

Everton Neighbourhood Plan

Representations Submitted to the Independent Examiner (Regulation 16 Consultation)

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Anglian Water

From: [Patience Stewart](#)
To: [Luke Brown](#)
Cc: [Luke Brown](#)
Subject: Everton Submission Neighbourhood Plan
Date: 28 August 2018 14:30:38

Dear Luke,

Thank you for the opportunity to comment on the Everton Submission Neighbourhood Plan. The following response is submitted on behalf of Anglian Water as water undertaker for the Parish. The views of Severn Trent Water who are responsible for wastewater services within the Parish should also be sought on the content of the Neighbourhood Plan.

I would be grateful if you could confirm that you have received this response.

Site 1: Land north of Pinfold Lane, Harwell

We note that it proposed to allocate the above site for residential development and reference is made to development being required to demonstrate that it does not exacerbate existing drainage problems. We have no objection to the principle of development on this site. However it is important to consider whether improvements to the existing water supply network are also required to enable the development of this allocation site.

Site 2: Land at Hall Farm, Gainsborough Road, Everton

We note that it proposed to allocate the above site for residential development and reference is made to development being required to demonstrate that it does not exacerbate existing drainage problems. We have no objection to the principle of development on this site. However it is important to consider whether improvements to the existing water supply network are also required to enable the development of this allocation site.

Site 2: Land at Willows, Gainsborough Road, Everton

We note that it proposed to allocate the above site for residential development and reference is made to development being required to demonstrate that it does not exacerbate existing drainage problems. We have no objection to the principle of development on this site. However it is important to consider whether improvements to the existing water supply network are also required to enable the development of this allocation site.

I would be grateful if I could be notified of the Council's decision following the examination of the Neighbourhood Plan.

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

Regards,
Stewart Patience
Spatial Planning Manager

Anglian Water Services Limited

Mobile: 07764989051

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www.anglianwater.co.uk

Canal and River Trust

Tuesday 10th July 2018

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

Dear Sir/Madam

**Everton Neighbourhood Plan (Independent Examination under Regulation 16)
– Comments on behalf of the Canal & River Trust**

Thank you for your consultation upon the Everton Neighbourhood Development Plan under Regulation 16.

The Trust are the owner of and navigation authority for the Chesterfield Canal, which lies to the east of the parish area. Of note, the canal is a designated Site of Special Scientific Interest (SSSI), whilst the Long-Distance Walking route 'Cuckoo Way' runs alongside the waterway.

The Trust welcome the general content of the Plan with regards to biodiversity, green networks and heritage, and wish to make the following comments.

Policy E3 'Protecting and Enhancing Biodiversity'

The Chesterfield Canal is a designated SSSI. As a result, the Trust welcome the general approach of this policy, which would help promote the preservation and enhancement of priority habitats and ecological networks that could help to preserve and enhance the ecological value of the waterway.

We welcome that the SSSI designation is identified on map 6a.

Policy E4 'Green Infrastructure'

As per policy E3, the Trust welcome the general content E4, which seeks to ensure new development enhances existing green infrastructure assets, which may help to preserve and enhance the SSSI at the Chesterfield Canal.

Walking and Cycling Routes and Bridleways

The Chesterfield Canal towpath forms part of a long distance walking and cycling route, and improvements to the connections between the route and Everton village could help to promote long-distance walking and cycling for residents. The canal towpath links the parish to Retford, and could provide a traffic-free leisure route between the village and this town.

We believe that improved connections to the waterway could encourage greater use of the canal for leisure, which could bring benefits to the Local Community. For example, research commissioned by the Trust indicates that frequent users of the waterways report life satisfaction scores that are on average 0.219 higher on a scale of 1-10 than non-users (SIMETRICA, May 2018).

<https://canalrivertrust.org.uk/refresh/media/thumbnail/38060-simetrica-report.pdf>

We welcome the policy wording that opportunities will be taken to extend existing footpath and cycle networks into the open countryside, and their links to Green Corridors. However, we do believe that this policy could be more effective if it referred to the potential to improve existing footpaths, as opposed to a single focus on extending them. For example, improvements to the existing footpaths in and around the village could promote walking and cycling more cost-effectively than the formation of new paths as the existing policy wording implies. We therefore ask that consideration is given towards re-wording the policy as below:

“Opportunities should be taken to extend **and improve** existing footpath and cycle networks into the open countryside”

The Trust maintain the Chesterfield Canal towpath for public use. We therefore would recommend amendments to map 6a to label the Cuckoo Way as a publicly assessable footpath. We believe this would help make the document more effective in identifying the existing footpath and cycling network around the village in relation to policy E4.

Heritage

We welcome the identification of the listed mile posts and the Drakeholes Conservation Area on Map 7.

In relation to policy E6, we do believe that the wording should refer to this conservation area in addition to the Everton Conservation Area. We believe this would provide parish-wide protection to Conservation Assets, which would include those areas of the Canal within the Drakeholes Conservation Area.

Yours sincerely

Simon Tucker MSc MRTPI
Area Planner
Simon.Tucker@canalrivertrust.org.uk
07885 241223

Coal Authority



The Coal
Authority

Resolving the impacts of mining

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Neighbourhood Planning Team

Bassetlaw District Council

BY EMAIL ONLY: neighbourhoodplanning@bassetlaw.gov.uk

23 August 2018

Dear Sir/Madam

Everton Neighbourhood Plan – Submission

Thank you for the notