- Has specific needs for disability adaptations and the property does not meet these requirements
- Has previously been involved in a breach of tenancy conditions in an area
- Has been involved in anti-social or criminal behaviour in an area
- Has been involved in actions that, if they were a Council tenant, would have been a breach of A1 Housing's conditions of tenancy

This list is not exhaustive and all cases will be assessed on an individual basis

A1 Housing may also decide that it is in the best interests of the applicant that they only be offered a particular area, type of property or a specific property. Where this applies the applicant will be advised in writing of the reasons for this decision.

An applicant's right to a review of this decision is set out in section 9

SECTION 7 - Removal of an Application from the Housing Register

An application for re-housing will be removed from the Housing Register in the following circumstances. This will end the right of an applicant to be offered re-housing on this application.

Cancellation of an application will happen when the applicant:

- Is not a "qualifying person" as defined under Section 160A of the Housing Act 1996
- Is excluded from the Housing Register
- Has requested that their application is cancelled
- Has accepted the tenancy of a Bassetlaw District Council property
- Has become a joint tenant with an existing Bassetlaw District Council tenant
- Has accepted the tenancy of another Local Authority, an ALMO or a Registered Social Landlord or other Not For Profit organisation*
- Succeeds to the tenancy of an A1 Housing property
- Has purchased a social housing property under the RTB
- Has purchased a property under a Shared Ownership scheme
- Has completed a Mutual Exchange of tenancies
- Has failed to respond to a review of the Housing Register
- Has failed to respond to other correspondence relating to their housing application
- Is an existing applicant and has requested and received major adaptations to their current property. (The applicant will be advised of the implications for their request for re-housing as part of the adaptations process. Minor adaptations up to the limit specified in the Adaptations Policy will not affect the Housing Application)
- Is an existing Bassetlaw District Council tenant and has terminated their tenancy
- Has moved out of the Bassetlaw area.

Applicants are entitled to submit a fresh housing application after an application has been removed from the Housing Register and this will be assessed in accordance with their current housing circumstances.

*Applicants accepting a tenancy with another Local Authority, ALMO, Registered Social Landlord or other Not For Profit Organisation will not have their housing application cancelled until the tenancy becomes an assured tenancy.

SECTION 8 - Discretion in Application of the Policy

Bassetlaw District Council has delegated the operation of the lettings policy to A1 Housing Bassetlaw Ltd. A1 Housing has discretion to deviate from the Policy on the grounds of fairness and good housing management.

Discretionary decisions can be taken by an authorised A1 Housing Senior Officer on the following grounds:

- To make an offer to an applicant other than the one whose bid is first
- To withdraw a property from the Homefinder Choice Based Lettings Scheme for direct allocation to an applicant
- To make decisions in order to make best use of the housing stock
- To make a direct allocation of a property in an Extra Care Scheme following referral from Adult Social Care and Health Team of Nottinghamshire County Council
- To withdraw a property from the Homefinder Choice Based Lettings Scheme
- To waive the Lettings Policy in exceptional circumstances
- To make decisions where the Lettings Policy does not cover adequately an applicant's special circumstances
- To suspend an applicant from the Housing Register
- To exclude an applicant from the Housing Register
- To agree terms for the lifting of the suspension of a housing application
- To not make an offer to an applicant in special circumstances
- To suspend the offer of accommodation pending further investigation
- To withdraw an offer to an applicant in special circumstances
- To apply restrictions to an applicant's right to be considered for a particular area or property type where this is not in the best interests of the applicant, a member of their household or the community
- To accept an applicant who is assessed as in Band E into another band where failure to do so would cause hardship to the applicant or their family
- To extend the period of time in which an applicant can apply to have a decision reviewed (see section 9)
- To directly allocate properties which have been fully adapted for a disabled person to use.

An applicant's right to a review of a decision affecting their application under this section is set out in section 9.

SECTION 9 - Administration of the Policy

9.1 Right to Information and Appeal/Review of an Application

Applicants have a right to request information about their application including how their application is being treated and how long it is likely to be before they are offered accommodation.

Applicants will have the right to a review of the operation of the Choice Based Lettings Policy on their application for re-housing.

A1 Housing will follow the requirements of the Housing Act 1996 as amended by the Homelessness Act 2002 and the Localism Act 2011

Applicants have a right to be:

Informed in writing if A1 Housing:

- reduces their preference for re-housing; or
- suspends an applicant from the Housing Register
- determines that an applicant is ineligible for an allocation of accommodation
- determines that an applicant is not a “qualifying person” for entry on to the Housing Register
- refuses to re-house the applicant because of unsuitable behaviour

The applicant will have the right to:

- be informed in writing of the decision and of the reasons for this decision
- request a review of a decision
- submit information in support of their appeal against the decision
- be informed in writing of the decision of the review and the grounds for it

The request for a review must be made within 21 days of notification of the original decision of A1 Housing. The request for a review should be made in writing. The request can be made by a representative on the applicant’s behalf

A Senior Officer (who did not make the original decision) will review the decision. The applicant will be notified in writing of the decision of the Senior Officer within 28 working days of receipt of the request for a review. The Senior Officer will consider the review on the basis of the Choices Based Lettings Policy, any legal requirements and other relevant information (this includes information provided by the applicant relating to relevant developments since the original decision was made). The applicant will be notified of the outcome of the review and the reasons for the decision, in writing.

If the applicant remains dissatisfied with the decision of the Senior Officer they can apply for an appeal of that decision. The application for appeal must be made within 21 days of the date of the notification of the review. A more Senior Officer will conduct the appeal. The applicant will be notified in writing of the decision within 14 working days of receipt of the request for an appeal.

The decision of the appeal will be final and applicants will not be able to re-appeal.

Applicants may not request another review unless there is a substantial and significant change in their circumstances from when the original review was requested.

9.2 False Statements and Withholding Information

This scheme falls within the provisions of Part VI of the Housing Act 1996. Section 171 of the Act states:

(1) a person commits an offence if, in connection with the exercise by a local housing authority of their functions under this Part –

- (a) he knowingly or recklessly makes a statement, which is false in material particular,*
- (b) he knowingly withholds information which the authority have reasonably required him to give in connection with the exercise of those functions*

The penalty for the offence contrary to Part VI Housing Act 1996 is a fine up to level 5 (£5000)

In more serious cases action can also be brought under the Fraud Act 2006 for either:-

Section 2 – Fraud by False Representation

(1) A person is in breach of this section if he—

- (a) Dishonestly makes a false representation, and*
- (b) Intends, by making the representation—*
 - (i) To make a gain for himself or another, or*
 - (ii) To cause loss to another or to expose another to a risk of loss.*

Or

Section 3 – Fraud by Failing to Disclose Information

A person is in breach of this section if he—

- (a) dishonestly fails to disclose to another person information which he is under a legal duty to disclose, and*
- (b) intends, by failing to disclose the information—*
 - (i) to make a gain for himself or another, or*
 - (ii) to cause loss to another or to expose another to a risk of loss.*

The maximum penalty for offences contrary to the Fraud Act 2006 is 10 years imprisonment.

A1 Housing is Bassetlaw District Council's mechanism for discharging its functions under Part VI of the Act.

Where false information is found to have been given, the applicant may also be excluded from the Housing Register or removed from the Housing Register.

Where false information has resulted in the applicant obtaining accommodation, A1 Housing may bring possession proceedings for recovery of the property.

9.3 **Data Protection**

All applications will be dealt with sensitively and in line with the Data Protection Act 1998.

SECTION 10 – Other provisions

10.1 Assignments and Successions of a Tenancy

A1 Housing will consider all requests for assignments and successions of tenancies in accordance with the current statutory position.

Requests for assignments of tenancies and successions of tenancies will be granted in accordance with the Housing Act 1985 as amended.

10.2 Mutual Exchanges

A1 Housing will allow mutual exchanges in accordance with the Housing Act 1985 as amended.

10.3 Reviews of the Housing Register

Bassetlaw District Council and/or A1 Housing will carry out reviews of the Housing Register. Failure to respond to the review will result in the application being cancelled.

Applicants who have not responded to the review within 21 days will have their application cancelled and their name removed from the Housing Register. If applicants make contact within 1 month of the cancellation, and a renewal form returned, their application will be reinstated.

10.4 Review of the operation of the Lettings Policy

Bassetlaw District Council will undertake periodic reviews of the Choice Based Lettings Policy.

SECTION 11 - Assessment of Medical Need for Re-housing

An assessment of an applicant's needs for re-housing on medical grounds will be delegated to A1 Housing's Medical Panel.

The composition and operation of the Medical Panel will be in accordance with the Terms of Reference that are agreed by A1 Housing and Bassetlaw District Council.

A1 Housing's Supported Housing Service in accordance with their Needs Criteria will carry out assessments of Support Needs for the allocation of sheltered accommodation under section 3.

11.1 Terms of Reference of the Medical Panel

Assessment of medical needs for re-housing is delegated by the Bassetlaw District Council to A1 Housing's Medical Panel.

The Medical Panel will consist of a Senior Officer of A1 Housing and a suitably qualified medical advisor for example a General Practitioner, Registered Nurse or Occupational Therapist.

11.2 Referral to the Medical Panel

The applicant or someone acting on their behalf can make requests for consideration by the Medical Panel. A1 Housing will supply a Self Assessment Form that must be completed in full to allow the Medical Panel to assess the applicant's needs for re-housing.

The information provided will be assessed to check that there are sufficient medical grounds for the request to be progressed to Medical Panel.

Medical Panel applications from applicants living outside of the Bassetlaw area will not be considered (See section 2.9 for information on local connection)

11.3 Assessment of Medical Need for Re-housing

The Medical Panel may make an assessment of the applicant at the meeting or may defer the assessment for further reports or information that it sees fit.

The Medical Panel may also defer a decision for re-assessment after a period of time where this is appropriate to the applicant's medical condition.

Where an applicant has deliberately or recklessly worsened their housing condition and consequently now qualifies a priority that would not previously have been given they will not be entitled to additional priority.

Where an applicant with a pre-existing medical condition has taken an A1 Housing tenancy or another Local Authority, ALMO, Registered Social Landlord or other Not For Profit Organisation property, or moved into unsuitable accommodation, they will not be entitled to any enhancement for re-housing or priority re-housing on the basis of this medical need. Where there is a subsequent significant change in medical circumstances the applicant may apply for a re-assessment by the Medical Panel.

Where the applicant has been assessed by the Medical Panel a re-assessment of the applicant will not take place unless there has been a significant change in the applicant's circumstances.

A re-assessment will not be carried out where an applicant has previously been awarded a Band A or B status but has failed to bid or accept a suitable property and has been removed from the Band (see section 4 of the Lettings Policy).

The applicant will be informed in writing of the decision of the Medical Panel and its reasons.

Where an applicant has been awarded a Band A priority for re-housing the Medical Panel will identify the minimum standard of basic facilities required for the applicant's re-housing needs. An Occupational Therapy assessment of a particular property may be requested to determine the suitability of a property prior to an offer being made. Where an applicant bids successfully for a property these standards will be taken into account in determining whether the property is suitable for the applicant.

11.4 Criteria for Assessment for Re-housing on Medical Grounds

The assessment will take into account:

- the applicant's medical needs
- the suitability of their current accommodation for these needs
- Any alternative arrangements or adaptations that can be made to the current property to make that property suitable for the applicant's needs.

Persons with similar medical needs, but currently occupying different types of accommodation, may therefore be assessed as having a different need for medical re-housing.

11.5 Definitions and Examples

11.5.1 No medical housing need

If the applicant or a dependant has a medical condition but their current housing has no significant effect on it and re-housing would not lead to any significant improvement in their health.

For example:

- the current property meets the applicant's needs and can be occupied safely and with no significant effect on the medical condition of the applicant
- the main reason for the move is social and does not relate to the suitability of the property
- the current accommodation could easily be adapted to meet the applicant's medical needs

11.5.2 Band C Qualification

If the applicant or a dependant:

- has a medical condition that is made worse by the current housing conditions and re-housing would lead to an improvement in the medical condition or
- is capable of living in their current accommodation but they have a medical condition that could be improved by alternative accommodation or
- Could have their living conditions made more tolerable and the quality of life enhanced.

For example:

- the property is only partly suitable for the applicant's needs and they have difficulty with access to the basic facilities of the property
- there is some difficulty with access to the property but it is suitable inside

11.5.3 Band B Qualification

If the applicant or a dependant:

- Has a medical condition that makes it difficult to gain access to and use safely the basic facilities of the property including the WC and bathing facilities and there is no separate sleeping accommodation that the applicant can use.

For example:

- the property is generally unsuitable for the applicants and they have difficulty with access to most or all of the basic facilities
- the applicants have sleeping and living arrangements which are on different levels and they experience significant problems in using the property

11.5.4 Band A Qualification

If the applicant or a dependent:

- has a medical condition that makes it impossible to gain access to and use safely the basic facilities of the property including the WC and bathing facilities and there is no separate sleeping accommodation that the applicant can use

For example:

- the current accommodation is totally unsuitable for the applicant's needs and they would find it impossible to live in the property
- sleeping and living arrangements are on different levels and the applicant cannot safely move between these levels
- there is a significant Health & Safety Risk to the person in their current

property.

11.5.5 Assessment of basic facilities of the property

Examples of the factors used to assess the medical need for re-housing include:

- ability of the applicants to manage stairs including use of any disability adaptations
- location of bedrooms and ability to access them safely including use of any disability adaptations
- location of bathroom(s) and ability of applicants to access these including use of any disability adaptations
- ability to use existing bathing facilities safely including use of any disability adaptations
- location of WC(s) in the property
- ability to use the WC(s) including use of any disability adaptations
- ability to manage access to and from the building including use of any disability adaptations
- suitability of the heating of the dwelling

The above is a non-exhaustive list.

11.5.6 Allocation of Accommodation

Properties which have been adapted for the use of tenants with disabilities will in the first instance be offered to applicants with medical priority needs (Bands A or B severe or high medical need).

In the absence of applicants with severe or high medical needs the property will be allocated in priority band order

A1 Housing will assess the adapted property for its suitability for the needs of Band A applicants. The assessment will be undertaken by A1 Housing with the assistance of A1 Housing's GP, the Occupational Therapy Section of Nottinghamshire County Council and/or other agencies as appropriate.

Applicants may bid for any property that they consider suitable for their needs. Where an applicant applies for accommodation which does not meet their access needs the property may be adapted where it is reasonable and practicable to do so in accordance with the Disability Discrimination Act 1995 and the Housing Grants, Construction and Regeneration Act 1996.

Where there is a shortage of suitable properties which could lead to an unreasonable delay in rehousing properties will be identified that may be suitable for adaptation for applicants with medical priority needs (Bands A & B).

Where a property is to be allocated to an applicant who owns or has a financial interest in a property, who have been awarded a Medical Band A or B, proof of sale of property must be supplied in writing, before the allocation is completed.

11.5.7 Appeals

Applicants may make a written appeal against the decision of the Medical Panel. Once such an appeal has been made a home visit will be carried out on the applicant and the Medical Panel will review its original decision.

If the Medical Appeal Panel's review confirms the original decision the appellant will be informed in writing of the decision and the reasons for this.

There is no further right of appeal.

The applicant will retain their rights of review under section 9

SECTION 12 – Local Lettings Policies

12.1 Local Letting Policies

Section 166A(6) of the Housing Act 1996 (as amended by the Localism Act 2011) enables local authorities to allocate particular accommodation to people of a particular description, whether or not they fall within the reasonable preference categories, to achieve a particular policy objective, provided that overall the authority is able to demonstrate compliance with the requirements of S166A.

Bassetlaw District Council will use local lettings policy with the objective to create a sustainable community in order to minimise anti-social behaviour, reduce turnover and void time and create long term homes for people in housing need.

Local Lettings Policies may be used to:

- Deal with concentrations of deprivation to create more mixed communities
- Deal sensitively with lettings in rural areas
- Deal with areas where anti-social behaviour is prevalent
- Improve the sustainability of an area/scheme
- Reduce a high turnover of empty properties

A recommendation for the implementation of a Local Lettings Policy can be made by the Neighbourhood Housing Officer, The Police, local residents, local councillors or other interested parties.

Where a Local Lettings Policy is recommended, this will be published separately and clearly identify:-

- The number of properties that the Local Lettings Policy will cover
- Type of properties the Local Lettings Policy will cover

Where a recommendation is made for Local Lettings Policy statistical evidence must be provided to support the request for a Local Lettings Policy to the Service Manager (Housing) This could include but not limited to:-

- Number of anti-social behaviour cases
- Type of anti-social behaviour
- Number of vacancies within a period
- Void costs
- Repair costs
- Household types within an area/scheme
- Details and type of criminal activity within an area/scheme
- Failed tenancies and the reason for the failure

The request for a Local Lettings Policy will provide details of the proposals to address the issues identified. These could include but not be limited to:-

- A proportion or all of applicants in employment
- Applicants who can provide satisfactory references
- Applicants with no criminal history or record of anti-social behaviour
- Applicants with a local connection to an area

- Applicants without dependent children
- Applicants which are not from preference bands
- Applicants over a certain age band

The request for a Local Lettings Policy will state what period of time the proposed Local Lettings Policy will be in operation

Where the Service Manager (Housing) agrees the request for a Local Lettings Policy, A1 Housing will send a consultation letter detailing the proposals and giving a date of response to:-

- Residents in the proposed local lettings area
- The local Police
- Local Councillors
- Any local agencies operating in the area

A1 Housing will take account any comments/objections made to the Local Lettings Policy

If A1 Housing feels that in the light of comments/objections received, a meeting should be arranged to discuss proposed changes to obtain a finalised Local Lettings Policy.

If changes are made to the proposed Local Lettings Policy, following consultation, this will be re-submitted to the Service Manager (Housing), detailing the consultation which has taken place.

The final Local Lettings Policy will be publicised.

12.1.1 Advertisements of Properties

Advertisements for properties within the scope of the Local Lettings Policy will clearly state the allocations criteria

12.1.2 Review of the Local Lettings Policy

The timescale of a Local Lettings policy will normally be for a 12 month period, after which a review must be undertaken. The Review will detail, (since implementation of the policy)

- Number of anti-social behaviour cases
- Type of anti-social behaviour
- Number of vacancies within a period
- Void costs
- Repair costs
- Household types within an area/scheme
- Details and type of criminal activity within an area/scheme
- Failed tenancies and the reason for the failure

The review will detail progress made against original objectives and submitted to the Service Manager (Housing) with a recommendation that it continues or that it has achieved its objectives and is no longer required.

If a decision is taken to terminate the Local Lettings Policy, A1 Housing will write to inform:-

- Residents in the proposed local lettings area
- The local Police
- Local Councillors
- Any local agencies operating in the area

Canal and River Trust

Neighbourhood Planning,
Bassetlaw District Council,
Queen's Buildings,
Potter Street,
Worksop,
S80 2AH

Friday 25 January 2019

Dear Mr Will Wilson

Submission Misterton Neighbourhood Plan – Comments from the Canal & River Trust

Thank you for the consultation upon the above Submission Neighbourhood Plan.

The Canal & River Trust is the guardian of over 2,000 miles of historic waterways across England and Wales. We are the landowner and navigation authority for the Chesterfield Canal. We are among the largest charities in the UK. Our vision is that “living waterways transform places and enrich lives”.

The Trust has a range of charitable objectives, including:

- To hold in Trust or own and to operate and manage inland waterways for public benefit, use and enjoyment;
- To protect and conserve objects and buildings of historic interest; and
- To further the conservation, protection and improvement of the natural environment of inland waterways.

Having viewed the submission plan, we welcome the content of the revised plan and wish to provide the following comments.

Alterations to Proposed Local Green Space Designations

As previously advised, the Chesterfield Canal and adjacent towpath are owned by the Trust, and lies within the Neighbourhood Plan Area. We note that the towpath alongside the canal is proposed to be designed as a Local Green Space under draft Policy 19 (land parcel 10).

We welcome changes in the submission document, which no longer include the canal towpath as a proposed Local Green Space Designation. This will insure that unintended consequences that could be caused by such a designation will not occur, which could otherwise limit the ability for the Trust to undertake improvements to both maintain and enhance the local community's enjoyment of the canal.

As previously advised, in accordance with the charitable aims of the Trust, we will maintain and manage the canal in line with the aims of our role as Statutory Undertaker.

Canal & River Trust

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN
T 0303 040 4040 E canalrivertrust.org.uk/contact-us W canalrivertrust.org.uk

Green Infrastructure

The Trust welcome the aspirations of the Local Plan to ensure that development will protect and enhance existing green infrastructure assets under Policy 18.

As identified in paragraph 14.8, it is recognised that there are aspirations to securing improvements to the footpath network to ensure a better network of pedestrian and cycle routes. This could improve linkages to Green Corridors alongside the Chesterfield Canal and River Trent. We therefore welcome the general aspirations of this part of the plan and its inclusion in appendix C.

The Trust very much hopes that the above information is of assistance to you. Please note that we would welcome the opportunity to engage with the community in the development of the Neighbourhood Plan. If you wish to discuss any of the above further, please do not hesitate to contact me. My details are below.

Yours sincerely,

Simon Tucker MRTPI
Area Planner


<https://canalrivertrust.org.uk/specialist-teams/planning-and-design>

Canal & River Trust

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Resolving the impacts of mining

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Mr Will Wilson
Bassetlaw District Council
BY EMAIL ONLY: will.wilson@bassetlaw.gov.uk

5 February 2019

Dear Mr Wilson

Misterton Neighbourhood Plan – Regulation 16 Consultation

Thank you for the notification of the 25 January 2019 consulting The Coal Authority on the above NDP.

The Coal Authority is a non-departmental public body which works to protect the public and the environment in coal mining areas. Our statutory role in the planning system is to provide advice about new development in the coalfield areas and also protect coal resources from unnecessary sterilisation by encouraging their extraction, where practical, prior to the permanent surface development commencing.

As you will be aware the Neighbourhood Plan area lies within the current defined deep coalfield. However the Neighbourhood Plan area does not contain any surface coal resources or recorded surface risks from past coal mining activity at shallow depth. Therefore The Coal Authority has **no specific comments** to make on the Misterton Neighbourhood Plan.

Please continue to consult The Coal Authority on planning matters using the specific email address of planningconsultation@coal.gov.uk.

Yours sincerely

Melanie Lindsley

Melanie Lindsley BA (Hons), DipEH, DipURP, MA, PGCertUD, PGCertSP, MRTPI
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By email only to will.wilson@bassetlaw.gov.uk

22nd February 2019

Dear Mr Wilson

Misterton Neighbourhood Plan Reg 16 Consultation

Introduction

This letter provides Gladman Developments Ltd (Gladman) representations to the submission version of the Misterton Neighbourhood Plan (MNP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. This letter seeks to highlight the issues within the MNP as currently presented and its relationship with national and local planning policy. Gladman has considerable experience in Neighbourhood Planning, having been involved in the process across the country. It is from this experience that this representation has been prepared.

Legal Requirements

Before a Neighbourhood Plan can proceed to referendum it must be tested against a set of basic conditions set out in Paragraph 8(2) schedule 4b of the Town and Country Planning Act 1990 (as amended) by way of independent examination. The basic conditions that the MNP must meet are as follows:

- (a) Having regard to national policies and advice contained in guidance issued by Secretary of State, it is appropriate to make the order.*
- (d) The making of the order contributes to the achievement of sustainable development.*
- (e) The making of the order 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).*
- (f) The making of the order does not breach, and is otherwise compatible with, EU obligations.*

National Planning Policy

On the 24th July 2018, the Ministry of Housing, Communities and Local Government published the revised National Planning Policy Framework (NPPF). The first revision since 2012, it implements 85 reforms announced through the Housing White Paper. This version of the NPPF was itself superseded on the 19th February 2019 which largely related only to alterations to the Government's approach for the Appropriate Assessment as set out in Paragraph 177 of the NPPF.

Paragraph 214 of the 2019 NPPF sets out the transitional arrangements for the implementation of revised national planning policy. Paragraph 214 confirms that development plan documents submitted on or after the 24th January 2019 will be examined against the revised NPPF. Given that the MNP was submitted before the 24th January 2019, the comments provided within this representation reflect the national policy requirements as previously defined by the 2012 version of the NPPF.

At the heart of the NPPF is the presumption in favour of sustainable development which is seen as a golden thread running through both plan-making and decision-taking. Paragraph 16 sets out that the presumption has implications for how communities engage in Neighbourhood Planning, including the need for Neighbourhood Plans to support strategic development needs, and positively support local development.

Paragraph 17 of the NPPF sets out that Neighbourhood Plans should set out a clear and positive vision for the future of the area, and policies contained in those plans should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. Neighbourhood plans should seek to proactively drive and support sustainable economic development to deliver the homes, jobs and thriving local places that the country needs, whilst responding positively to wider opportunities for growth.

Paragraph 184 of the NPPF makes clear that local planning authorities will need to clearly set out their strategic policies to ensure that an up-to-date Local Plan is in place as quickly as possible. The Neighbourhood Plan should ensure that it is aligned with the strategic needs and priorities of the wider area and plan positively to support the delivery of sustainable growth opportunities.

The PPG is published alongside the NPPF by the Government to provide further guidance on how policies of the NPPF are to be interpreted and implemented by plan-makers. Section 41 of the PPG relates to Neighbourhood Planning. The PPG adds further clarity on the content, timing and role of Neighbourhood Plans. PPG further reiterates the need to ensure that Neighbourhood Plans provide for a positive planning strategy and do not seek to curtail the amount of development planned at the strategic level.

Relationship to the Local Plan

To be found in accordance with the Basic Conditions, Neighbourhood Plans should be prepared to conform to the strategic policy requirements set out within the adopted Development Plan. In the case of the MNP, the relevant development plan is provided by the Bassetlaw Core Strategy and Development Management Policies DPD (the Core Strategy) adopted in 2011.

The Core Strategy covers the period 2006-2028 and was prepared to reflect the now revoked East Midlands Regional Spatial Strategy. The Core Strategy is therefore considered (and is accepted) to be out-of-date, and the District Council is in the process of preparing a new Local Plan as a result.

The absence of an up-to-date Local Plan in Bassetlaw means that in order to ensure that the MNP can be found to comply with basic condition (a) (compliance with national policy), Misterton Parish Council (the Parish Council) has been forced to prepare the Neighbourhood Plan in the context of the draft strategy outlined within the emerging Local Plan. This approach is supported by Gladman, given that the emerging Local Plan will better reflect up-to-date evidence and changes to national planning policy as introduced by the NPPF 2012 and amended by successor documents.

At the time of writing, the Local Plan had reached the draft stage of its preparation process, and as such may be subject to further, and potentially substantial, change before it is adopted by the Bassetlaw District Council (the District Council). As a result, there may need to be a need for an early review of the MNP to ensure its conformity with up-to-date strategic policy. Whilst the potential for this review is briefly considered at Paragraph 1.9 of the Reg 16 MNP, recognition of a need to review of the MNP is notably absent from Section 8 and 16 of the MNP which deal directly with the implementation of the MNP. Noting the importance in national policy of the need for Neighbourhood Plans to support the strategic approach to planning, Gladman request that Sections 8 and 16 of the MNP are modified to reference the need for a potential review of the MNP upon adoption of the emerging Local Plan.

Neighbourhood Plan Policies

Policy 1 – Sustainable Development

Gladman welcome the inclusion of this policy within the MNP which positively seeks to secure sustainable development within the Parish. Under part 2 of the Policy, the Parish Council list specific needs and requirements desired from developments in order for proposals to receive support from the Neighbourhood Plan. Gladman consider that development which delivers or makes a significant contribution towards the delivery of community infrastructure listed in Appendix C of the MNP should also be included within Part 2 of this Policy and supported by the MNP. The adoption of this approach will provide for a Neighbourhood Plan which is more proactive and effective in meeting the infrastructure requirements and ambitions of the local community.

Policy 2 – Design

The requirement for a high standard of design in buildings and places is a key priority of the NPPF. This is implemented locally through Policy 2 of the MNP. Gladman is largely supportive of the requirements of the Policy. However, Gladman question whether the allocations made within the MNP would be consistent with the requirement for Building for Life 12. The Parish Council may as a result wish to adopt an alternative standard. Gladman also question the requirement for a minimum of 2 off-street car parking spaces. It may be the case that during the plan period, proposals for 1 or 2-bedroom dwellings. This size of dwelling does not typically require the provision of more than one off-road car parking space. If there is a need for a higher standard than that adopted on a District wide basis, the Parish Council should produce to the evidence to support the requirement for this.

Policy 5 – Allocation of Affordable Housing

Gladman support the aim of the Parish Council to ensure that any affordable housing delivered within the Parish is made available first to those residents living, working or holding a connection to the Parish. It is however unclear on what basis a 5-year period of has been selected by the Parish Council for a qualifying person when typically, at Local Plan level, the requirement is 3 years. Gladman consider that a 3-year period represents a reasonable period of time to demonstrate a local connection. Reducing the period of time for a qualifying connection from 5 to 3 years would make the policy more effective in meeting affordable housing need of those resident, working or connected to the Parish itself.

Gladman is also concerned by the priority approach outlined in Appendix D. Appendix D set a complex approach to determining a local connection with no less than 7 priority tiers to be considered. Gladman consider that tiers 4-7 as outlined in Appendix D are unnecessary and the desired outcome could be provided by streamlining this to consider only connections where met for 3 years or more as suggested above.

Beyond the above, it is further unclear over what timeframe affordable housing will be made available for qualifying people within that tier before being made available for to those whom may qualify through the tier below. Gladman suggest this period should be kept to a minimum (e.g. 3 months) to ensure that any affordable housing stock developed in the village is not kept vacant for a prolonged period of time.

Policy 6 – Windfall Development

National Planning Policy supports development on suitable windfall sites, recognising the role such sites hold in meeting housing requirements and responding to housing need. Gladman therefore welcome the inclusion of a policy within the MNP which is responsive to this type of development.

Gladman however hold two key concerns with Policy 6 as drafted. The first concern relates to Part A of the policy which sets out that windfall proposals must fill a small restricted gap in a frontage or on other sites within the development boundary. It is unclear to Gladman whether the restrictions on scale for development located at a road frontage applies to sites within or outwith the settlement boundary and considers this should be clarified. If Part A of

this policy does apply to proposals within the settlement boundary, it is unclear to Gladman on basis this is justified, given that such development is normally acceptable in planning terms within settlement boundaries subject to compliance with other policies. Should this be the case, such a requirement should be removed from the MNP.

Gladman's second concern relates to Part B of the policy which outlines the need to avoid any reduction of privacy or amenity for existing properties. It is likely given the nature of such sites that the development of these would impact on privacy/amenity to some degree given that these matters tend to be subjective in terms of how they are experienced. The role for the decision makers is to consider to what degree an impact on these might be considered acceptable before the development is considered harmful and refused. Gladman do not consider that at present the policy reflect this and should be reworded to outline that proposals should not result in *adverse effects* on the privacy/amenity of adjoining properties.

Beyond this, Gladman consider that statements made in Paragraph 10.24 of the MNP regarding support for dwellings for older people and young people should be included within the policy in order to increase the weight and attention to these types of dwellings in determining this policy. Gladman consider that this approach would be more effective in meeting this housing need and responding to the objectives of the MNP.

Site Allocations

Gladman welcome the positive move made by the Parish Council to identify specific allocations for housing through the MNP. The allocation and delivery of housing in Misterton recognises the sustainability and suitability of the settlement as a location for new development, its position within the settlement hierarchy, and role within the wider District.

Gladman do not have specific comments to make about any site identified as an allocation for housing within the submission MNP. Gladman do however doubt whether all of the sites identified are truly deliverable given the absence of information provided alongside the MNP which indicates whether the sites are being promoted by a housebuilder or site promotor and/or have housebuilder/promotor interest. In the event of none or under delivery of these sites, the Parish Council should review the MNP and identify alternative sites.

Conclusions

Gladman recognises the role of Neighbourhood Plans as a tool for local people to shape the development of their local community. Through this representation Gladman has suggested modifications to Policies 1, 2, 5 and 6 to ensure that the MNP can be found to be consistent with the basic conditions and is more effective in securing sustainable development which is responsive to the vision and objectives of the MNP. Gladman also consider that a commitment should be made to review the MNP by the Parish Council in the event of none/under delivery at identified allocations and/or following the adoption of the emerging Local Plan should the Local Plan be subject to significant change from its current draft.

Gladman hope that the comments made within this representation has been helpful and is constructive. Should you wish to discuss any of the comments made any further please do not contact one of the Gladman team.

Kind Regards

Craig Barnes
Senior Policy Planner

Gladman Developments Ltd

Highways England

Our ref:
Your ref:

Will Wilson
Neighbourhood Planning
Bassetlaw District Council
Queen's Buildings
Potter Street
Worksop
Nottinghamshire
S80 2AH
via Email: will.wilson@bassetlaw.gov.uk

Steve Freek
Highways England
The Cube
199 Wharfside Street
Birmingham
B1 1RN

Direct Line: [REDACTED]

4 March 2019

Dear Will,

Consultation on the Misterton Neighbourhood Plan

Highways England welcomes the opportunity to comment on the Misterton Neighbourhood Plan which covers the period 2018-2035 and has been produced for public consultation. We note that the document provides a vision for the future of the area and sets out a number of key objectives and planning policies which will be used to help determine planning applications.

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth. In relation to the Misterton Neighbourhood Plan, our principal interest is in safeguarding the operation of the M180 approximately 16km to the north of the Parish, and the A1 20km to the west.

We note that a Neighbourhood Plan is required to be in conformity with relevant national and borough-wide planning policies. Accordingly, the Neighbourhood Plan for Misterton is required to be in conformity with the Bassetlaw Local Plan.

From recent consultation on the Part 1 Draft Bassetlaw Local Plan, we understand that there are no housing or employment sites allocated in the Misterton Parish area.

Details in the Neighbourhood Plan regarding new developments emphasise the need for these to be sustainable, support local demands and be of a scale and type appropriate to the area. Due to this we consider that there will be no material impact on the SRN.

We therefore have no further comments to provide and trust the above is useful in the progression of the Misterton Neighbourhood Plan.

Yours sincerely,



Steve Freek
Midlands Operations Directorate
Email: 



Historic England

Mr Will Wilson
Bassetlaw District Council
Queen's Buildings
Potter Street
Worksop
S80 2AH

Direct Dial: [REDACTED]

Our ref: PL00386582

25 January 2019

Dear Mr Wilson

MISTERTON NEIGHBOURHOOD PLAN - REGULATION 16 - SUBMISSION

Thank you for consulting Historic England about Misterton Neighbourhood plan.

At this stage we have no further comments on this consultation.

Please refer to our advice on the letter dated 26th April 2018.

If you have any queries about this matter or would like to discuss anything further, please do not hesitate to contact me.

Yours sincerely,

[REDACTED]

Clive Fletcher

Principal Adviser, Historic Places

[REDACTED]

Individual Respondent 1

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Policy Number 10 NP06 Land off Meadow Drive

The access road to the possible development is a single road onto the A161. This road – Meadow Drive- with the A161 is, in my view, a dangerous junction with busy traffic along the A161 in both directions. The A161 has an outside curve arcing to Meadow Drive in both directions and severe bends on either side of the junction. The A161 from Gainsborough is downhill and often frequented by speeding vehicles. The junction access from Meadow Drive and also in both directions from the A161 is made more difficult by parked vehicles near the junction on Meadow Drive. The road is narrow, and should there be a major incident along it, fire traffic etc., residents will be trapped in or kept out, congesting the A161 by additional parked vehicles; and what of access for emergency vehicles to rescue and attend to those who may be suffering, the elderly, young children and others.

Meadow Drive is the only access to and from the development, which is already servicing 84 houses with approximately 2 cars per household, maybe sometimes 1 and sometimes 3 or more. So currently there are 84 x 2 i.e.168 vehicles using the dangerous access; how many times a day we do not know, but if the development were to go ahead that could be 84 + 17 i.e.101 houses and 202 cars.

Np06 is an area that floods. We have personal knowledge of this. The field [REDACTED] floods quite heavily at the bottom, to Wellington boot depth. This field is adjacent to NP06. [REDACTED] an occupant next to both the field and NP06, has walked the public footpath between the field and NP06 in times of flooding, wearing Wellington boots. She reports the water level has been quite high up her boots.

I do not see any mention of either of these problems in the Neighbourhood Plan documents. We raise a concern which needs to be strongly considered.

I also suggest that you need to reconsider the Newells site, which is currently an eyesore. This was formerly an engineering works and much of the infrastructure, drains etc. must surely still exist. Building in that area would make a strong visual impact in favour of the village, and meet most of the housing needs.

Yours faithfully

[REDACTED]

Individual Respondent 2

From: [REDACTED]
To: [Will Wilson](#)
Subject: Misterton development plan
Date: 06 March 2019 12:26:22

Dear planning committee

Having thought long and hard regarding the proposed development of housing in our village, I would like to comment as follows.

I appreciate we have to look to the future and accept change is inevitable. Over time peoples needs change and have to be catered for in Education, Health and Housing.

Having lived in our home [REDACTED] Misterton for the past 47 years, it is only in the last 12years we have been subjected to severe flooding of raw sewage swilling up to our doorstep, over the patio, swamping the garden and fish pond with human excrement and all that goes with it.

This first occurred on Easter Monday evening the 17th April 2006, and we have experienced the same on numerous occasions since then.

Until significant improvements are made to the infrastructure in our village, I fear further development in building would be detrimental.

Thank you for giving me the opportunity to put my point of view.

With regards

[REDACTED]

[REDACTED]

Wood (National Grid)

Neighbourhood Planning
Bassetlaw District Council
Queens Buildings
Potter Street
Worksop
Nottinghamshire
S80 2AH

Lucy Bartley
Consultant Town Planner

Tel: [REDACTED]
[REDACTED]

Sent by email to:
Will.wilson@bassetlaw.gov.uk

13 February 2019

Dear Sir / Madam

**Misterton Neighbourhood Plan Consultation
SUBMISSION ON BEHALF OF NATIONAL GRID**

National Grid has appointed Wood to review and respond to development plan consultations on its behalf. We are instructed by our client to submit the following representation with regards to the above Neighbourhood Plan consultation.

About National Grid

National Grid owns and operates the high voltage electricity transmission system in England and Wales and operate the Scottish high voltage transmission system. National Grid also owns and operates the gas transmission system. In the UK, gas leaves the transmission system and enters the distribution networks at high pressure. It is then transported through a number of reducing pressure tiers until it is finally delivered to our customer. National Grid own four of the UK's gas distribution networks and transport gas to 11 million homes, schools and businesses through 81,000 miles of gas pipelines within North West, East of England, West Midlands and North London.

To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect our assets.

Assets in your area

National Grid has identified the following high voltage overhead powerline as falling within the Neighbourhood area boundary:

- **ZDA Route** - 400kV two circuit route from Keadby substation in North Lincolnshire to Cottam in Bassetlaw
- **4TM Route** – 400kv two circuit route from Keadby substation in North Lincolnshire to West Burton substation in Bassetlaw



From the consultation information provided, the above overhead powerlines do not interact with any of the proposed development sites.

Gas Distribution – Low / Medium Pressure

Whilst there are no implications for National Grid Gas Distribution's Intermediate / High Pressure apparatus, there may however be Low Pressure (LP) / Medium Pressure (MP) Gas Distribution pipes present within proposed development sites. If further information is required in relation to the Gas Distribution network, please contact plantprotection@cadentgas.com

Electricity distribution

Information regarding the distribution network can be found at: www.energynetworks.org.uk

Key resources / contacts

National Grid has provided information in relation to electricity and transmission assets via the following internet link:

<http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/>

Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our infrastructure. We would be grateful if you could add our details shown below to your consultation database:

Lucy Bartley
Consultant Town Planner

n.grid@woodplc.com

Wood E&I Solutions UK Ltd
Gables House
Kenilworth Road
Leamington Spa
Warwickshire
CV32 6JX

Spencer Jefferies
Development Liaison Officer, National Grid

box.landandacquisitions@nationalgrid.com

National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

I hope the above information is useful. If you require any further information, please do not hesitate to contact me.

Yours faithfully

[via email]

Lucy Bartley
Consultant Town Planner

cc. Spencer Jefferies, National Grid

Natural England

Date: 28 February 2019
Our ref: 271669



Bassetlaw District Council
will.wilson@bassetlaw.gov.uk

BY EMAIL ONLY

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Mr Wilson,

Misterton Neighbourhood Development Plan

Thank you for your consultation on the above dated 24 January 2019.

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.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made..

Natural England does not have any specific comments on the consultation under regulation 16 of the Misterton neighbourhood plan.

However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

Yours sincerely

Dawn Kinrade
Consultations Team

Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

Natural environment information sources

The [Magic](#)¹ website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available [here](#)².

Priority habitats are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)³. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

National Character Areas (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)⁴.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty (AONB)**, the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](#)⁵ website and also from the [LandIS website](#)⁶, which contains more information about obtaining soil data.

Natural environment issues to consider

The [National Planning Policy Framework](#)⁷ sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](#)⁸ sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

Landscape

¹ <http://magic.defra.gov.uk/>

² <http://www.nbn-nfbr.org.uk/nfbr.php>

³ <http://web.archive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

⁴ <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

⁵ <http://magic.defra.gov.uk/>

⁶ <http://www.landis.org.uk/index.cfm>

⁷ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

⁸ <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)⁹), such as Sites of Special Scientific Interest or [Ancient woodland](#)¹⁰. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)¹¹) or protected species. To help you do this, Natural England has produced advice [here](#)¹² to help understand the impact of particular developments on protected species.

Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 112. For more information, see our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#)¹³.

Improving your natural environment

Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to encourage wildlife.
- Adding a green roof to new buildings.

You may also want to consider enhancing your local area in other ways, for example by:

⁹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹⁰ <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

¹¹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹² <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

¹³ <http://publications.naturalengland.org.uk/publication/35012>

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance on this](#) ¹⁴).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

¹⁴ <http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>

Nottinghamshire County Council Highways

From: [Martin Green](#)
To: [Will Wilson](#)
Subject: RE: Misterton Neighbourhood Plan: Regulation 16 Consultation
Date: 29 January 2019 14:37:46
Attachments: [image001.jpg](#)

Afternoon Will

I've no comments to make other than that some of the policies refer to the developments taking into consideration the findings of the Neighbourhood Profile Report and the Site Assessment Report etc. I'm not sure where these can be found and I'm not sure anyone else would either.

Kind regards

Martin Green
Principal Officer
Nottinghamshire County Council
Telephone [REDACTED]
www.nottinghamshire.gov.uk

From: Will Wilson [mailto:Will.Wilson@bassetlaw.gov.uk]
Sent: 24 January 2019 19:38
To: Martin Green <martin.green@nottsc.gov.uk>
Subject: Misterton Neighbourhood Plan: Regulation 16 Consultation

Dear Consultee,

Misterton Parish Council have now formally submitted the final version of their Neighbourhood Plan, and associated documents, to Bassetlaw District Council for independent examination under Regulation 16 of the Neighbourhood Plan process. Bassetlaw District Council will now publicise the submission Neighbourhood Plan for a six week period and welcome representations from interested individuals and organisations. You are being notified because you are either a statutory organisation or you have previously made comments on the Misterton Neighbourhood Plan.

The plan and supporting documents can be viewed via the following link:

<https://www.bassetlaw.gov.uk/planning-and-building/planning-services/neighbourhood-plans/all-neighbourhood-plans-in-bassetlaw/misterton-neighbourhood-plan/>

(Please see the document entitled 'final neighbourhood plan' in the list below the table of key stages / dates).

The Consultation period begins today, Thursday 24th January 2019 and closes at 5pm on the 7th March 2019. All representations on the submission Neighbourhood Plan must be made in writing (either by email or letter) and sent to:

Email:

will.wilson@bassetlaw.gov.uk

Post:

Neighbourhood Planning,
Bassetlaw District Council,
Queen's Buildings,
Potter Street,
Worksop,

S80 2AH

Any representation(s) received after the stated closing date will not be accepted.

Data Protection

Under the General Data Protection Regulation 2016 (GDPR) and Data Protection Act 2018 (DPA) Bassetlaw District Council, Queen’s Building, Potter Street, Worksop, Notts, S80 2AH is a Data Controller for the information it holds about you. The Council will hold the personal information provided by you for the purpose of the Misterton Neighbourhood Plan Regulation 16 consultation and your data may be published at the end of the consultation and/or shared with third parties. The lawful basis under which the Council uses personal data for this purpose is consent.

Next Steps

Once the six week consultation has closed, all representation(s) received will be sent directly to an appointed examiner who will examine the Plan in accordance with the relevant Neighbourhood Plan Regulations. When completed, the appointed examiner will produce an “Examination Report” that will identify any proposed modifications to the Neighbourhood Plan. The Examiner will also recommend whether they feel the Plan should proceed to a Public Referendum.

Contact Information

If you would like further information about this or other neighbourhood plans in Bassetlaw, please contact us by email (see above) or telephone 01909 533495 and ask for the Neighbourhood Planning Team.

Kind regards,

Will

Will Wilson, BSc MA PhD

Planning Policy Officer (Neighbourhood Plans)

Bassetlaw District Council



Will Wilson

Planning Policy Officer (Neighbourhood Plans)



Bassetlaw District Council Queens Buildings, Potter Street,
Worksop, Nottinghamshire, S80 2AH

W: www.bassetlaw.gov.uk

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Oxalis Planning (on behalf of the owners of NP09)



Neighbourhood Planning
Bassetlaw District Council
Queen's Building
Potter Street
Worksop
Nottinghamshire
S80 2AH

19^h February 2019

Sent via Email

Dear Sir/Madam

MISTERTON FINAL NEIGHBOURHOOD PLAN CONSULTATION RESPONSE

We act on behalf of local landowners who are in control of land adjacent to Misterton Primary School. In this regard we have previously submitted representations to the various stages of the Misterton Neighbourhood Plan consultation process.

We have also promoted land adjacent to Misterton Primary School through Bassetlaw District Council's Call for Sites and Local Plan consultation processes.

Following the previous rounds of consultation, the Final Misterton Neighbourhood Plan proposes several sites around the village to be allocated for development. The sites vary in size and proximity to the village centre and, consequently, proximity to community facilities.

The Neighbourhood Plan identifies aspirations for development within the Neighbourhood Plan area and over the Plan period. These include the delivery of affordable housing; appropriate densities; sensitive design; supporting the vitality of the village; and supporting local sustainable transport measures.

Whilst these aspirations are laudable and accord with the national drive for sustainable development, the size and siting of the proposed site allocations make it difficult to see how these aspirations will necessarily be met. Economies of scale and the inherent nature of development on small and/or constrained sites can often make development disproportionately expensive, when compared to larger unconstrained sites, restricting a site's capacity to deliver on other objectives and achieve aspirations, outwith the delivery of housing.

In this regard the nature of sustainable development requires good access to established and important community facilities.

In most small villages the primary school is an increasingly important component of community infrastructure, facilitating, not only its primary education role, but a full and proper integration of other community activities.

Accessibility, particularly on foot, is a key influencing factor.

As we have set out in our previous representations, land adjacent to Misterton Primary School is not constrained. The attached Illustrative Layout plan demonstrates how a relatively modest housing scheme could be laid out alongside the primary school, providing a range of housing types and tenures.

It also shows the provision of outdoor playing space which could be shared between the school and the wider community, reinforcing the association between community elements.

Previously promoted iterations of the proposed development scheme included a larger number of dwellings within the site. However, we have understood the local concerns with regard to the scale of development and the proximity of development to existing dwellings. Therefore, in direct response to comments received, we have sought to retain a significant part of the site in agricultural use and to ensure that public access is gained with the creation of a perimeter footpath route set in a newly landscaped corridor. In addition, we can make space available to provide off-street parking, which might alleviate school time problems on Grovewood Road.

The attached plan has formerly been provided in support of an application which was submitted in the latter half of 2018.

However, shortly after the application submission, it became evident that the Neighbourhood Plan was approaching its final consultation stage. In respect of this, the application was withdrawn, with the view of continuing to promote the site as the most sustainable site allocation option currently available in Misterton.

In line with the requirements of the National Planning Policy Framework, land adjacent to Misterton Primary School should be considered for allocation in the Neighbourhood Plan: it is land of the right type; in a sustainable location; which meets the aspirations of the Neighbourhood Plan including through delivering community benefits; and which is immediately available for development. It is the best and most appropriate site for allocation in Misterton.

Yours faithfully

A black rectangular box redacting the signature of Elanor Wright.

Elanor Wright

Encl



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KEY

- Application boundary
- Residential (up to 60 dwellings)
- Green Infrastructure
- Bridleway
- Drainage attenuation basin

rev	date	revision	dm	chd
C	14.09.2018	Client amended.	JMG	JMG
B	30.08.2018	Amended to client comments.	JMG	JMG
A	05.05.2015	Amended to client comments.	JMG	JMG
^	13.04.2015	First issue.	JMG	JMG

fpcr

- masterplanning
- environmental assessment
- landscape design
- urban design
- ecology
- architecture
- arboriculture

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client
 Brooke Planning and Consulting

project
 Land north & west of Misterton Primary School,
 Grovewood Road, Misterton

drawing title
ILLUSTRATIVE LAYOUT

scale
 1:1250 @ A1

drawn / checked
 JMG / TRJ

revision date
 14 September 2018

drawing number
6681-L-03

revision
C

Planning & Design Practice (NP02)

Our Ref: RW/2315/2019-03-07

Planning Design Practice Ltd
Second Floor, Suite 3
Woburn House
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7th March 2019

Neighbourhood Planning
Bassetlaw District Council
Queen's Buildings
Potter Street
Worksop
Nottinghamshire
S80 2AH

Sent to will.wilson@bassetlaw.gov.uk

Dear Sir/Madam

RE: Policy 9: NP03 Land off Gringley Road (South) Site Allocation

I am the planning consultant acting on behalf of the land owner of land at Gringley Road, Misterton. We are aware that the land is currently identified as an allocated site for residential development of, up to and including, 8 new homes.

We would like to offer support of the allocation as we believe it is an ideal infill plot located in a sustainable location close to a bus stop and a host of amenities offered in Misterton. The owner of the land is keen to obtain planning permission for up to 8 self-build dwellings.

According to the emerging Bassetlaw Plan the council has received in excess of 60 requests to be put on their Self build Register from June 2016 to July 2018, averaging out at 30 plots per annum which is 8% of the housing requirement. After discussions with the Local Authority we have established that there are currently no development permissions for self-build plots within Misterton.

Our client has already undertaken an ecology survey which has highlighted no issues and we consider that the plots will meet a currently unmet housing need in the borough. The client would like to submit a planning application as soon as the neighbourhood plan is made and believes the plots will be built out relatively quickly.

Self-build development plots are supported by the emerging Bassetlaw plan and also the NPPF which states that enough suitable development permissions should be granted to meet identified demand. We consider that the site allocation outlined in Policy 9 NP03 can meet this demand and therefore wish to fully support its inclusion in the Misterton Neighbourhood Plan.

Yours Sincerely



Rebecca Wilson BA (Hons)
Planner

For and on behalf of Planning & Design Practice Ltd

Contact
planningdesign.co.uk
info@planningdesign.co.uk



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7th March 2019

Neighbourhood Planning
Bassetlaw District Council
Queen's Buildings
Potter Street
Worksop
Nottinghamshire
S80 2AH

Sent to will.wilson@bassetlaw.gov.uk

Dear Sir/Madam

RE: Policy 8 NP02 Land off Church Street Site Allocation

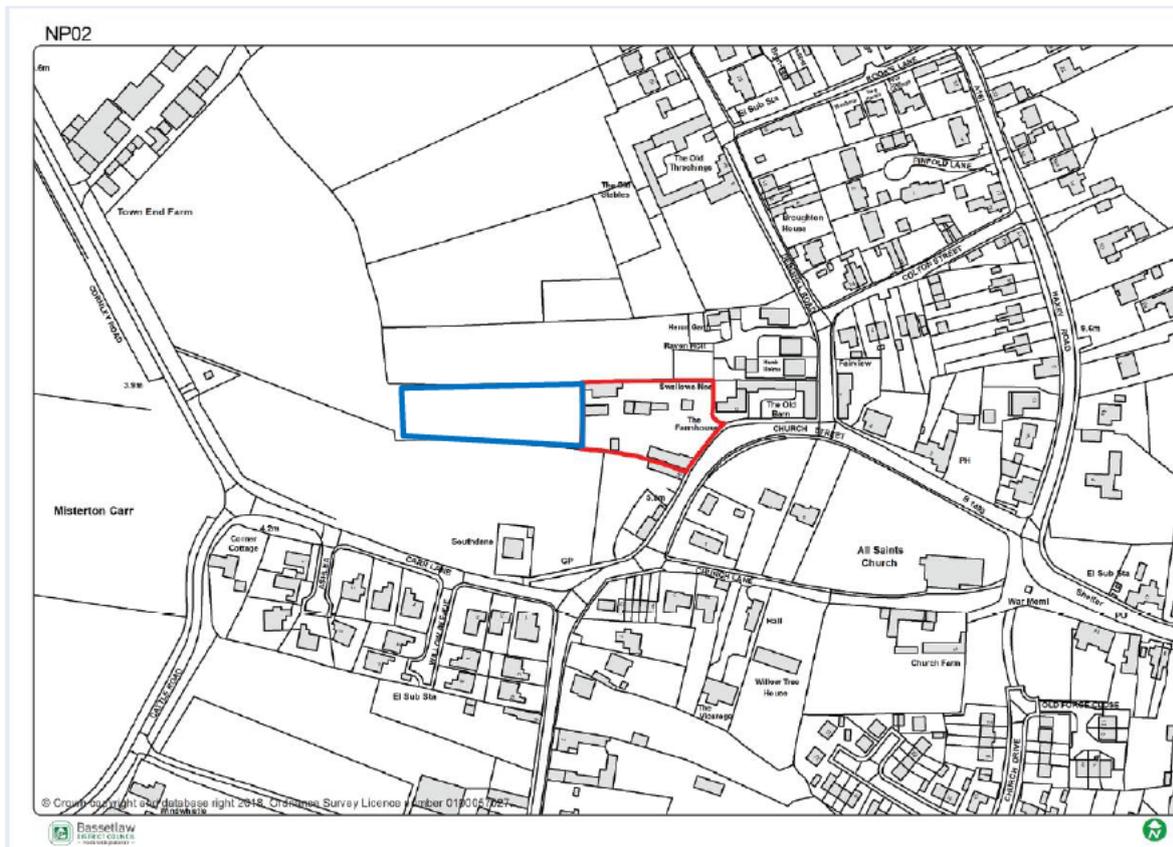
I am the planning consultant acting on behalf of the land owner of land off Church Street, Misterton. We are aware that the land is currently identified as an allocated site for residential development of, up to and including, 12 new homes.

We would like to offer support of the allocation as we believe the site is ideal for residential development as it is located in a sustainable location in the centre of Misterton. The owner of the land is keen to obtain planning permission for up to 12 new homes.

Our client is committed to designing a scheme that is of a design, scale and layout which preserves or enhances the setting and character of the area especially the adjacent Grade II listed 8 Church Street. A scheme which includes a mix of properties that are a maximum of two storeys in height and cater for a wide variety of the households is envisaged.

Our client is currently instructing a number of third-party surveys to establish any underlying issues the site may have and will work to mitigate any such issues if they arise. Additionally, we would like to point out that our client owns the extended area of land outlined in blue on the allocation map and would support its part or whole addition/inclusion to the site allocation if this was deemed a more beneficial use of the land and supported by the community.

We consider that 12 dwellings as outlined by Policy 8 NP02 is ambitious for the size and layout of the plot and an extension to the allocation site area may provide a more appropriate development space.



NPPF paragraph 68 advises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. The client would like to submit a planning application for residential development as soon as the neighbourhood plan is made and believes the site will be built out relatively quickly.

We consider that the site allocation outlined in Policy 8 NP02 is in a desirable and sustainable location and will meet the housing needs of the local community. We therefore wish to fully support its inclusion in the Misterton Neighbourhood Plan.

Yours Sincerely



Rebecca Wilson BA (Hons)
Planner

For and on behalf of Planning & Design Practice Ltd

Robert Doughty Consultancy (on behalf of the owners of NP12)

Will Wilson

From: Mike Braithwaite <m.braithwaite@rdc-landplan.co.uk>
Sent: 07 March 2019 16:18
To: Will Wilson
Subject: FW: Misterton Neighbourhood Plan - Representations for [REDACTED]
Attachments: 1358 1 Bassetlaw DC 7.3.19.pdf; NP12 Flood Zone Assessment.pdf

Dear Mr Wilson

Please find attached representations to the Misterton Neighbourhood Plan.

The comments are made on behalf of [REDACTED] the owner of one of the proposed residential allocation, NP12: Land off Fox Covert Close.

We also attach report exploring the extent of the Flood Zones in the Misterton area to support our comments.

I would be grateful if you could confirm receipt of these representations.

Please do not hesitate to contact me should you have any questions.

Michael

Michael Braithwaite
Town Planner



32 High Street, Helpringham,
Sleaford, Lincolnshire NG34 0RA
Tel: [REDACTED]
[REDACTED]-landplan.co.uk
Web: www.rdc-landplan.co.uk



Robert Doughty Consultancy Limited, Registered in England No. 4084500, VAT Reg No. 364 7780 17

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Your ref:
Our ref: 1358 1 MB HC

07 March 2019

Neighbourhood Planning
Bassetlaw District Council
Queen's Buildings
Potter Street
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Dear Sirs

MISTERTON NEIGHBOURHOOD PLAN
██████████, NP12 LAND OFF FOX COVERT LANE

We hereby make representation in response to the Submission Version of the Misterton Neighbourhood Plan on behalf of our client, ██████████ who owns land off Fox Covert Lane, which is promoted as an allocation for residential development.

We note that the Neighbourhood Planning Group has taken advantage of the opportunities set out in the National Planning Policy Framework, and has developed a shared vision for the area, to the extent that they have promoted allocations that will deliver more new homes, through a range of allocated sites, than the minimum growth targets in the emerging Bassetlaw Local Plan. This positive approach is welcomed and supported.

Our client's site fronts on to Fox Covert Lane between residential development to the west and commercial development to the east. An adjacent parcel of land is also allocated for residential development, NP11: Land off Grange Walk. Together these sites will infill a gap between the residential estate to the west and commercial development to the east, with minimal impact on the open land to the north.

We support the principle of the allocation. The proposed allocation, however, excludes part of the site originally proposed as a potential allocation. We understand, from the Site Allocation Assessment Criteria document prepared by the Neighbourhood Planning Group, that the northern section of the site (referred to as 12b in the Assessment Criteria Document) has been excluded because it is deemed to be at risk of flooding, due to being shown in Flood Zone 2 on the Environment Agency's flood maps. Part of the adjacent allocation NP11, has also been omitted on the same basis.

continued../



town planning



landscape architecture



architecture

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07 March 2019

Neighbourhood Planning
Bassetlaw District Council

Although the flood maps do indeed show this site in Flood Zone 2 there are significant grounds to challenge this designation. The attached report by RM Associates explores the extent of the flood plain in more detail. That report suggests that the Flood Zone is inaccurate on a number of grounds, including:

- Use of straight-line boundaries for the edge of the Flood Zone in the absence of feature on the ground indicates that the flood map in this instance is not based on robust and detailed information,
- Land at 11m AoD is in the Flood Zone of the River Trent, when the defences of the river are at 6m AoD, casting further doubt on the quality of the basis of drawing the flood maps,
- Recent Environment Agency modelling indicates that flooding events would not extend beyond the railway embankment, and
- The ground levels at NP12 and NP12a are practically the same, and as such there is no reason to justify the difference in flood risk.

On this basis a Flood Map challenge will be formally submitted to the Environment Agency which should result in the site being taken out of the Flood Zone.

There is a range of evidence, including material published by the Environment Agency, that would suggest that the flood maps are not accurate and no parts of NP12 or NP11, as originally promoted, are within Flood Zone 2. Flood risk was the only reason part of the land off Fox Covert Lane was excluded from the housing allocation. We therefore request that the allocation boundary is amended to include site 12b. Consideration may also be given to the inclusion of site 11b into the adjacent allocation, NP11 Land off Grange Walk. The evidence we have provided, however, demonstrates Flood Zone 2 has been inaccurately drawn in this location, and the site is not in Flood Zone 2. There is no justification to exclude site 12b from the overall allocation.

Inclusion of the area referred to as 12b will result in development extending as far as existing residential development to the west, at Grange Avenue, forming a logical and defensible long-term boundary to development. The large allocation would also be defined by the existing boundary line of the land ownership whilst still delivering a level of housing within the proposed cap on growth for the settlement, set out in the emerging Bassetlaw Local Plan.

We therefore challenge the omission of 12b from the overall allocation and request that Allocation NP12 is extended to the hedge line to the north that continues the boundary of development at Grange Avenue to the East.

continued.. /



town planning



landscape architecture



architecture

Our ref: 1358 1 MB HC

07 March 2019

Neighbourhood Planning
Bassetlaw District Council

Policy LP12 would also need to be amended in response to the change in site area. The policy currently includes a cap on development at 48 dwellings. The capacity of the site appears to be calculated based on an assumed number of dwellings per hectare. An increase in the site area would therefore lead to an increased site capacity.

We note that the site capacity has been calculated on an assumed density of 18 dwellings per hectare, although this is a low figure compared to the density of existing development near to the site. We would therefore request that when the site capacity is re-calculated on the basis of 30 dwellings per hectare, based on the next band set out in figure 5 of the submitted Neighbourhood Plan. The capacity of the site should be referred to as a target and not a cap. There are no constraints on the site to justify the imposition of an absolute cap.

In conclusion, therefore, we welcome the Neighbourhood Plan and commend the Neighbourhood Planning Group for the work undertaken in the production of the Neighbourhood Plan. We are concerned, however, that the reasons for omitting part of the site on flood risk grounds are not justified. Allocation NP12: Land Off Fox Covert Lane should be extended to the north to include site 12b, identified in the Site Allocation Assessment Criteria document. We object to the exclusion of NP12b on flood risk grounds because recent evidence, including modelling prepared by the Environment Agency, demonstrates that the site is not in Flood Zone 2.

We also ask that when recalculating the capacity of the larger site that a higher assumed density for the site should be increased to 30 dwellings per hectare from 18. We also ask that the site capacity is treated as a target and not an absolute cap, because there are no constraints on the site that would justify imposing a numerical cap on development.

Should you have any queries regarding our representation please do not hesitate to contact us.

Yours faithfully

[Redacted signature area]

Michael Braithwaite MRTPI

Enclosure: Flood Risk report prepared by RM Associates

cc [Redacted]



town planning



landscape architecture



architecture

PROPOSED RESIDENTIAL DEVELOPMENT
FOX COVERT LANE
MISTERTON



RM ASSOCIATES

10 Main Street
Thorpe on the Hill
Lincoln
LN6 9BG
Tel [REDACTED]
Mobile [REDACTED]
Email; [REDACTED]
March 2019 Version 1

RMA

RESIDENTIAL DEVELOPMENT FOX COVERT LANE, MISTERTON

This report has been commissioned by [REDACTED] to undertake an assessment of the Flood Risk for an additional parcel of land at Fox Covert Lane, Misterton, Nottinghamshire.

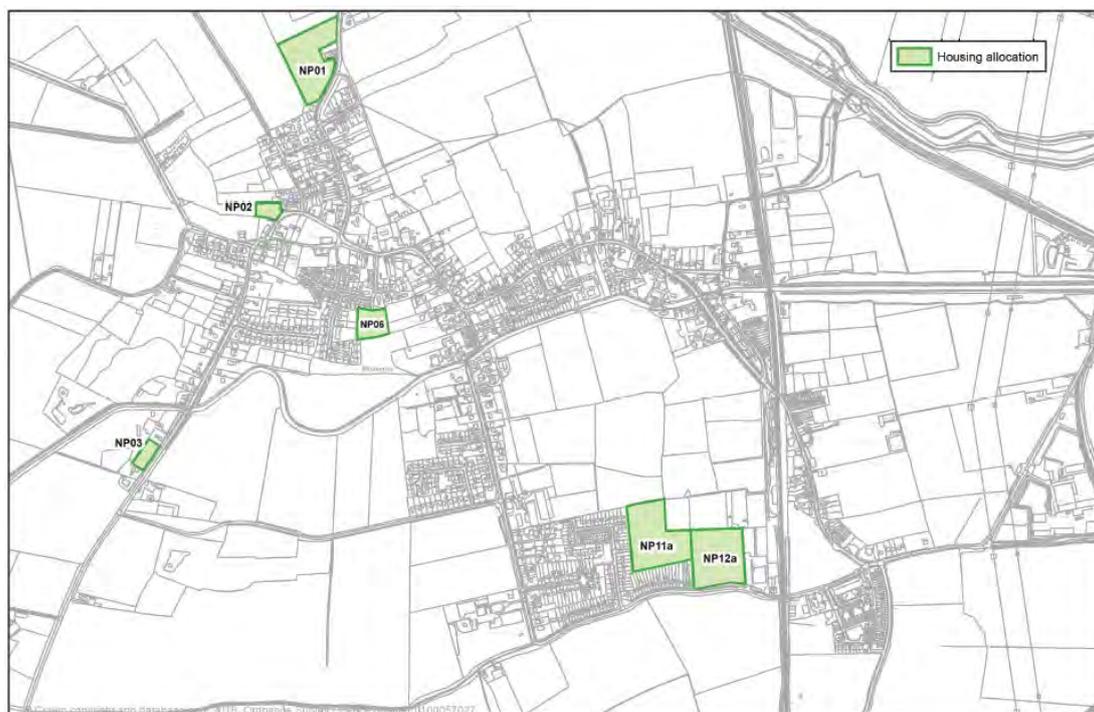
INTRODUCTION

The Bassetlaw District Council has produced a consultation document the Draft Local Plan which includes proposed strategic policies for the period 2018 to 2035. The Council is now inviting interested parties to consider the document and give their views on the proposals and policies in the Plan.

Sites to be considered for residential development have been taken from Misterton Parish Council Neighbourhood Plan

Misterton Parish Council has formally submitted the final version of their neighbourhood plan, and supporting documents, to Bassetlaw District Council for independent examination.

The Neighbourhood plan considered fifteen sites and six sites were recommended for allocation for residential development in the Local Plan.



The site subject to this report is for Site NP12, (Parcel A) shown to be in Flood Zone 1 and in

particular the area immediately to the north of the allocated site (Parcel B) shown to be in Flood Zone 2.

The Government has placed increasing priority on the need to take full account of the risks associated with flooding at all stages of the planning and development process. This seeks to reduce the future damage to property and the risk to life from incidents of flooding. Their expectations relating to flooding are contained in the National Planning Policy Framework (NPPF) July 2018, which identify how the issue of flooding is dealt with in the drafting of planning policy and the consideration of planning applications by avoiding inappropriate development in areas at risk from flooding.

NPPF Guidance Paragraphs 155 - 165 requires development within high areas of flood risk be determined using a sequential risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account the impacts of climate change.

Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change.

The Environment Agency's flood maps show areas that are at risk, from fluvial and tidal flooding. These maps show the limits of the flood plain of the area which could be affected by flood events, over topping or breaching of flood defences. They are based on the approximate extent of floods with a 1% annual probability of exceedance (1 in 100-year flood) for rivers and 0.5% annual probability of exceedance (1 in 200-year flood) for coastal areas under present expectations or the highest known flood. However, they do not take into account of the presence of defences or the likelihood that flood return intervals will be reduced by climate change.

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APPLICATION SITE

The site is located off Fox Covert Lane, Misterton, within Bassetlaw District Council's administrative area. The National Grid Reference for the centre of the site is SK77474 94008. **Plan 1**

The National Planning Policy Framework Technical Guidance (NPPG) defines three levels of flood risk depending upon the annual probability of fluvial flooding occurring.

Zone 1 – Low Probability (<0.1%)

Zone 2 – Medium Probability (0.1 – 1.0%)

Zone 3 – High Probability (>1.0%)

The proposed allocated site Parcel A is shown to be within Flood Zone 1 'Low Probability' as detailed on the Environment Agency's Flood Zone Maps without defences, and as defined in Table 1 of NPPG. **Map1**

Table 1: Flood Zones Definition (Ignoring the presence of defences)

Flood Zone 1- Low Probability
<p>Definition This zone comprises land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%). Appropriate uses. All uses of land are appropriate in this zone.</p>
<p>Flood risk assessment requirements For development proposals on sites comprising one hectare or above the vulnerability to flooding from other sources as well as from river and sea flooding, and the potential to increase flood risk elsewhere through the addition of hard surfaces and the effect of the new development on surface water run-off, should be incorporated in a flood risk assessment. This need only be brief unless the factors above or other local considerations require particular attention.</p>
<p>Policy aims In this zone, developers and local authorities should seek opportunities to reduce the overall level of flood risk in the area and beyond through the layout and form of the development, and the appropriate application of sustainable drainage systems.</p>

The proposed Parcel B site is shown to be within Flood Zone 2 'Medium Probability' as detailed on the Environment Agency's Flood Zone Maps without defences, and as defined in Table 1 of NPPG. **Map1**

Flood Zone 2- Medium Probability
<p>Definition This zone comprises land assessed as having between a 1 in 100 and 1 in 1,000 annual probability of river flooding (1% – 0.1%), or between a 1 in 200 and 1 in 1,000 annual probability of sea flooding (0.5% – 0.1%) in any year.</p> <p>Appropriate uses Essential infrastructure and the water-compatible, less vulnerable and more vulnerable uses, as set out in Table 2, are appropriate in this zone. The highly vulnerable uses are only appropriate in this zone if the Exception Test is passed.</p> <p>Flood Risk Assessment requirements All development proposals in this zone should be accompanied by a Flood Risk Assessment.</p> <p>Policy aims In this zone, developers and Local Authorities should seek opportunities to reduce the overall level of flood risk in the area through the layout and form of the development, and the appropriate application of sustainable drainage systems.</p>

Applying the Flood Risk Vulnerability Classification in Table 2 of NPPG the residential use for both sites, is classified as” More Vulnerable” with Table 1 of NPPG stating that such uses are appropriate in this zone.

Table 2: Flood Risk Vulnerability Classification

More Vulnerable
<ul style="list-style-type: none"> • Hospitals • Residential institutions such as residential care homes, children’s homes, social services homes, prisons and hostels. • Buildings used for: dwelling houses; student halls of residence; drinking establishments; nightclubs; and hotels • Non-residential uses for health services, nurseries and educational establishments • Landfill and sites used for waste management facilities for hazardous waste. • Sites used for holiday or short-let caravan and camping, subject to a specific warning and Evacuation Plan.

Environment Agency

The Environment Agency is responsible for reducing the risk of flooding from designated main rivers and from the sea.

The following potential source of flooding affecting both of the development proposals has been identified as:

- River Trent.

The flood zone maps show that the site of the proposed allocated site is not considered at risk from flooding (Flood Zone 1) but the subject site is shown to be within Flood Zone 2. These maps indicate that the area would be flooded without flood defences. **Map 1**

River Trent

The River Trent is located some 1000m east of the site, the Flood Defence protecting the area consist of earth banks and concrete walls and the crest level is circa 6.00mODN.

Photo A & B



Photo A



Photo B

FLOOD RISK

From the topographical survey for the site, there is not much variation in the average level for the two parcels of land.

Taking the average of 57 site levels for Parcel A, the average level equates to 5.25mODN and taking 46 levels for Parcel B, the average site level equates to 5.17mODN a difference of 8mm which is a negligible amount when considering flood risk. **Plan 2**

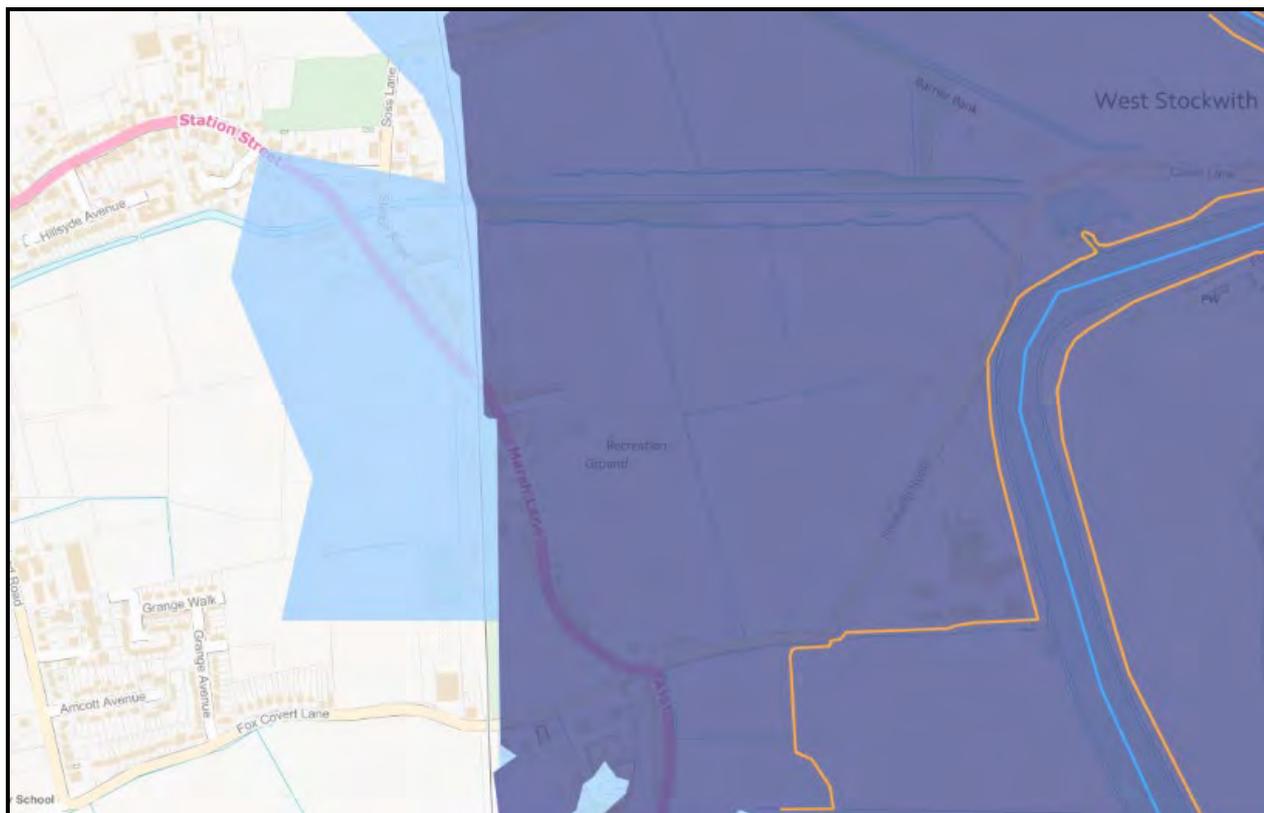
When examining the Flood Map for Planning (Map 1) Parcel A is shown to be in Flood Zone 1 and Parcel B in Flood Zone 2.

With the outline of Flood Zone 2 being shown in straight lines then the accuracy of the information is in doubt. Straight line boundaries do not occur unless there are manmade structures such as railway embankments walls etc forming the boundary.

It would appear that this area of Flood Zone 2 was created from old information, plotting the outline of a previous flood event. In this case it may be the 1947 flood event which was a major event along the Trent Valley.

When a section across the Flood Zone 2 is plotted, using Lidar Data, this shows that the land is reasonable level across the two parcels of land before rising up to the 11.0mODN at Station Road. **Plan 3**

This area around Station Road is also shown to be within Flood Zone 2 which at an elevation of 11.0mODN could not be flooded by any event from the River Trent.



The modelled flood extents map for the River Trent for both the fluvial and tidal maps shows that the sites are not affected by any flood event up to the 1 in 1000-year modelled extent (with 5-year tidal flow). **Maps 2 & 3**

With this information in mind, the accuracy of the flood map is thrown into doubt and therefore a Flood Map Challenge has been made to the Environment Agency to remove this area of Flood Zone 2 from the official Flood Map for Planning.

Other areas of the Environment Agency have already removed the historic straight-line flood maps from the Flood Map for Planning.

CONCLUSION

- Whilst the site is shown to lie within the Flood Zone 2 (Medium Probability), which is land that falls between the 1 in 100-year extent and the 1 in 1000-year extent (a chance of flooding between 1% and 0.1% in any given year) The

accuracy of the area shown is in doubt as proved by the evidence in this report and the land should be reclassified as Flood Zone 1.

- A Flood Map challenge as formally been submitted to the Environment Agency to remove this area of Flood Zone 2 from the Flood Map for Planning.
- If this challenge is successful, then there is no reason why, from a flood risk perspective, that this land should not be include in the Local Plan for residential development as it would meet the requirements of the NPPF.
- The modelled flood extents map for the River Trent for both the fluvial and tidal maps shows that the sites are not affected by any flood event up to the 1 in 1000-year modelled extent (with 5-year tidal flow).
- There are no local site-specific risks that would adversely affect this categorisation. Similarly, there no significant increased offsite flooding risks as a result of the development .

APPENDIX

Map 1	Environment Agency Flood Map
Map 2	Modelled Flood Extents Map Fluvial
Map 3	Modelled Flood Extents Map Tidal
Plan 1	Site Location Plan
Plan 2	Topographical Survey
Plan 3	Lidar Cross Section

Author

R.F. Morgan
I.Eng. MICE. CWEM. MCIWEM.

Flood map for planning

Your reference
Misterton

Location (easting/northing)
477473/394025

Created
2 Mar 2019 5:12

Your selected location is in flood zone 2, an area with a medium probability of flooding.

This means:

- you must complete a flood risk assessment for development in this area
- you should follow the Environment Agency's standing advice for carrying out a flood risk assessment (see www.gov.uk/guidance/flood-risk-assessment-standing-advice)

Notes

The flood map for planning shows river and sea flooding data only. It doesn't include other sources of flooding. It is for use in development planning and flood risk assessments.

This information relates to the selected location and is not specific to any property within it. The map is updated regularly and is correct at the time of printing.

The Open Government Licence sets out the terms and conditions for using government data.
<https://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>

Flood map for planning

Your reference

Misterton

Location (easting/northing)

477473/394025

Scale

1:2500

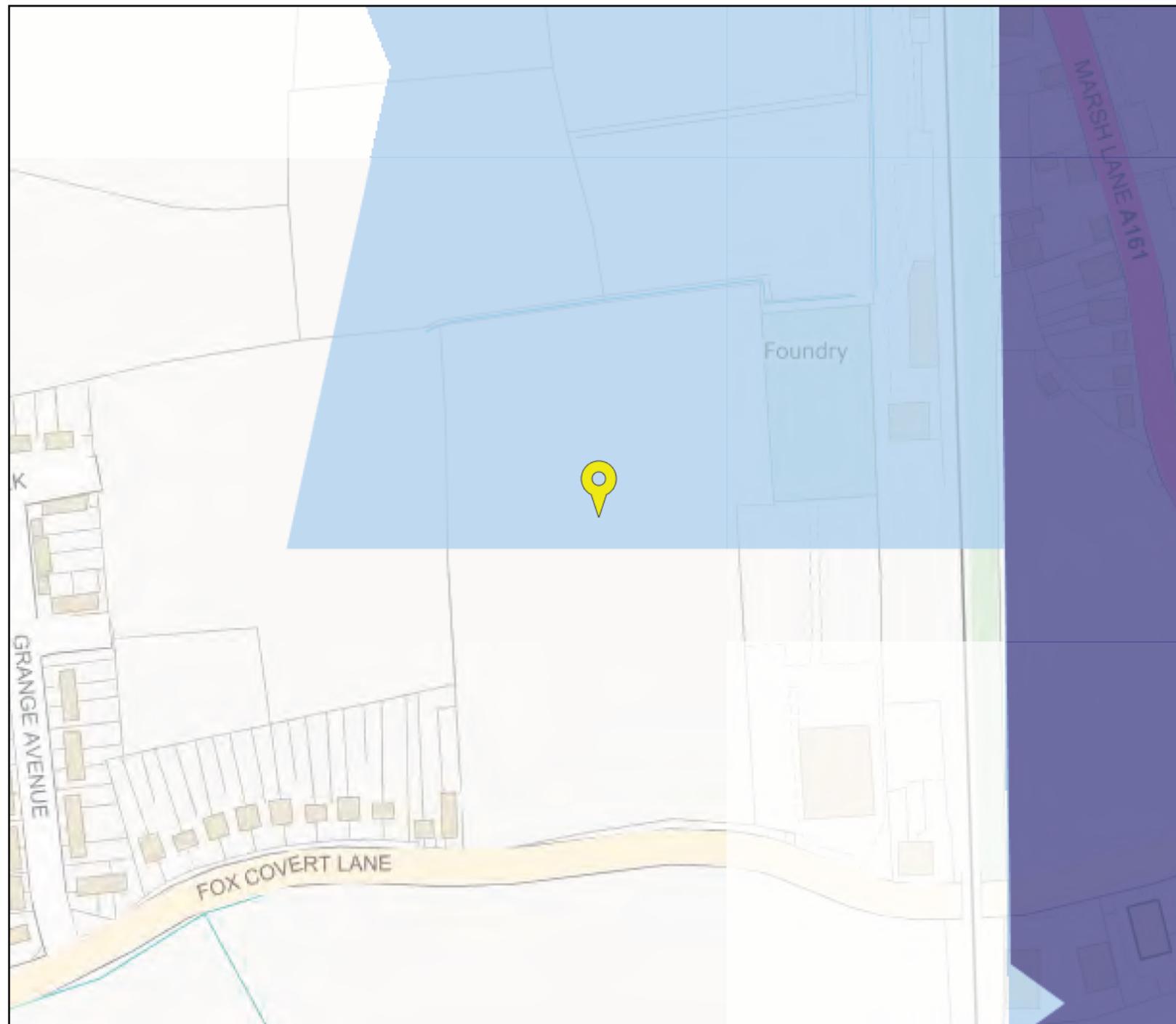
Created

2 Mar 2019 5:12

-  Selected point
-  Flood zone 3
-  Flood zone 3: areas benefiting from flood defences
-  Flood zone 2
-  Flood zone 1
-  Flood defence
-  Main river
-  Flood storage area

0 20 40 60m

Page 2 of 2



Modelled Extents Map centred on Misterton - created 12 December 2018 Ref: [EMD109501]



Scale 1:10,000

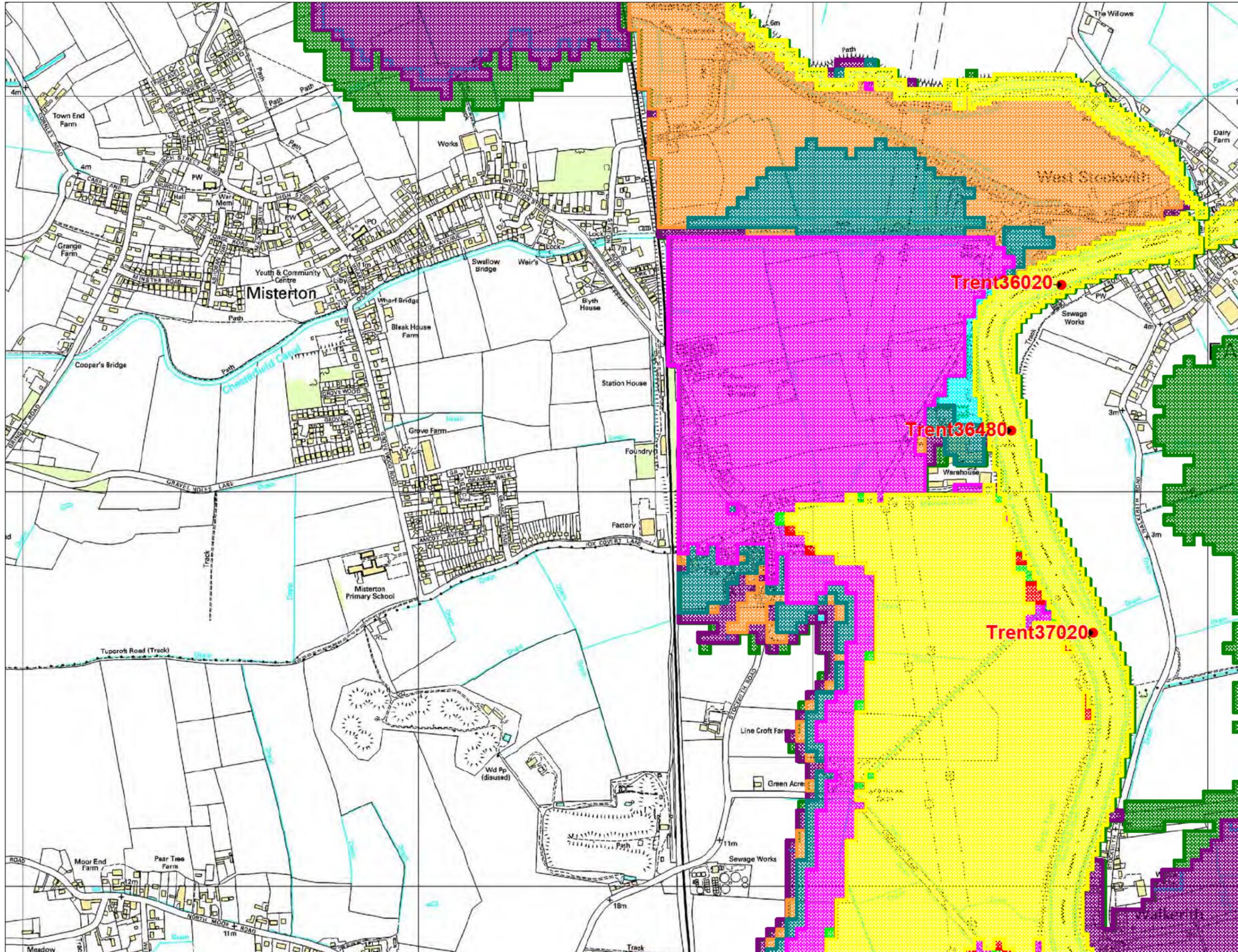


Legend

-  1 in 5 year Modelled Extent (with 5 year Tidal flow)
-  1 in 10 year Modelled Extent (with 5 year Tidal flow)
-  1 in 20 year Modelled Extent (with 5 year Tidal flow)
-  1 in 50 year Modelled Extent (with 5 year Tidal flow)
-  1 in 75 year Modelled Extent (with 5 year Tidal flow)
-  1 in 100 year Modelled Extent (with 5 year Tidal flow)
-  1 in 100 year Modelled Extent including climate change forecast (with 5 year Tidal flow)
-  1 in 200 year Modelled Extent (with 5 year Tidal flow)
-  1 in 1000 year Modelled Extent (with 5 year Tidal flow)

 Modelled Node Location and Reference

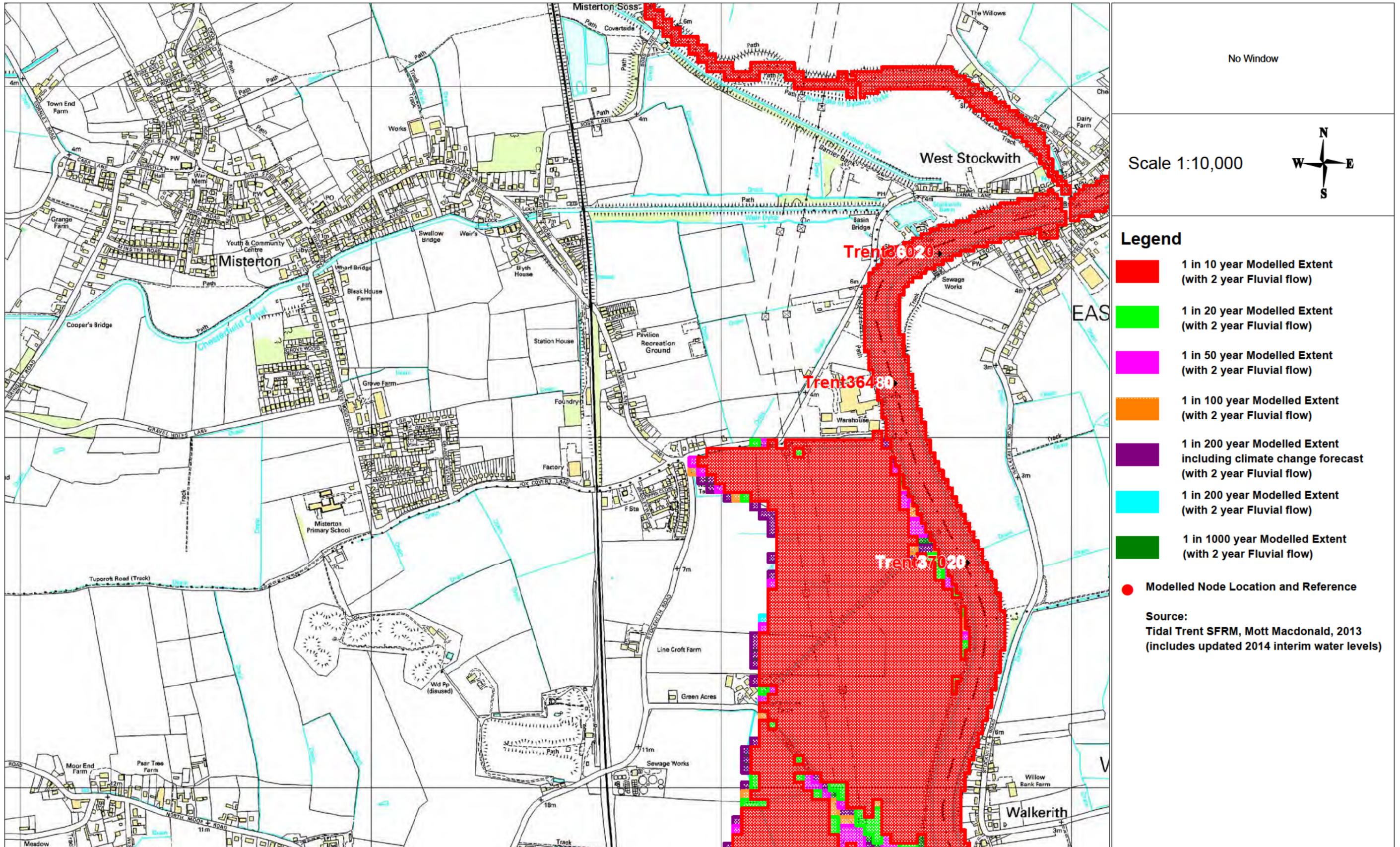
Source:
Tidal Trent SFRM, Mott Macdonald, 2013
(includes updated 2014 interim water levels)



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Modelled Extents Map centred on Misterton - created 12 December 2018 Ref: [EMD109501]



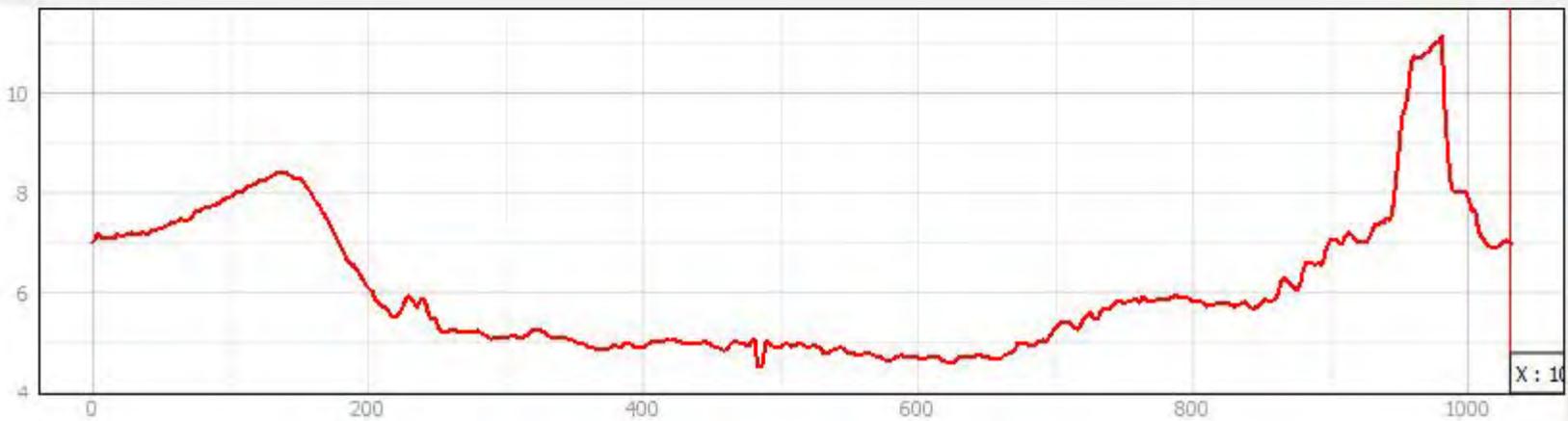
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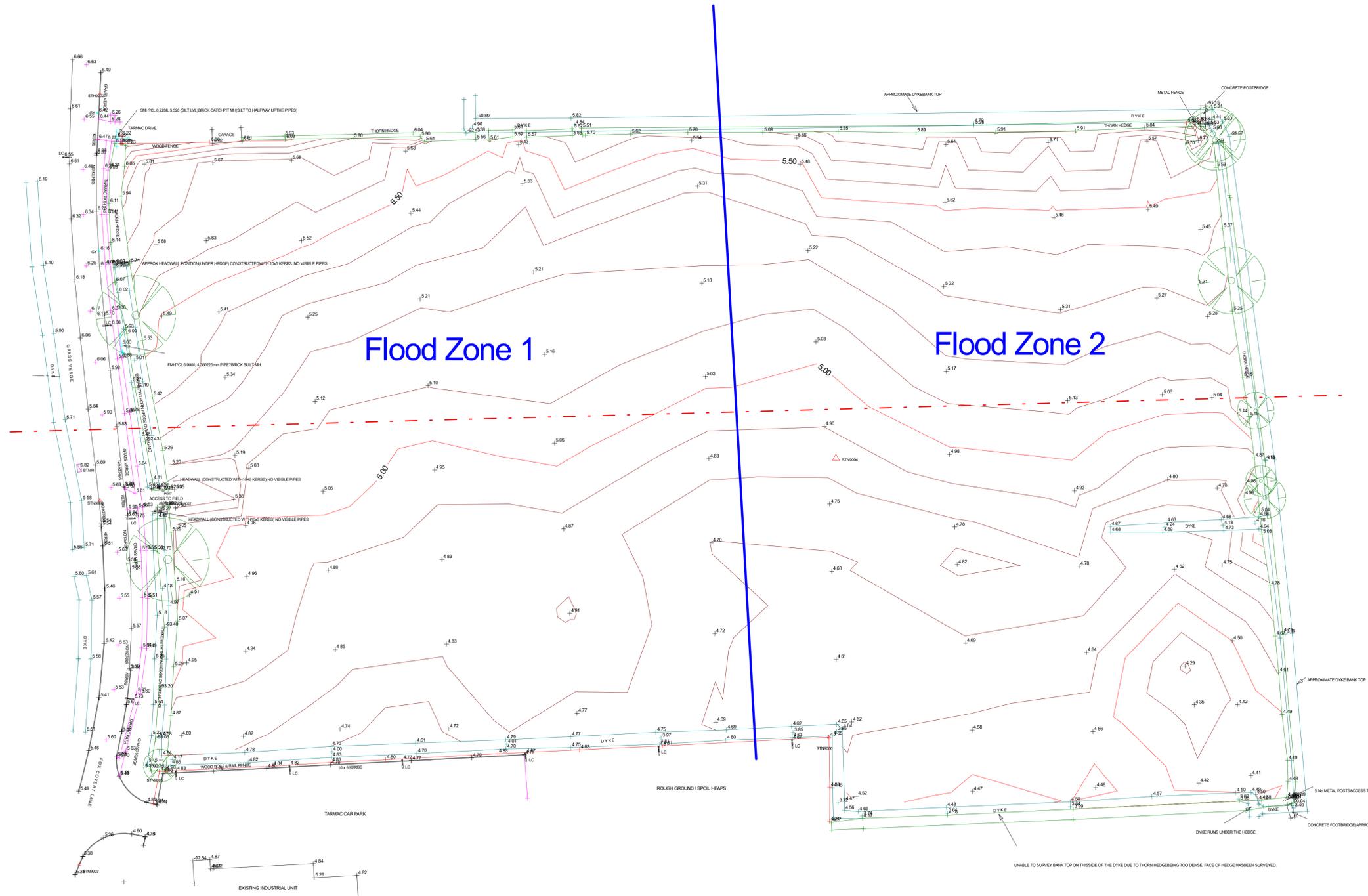


Profile Tool

Table Settings



X : 10



**FOX COVERT LANE
MISTERTON
DONCASTER**

Topographical Survey

Scale 1 : 500

Severn Trent Water

18 March 2019

Our ref: Misterton 1

Dear Sir/Madam

Misterton Neighbourhood Plan Consultation

Thank you for the opportunity to comment on your consultation.

We have reviewed the draft Neighbourhood Plan and have no objections to the principles outlined within the Plan. We have also reviewed the proposed allocations within the plan, and undertaken a high level assessment, this has identified that a number of sites are at a high risk to the sewerage network. Please note that this does not mean that they are necessarily unsuitable for development, but that there may be a requirement for alterations or improvements to the sewerage network to accommodate them. For clarity the risk status within the attached assessment spreadsheet can be interpreted as:

- High – it is likely that capacity improvements will be required to accommodate development
- Medium – capacity improvements may be required to accommodate development
- Low – it is unlikely that capacity improvements will be required to accommodate development.

High risk sites – it is likely that capacity improvements will be required to accommodate development

- Land of Fox Covert Lane – There are known downstream constraints, as such it is anticipated that development at this location will result in an increased risk of flooding unless capacity improvements are made. Severn Trent would request that they are notified as development proposals for this site come forward, to enable more detailed assessments of the risk
- West Stockwith Industrial Estate – There are known downstream constraints, as such it is anticipated that development at this location will result in an increased risk of flooding unless capacity improvements are made. Severn Trent would request that they are notified as development proposals for this site come forward, to enable more detailed assessments of the risk.

Medium risk sites– capacity improvements may be required to accommodate development

- Land of Grange Walk - There are known downstream constraints, as such it is anticipated that development at this location will result in an increased risk of flooding unless capacity improvements are made. Severn Trent would request that they are notified as development proposals for this site come forward, to enable more detailed assessments of the risk.
- Land of Gringley Road (South) – There are known downstream constraints however due to the small scale of the development it is not anticipated significant flows will be created and that the need for capacity improvements should be minimal, however we would like to assess this further as additional information about the development comes forward.
- Land of Haxey Road – Based on the scale of development it is anticipated that the surrounding network may need some capacity improvements, however further investigation will be required.

The assessment also identify an number of sites that may need to discharge to surface water sewers, Severn Trent would recommend that all sites assess the viability of a discharge location in accordance with the Drainage Hierarchy before considering a connection to the surface water sewer in accordance with planning practice guidance paragraph 80.

But please keep us informed when your plans are further developed when we will be able to offer more detailed comments and advice.

For your information we have set out some general guidelines that may be useful to you.

Position Statement

As a water company we have an obligation to provide water supplies and sewage treatment capacity for future development. It is important for us to work collaboratively with Local Planning Authorities to provide relevant assessments of the impacts of future developments. For outline proposals we are able to provide general comments. Once detailed developments and site specific locations are confirmed by local councils, we are able to provide more specific comments and modelling of the network if required. For most developments we do not foresee any particular issues. Where we consider there may be an issue we would discuss in further detail with the Local Planning Authority. We will complete any necessary improvements to provide additional capacity once we have sufficient confidence that a development will go ahead. We do this to avoid making investments on speculative developments to minimise customer bills.

Sewage Strategy

Once detailed plans are available and we have modelled the additional capacity, in areas where sufficient capacity is not currently available and we have sufficient confidence that developments will be built, we will complete necessary improvements to provide the capacity. We will ensure that our assets have no adverse effect on the environment and that we provide appropriate levels of treatment at each of our sewage treatment works.

Surface Water and Sewer Flooding

We expect surface water to be managed in line with the Government's Water Strategy, Future Water. The strategy sets out a vision for more effective management of surface water to deal with the dual pressures of climate change and housing development. Surface water needs to be managed sustainably. For new developments we would not expect surface water to be conveyed to our foul or combined sewage system and, where practicable, we support the removal of surface water already connected to foul or combined sewer.

We believe that greater emphasis needs to be paid to consequences of extreme rainfall. In the past, even outside of the flood plain, some properties have been built in natural drainage paths. We request that developers providing sewers on new developments should safely accommodate floods which exceed the design capacity of the sewers.

To encourage developers to consider sustainable drainage, Severn Trent currently offer a 100% discount on the sewerage infrastructure charge if there is no surface water connection and a 75% discount if there is a surface water connection via a sustainable drainage system. More details can be found on our website

<https://www.stwater.co.uk/building-and-developing/regulations-and-forms/application-forms-and-guidance/infrastructure-charges/>

Water Quality

Good quality river water and groundwater is vital for provision of good quality drinking water. We work closely with the Environment Agency and local farmers to ensure that water quality of supplies are not impacted by our or others operations. The Environment Agency's Source Protection Zone (SPZ) and Safe Guarding Zone policy should provide guidance on development. Any proposals should take into account the principles of the Water Framework Directive and River Basin Management Plan for the Severn River basin unit as prepared by the Environment Agency.

Water Supply

When specific detail of planned development location and sizes are available a site specific assessment of the capacity of our water supply network could be made. Any assessment will involve carrying out a network analysis exercise to investigate any potential impacts.

We would not anticipate capacity problems within the urban areas of our network, any issues can be addressed through reinforcing our network. However, the ability to support significant development in the rural areas is likely to have a greater impact and require greater reinforcement to accommodate greater demands.

Water Efficiency

Part G of Building Regulations specify that new homes must consume no more than 125 litres of water per person per day. We recommend that you consider taking an approach of installing specifically designed water efficient fittings in all areas of the property rather than focus on the

overall consumption of the property. This should help to achieve a lower overall consumption than the maximum volume specified in the Building Regulations.

We recommend that in all cases you consider:

- Single flush siphon toilet cistern and those with a flush volume of 4 litres.
- Showers designed to operate efficiently and with a maximum flow rate of 8 litres per minute.
- Hand wash basin taps with low flow rates of 4 litres or less.
- Water butts for external use in properties with gardens.

To further encourage developers to act sustainably Severn Trent currently offer a 100% discount on the clean water infrastructure charge if properties are built so consumption per person is 110 litres per person per day or less. More details can be found on our website

<https://www.stwater.co.uk/building-and-developing/regulations-and-forms/application-forms-and-guidance/infrastructure-charges/>

We would encourage you to impose the expectation on developers that properties are built to the optional requirement in Building Regulations of 110 litres of water per person per day.

We hope this information has been useful to you and we look forward in hearing from you in the near future.

Yours sincerely

Chris Bramley

Strategic Catchment Planner

growth.development@severntrent.co.uk

Misterton Neighbourhood Plan Level 1 SCA

Potential impact of proposed developments on sewerage infrastructure assets

Date 18 March 2019

NOTE The purpose of these desktop based assessments are to indicate where proposed development **MAY** have a detrimental impact on the performance of the existing public sewerage network taking into account the size of the development proposals.

For most new development provided the surface water in managed sustainably through use of a SuDS the additional foul only flows will have a negligible impact on existing sewer performance but where there are pre-existing capacity constraints additional capacity improvements may be required.

Where subsequent detailed modelling indicates capacity improvements are required such work will be phased to align with development occupancy with capacity improvement works will be funded by Severn Trent Water. However, whilst Severn Trent have a duty to provide additional capacity to accommodate planned development, we also have a requirement to manage our assets efficiently to minimise our customers' bills. Consequently to avoid potential inefficient investment we generally do not provide additional capacity until there is certainty that the development is due to commence. Where development proposals are likely to require additional capacity upgrades to accommodate new development flows it is highly recommended that potential developers contact Severn Trent as early as possible to confirm flow rates and intended connection points. This will ensure provision of additional capacity can be planned into our investment programme to ensure development is not delayed.

Note: These are desktop assessments using readily available information and have not been subjected to detailed hydraulic modelling

STW Ref	LPA	LPA Ref	Site Name	Settlement	Size	Units	Sewage Treatment Works Catchment	SMP Consultant	Date of assessment	Sewerage Comment		Potential impact on sewerage infrastructure	Surface water Comment		Potential impact of surface water sewerage infrastructure
										Known network constraints	Assumed connectivity		Outfall assumption	Surface water disposal	
BDC-19-SCAL1-01	Basetlaw District Council	NP11	Land off Grange Walk	Misterton	2.1	60	Walkeringham	Pick Everard	15/03/2019	Reported flooding downstream on Albion Terrace. Size of the development is such that the general capacity of the surrounding network is likely to be adversely affected.	Drain north to 150mm diameter sewer within the development site. Flows will then drain to Misterton - Marsh Lane SPS.	Medium	Land drain	Development will require surface water sewer constructing to outfall. Risk of developer connecting to surface water running through development site.	Medium Low
BDC-19-SCAL1-02	Basetlaw District Council	NP12	Land off Fox Covert Lane	Misterton	1.9	48	Walkeringham	Pick Everard	15/03/2019	Reported flooding on Fox Culvert Lane. Predicted flooding downstream. Size of the development is such that the general capacity of the surrounding network is likely to be adversely affected.	Drain south to 225mm diameter sewer within the development site. Flows will then drain to Misterton - Marsh Lane SPS.	Medium High	Land drain	There is a ditch / Culverted watercourse on the opposite side of Fox Covert lane, therefore surface water should be directed toward this outfall. Risk of developer connecting to surface water running through development site.	Medium Low
BDC-19-SCAL1-03	Basetlaw District Council	NP06	Land off Meadow Drive	Misterton	0.6	17	Walkeringham	Pick Everard	15/03/2019	No nearby constraints. Misterton - Cornley Road SPS rising main crosses site and developers sewers will need to cross this to discharge to Old Forge Road.	Pump to 225mm sewer on Old Forge Road. Flows will then drain to Misterton - Cornley Road SPS.	Low	Unknown	No watercourse available. SUDS will have to be utilised. If SUDS unsuitable nearest discharge is surface water sewer in Old Forge Road.	Medium
BDC-19-SCAL1-04	Basetlaw District Council	NP03	Land off Gringley Road (South)	Misterton	0.2	8	Walkeringham	Pick Everard	15/03/2019	Reported flooding on Gringley Road downstream.	Drain to 150mm sewer on Gringley Road. Flows will then drain to Misterton - Cornley Road SPS.	Medium Low	Unknown	No SW disposal available. SUDS will have to be utilised.	Medium
BDC-19-SCAL1-05	Basetlaw District Council	NP02	Land off Church Street	Misterton	0.2	12	Walkeringham	Pick Everard	15/03/2019	No nearby constraints. Rising main in highway and developers sewers will need to cross this to discharge to sewerage network.	Drain to 150mm sewer on Church Street. Flows will then drain to Misterton - Cornley Road SPS.	Low	Unknown	No watercourse available. SUDS will have to be utilised. If SUDS unsuitable nearest discharge is surface water sewer in Old Forge Road.	Medium
BDC-19-SCAL1-06	Basetlaw District Council	NP01	Land off Haxey Road	Misterton	1.9	50	Walkeringham	Pick Everard	15/03/2019	Predicted flooding directly downstream. Size of the development is such that the general capacity of the surrounding network is likely to be adversely affected.	Drain to 150mm sewer on Hax Road.	Medium	Unknown	Development will require surface water sewer constructing to outfall. Assumed this could be connected to similar existing outfalls on Old Haxey Road.	Medium
BDC-19-SCAL1-07	Basetlaw District Council	NP13	West Stockwith Industrial Park	Misterton	5.3		Walkeringham	Pick Everard	15/03/2019	Neighbourhood Plan Specifies site area of 1.21 Ha. Reported flooding downstream on Albion Terrace. Size of the development is such that the general capacity of the surrounding network is likely to be adversely affected. Predicted flooding downstream.	Nearby gravity sewerage network has constraints and pumps south past development site to Walkeringham STW. Recommend pumping directly to Walkeringham STW.	High	Misterton Drain	Land drain located to south of site discharging to River Trent.	Low

Sport England

From: [Planning Central](#)
To: [Will Wilson](#)
Subject: Misterton Neighbourhood Plan: Regulation 16 Consultation
Date: 30 January 2019 14:26:16

Thank you for consulting Sport England on the above neighbourhood plan.

Government planning policy, within the **National Planning Policy Framework (NPPF)**, identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process. Providing enough sports facilities of the right quality and type in the right places is vital to achieving this aim. This means that positive planning for sport, protection from the unnecessary loss of sports facilities, along with an integrated approach to providing new housing and employment land with community facilities is important.

It is essential therefore that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular reference to Pars 96 and 97. It is also important to be aware of Sport England's statutory consultee role in **protecting playing fields** and the presumption against the loss of playing field land. Sport England's playing fields policy is set out in our Playing Fields Policy and Guidance document.

<http://www.sportengland.org/playingfieldspolicy>

- Sport England provides guidance on **developing planning policy** for sport and further information can be found via the link below. Vital to the development and implementation of planning policy is the evidence base on which it is founded.

<http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/>

- Sport England works with local authorities to ensure their Local Plan is underpinned by robust and up to date evidence. In line with Par 97 of the NPPF, this takes the form of **assessments of need and strategies for indoor and outdoor sports facilities**. A neighbourhood planning body should look to see if the relevant local authority has prepared a playing pitch strategy or other indoor/outdoor sports facility strategy. If it has then this could provide useful evidence for the neighbourhood plan and save the neighbourhood planning body time and resources gathering their own evidence. It is important that a neighbourhood plan reflects the recommendations and actions set out in any such strategies, including those which may specifically relate to the neighbourhood area, and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support their delivery.

Where such evidence does not already exist then relevant planning policies in a neighbourhood plan should be based on a proportionate assessment of the need for sporting provision in its area. Developed in consultation with the local sporting and wider community any assessment should be used to provide key recommendations and deliverable actions. These should set out what provision is required to ensure the current and future needs of the community for sport can be met and, in turn, be able to support the development and implementation of planning policies. Sport England's guidance on assessing needs may help with such work.

<http://www.sportengland.org/planningtoolsandguidance>

If **new or improved sports facilities** are proposed Sport England recommend you ensure they are fit for purpose and designed in accordance with our design guidance

notes.

<http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

-
Any **new housing** developments will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then planning policies should look to ensure that new sports facilities, or improvements to existing sports facilities, are secured and delivered. Proposed actions to meet the demand should accord with any approved local plan or neighbourhood plan policy for social infrastructure, along with priorities resulting from any assessment of need, or set out in any playing pitch or other indoor and/or outdoor sports facility strategy that the local authority has in place.

In line with the Government's NPPF (including Section 8) and its Planning Practice Guidance (Health and wellbeing section), links below, consideration should also be given to how **any new development**, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing planning policies and developing or assessing individual proposals.

Active Design, which includes a model planning policy, provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity. The guidance, and its accompanying checklist, could also be used at the evidence gathering stage of developing a neighbourhood plan to help undertake an assessment of how the design and layout of the area currently enables people to lead active lifestyles and what could be improved.

NPPF Section 8: <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities>

PPG Health and wellbeing section: <https://www.gov.uk/guidance/health-and-wellbeing>

Sport England's Active Design Guidance: <https://www.sportengland.org/activedesign>

(Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.)

-
If you need any further advice, please do not hesitate to contact Sport England using the contact details below.

Yours sincerely,

Planning Administration Team

T: [REDACTED]

E: Planning.central@sportengland.org

Sport England



This girl can



Sport Park, 3 Oakwood Drive, Loughborough, Leicester, LE11 3QF

We have updated our Privacy Statement to reflect the recent changes to data protection law but rest assured, we will continue looking after your personal data just as carefully as we always have. Our Privacy Statement is published on our [website](#), and our Data Protection Officer can be contacted by emailing [Gail Laughlan](#)

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Sustrans

From: [Gwyneth McMinn](#)
To: [Will Wilson](#)
Subject: Misterton Neighbourhood plan
Date: 05 March 2019 15:01:38
Attachments: [image001.jpg](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Dear Mr Wilson

Thank you for the opportunity to response to the neighborhood Plan

Sustrans support Misterton Neighbourhood Plan. We would recommend:-

- Point 5 - Promote more walk and cycle community engagement
- Point 6 - Development a transport network for sustainable transport and work in partnership with CRT and Nottinghamshire Highways to upgrade the Chesterfield Canal to a cycleway increasing access to Retford, Worksop and Gainsborough.
- Point 7 – Working with planning and developers to invest in sustainable transport and help encourage a new generation of people wanting to walk and cycle.

If you require any further informations, then please do not hesitate to contact me.

Gwyneth McMinn
Head of Network Development (Midlands & East)
Sustrans
Mobile: [REDACTED]



Sustrans is the charity making it easier for people to walk and cycle. We are engineers and educators, experts and advocates. We connect people and places, create liveable neighbourhoods, transform the school run and deliver a happier, healthier commute. Join us on our journey. <http://www.sustrans.org.uk/>

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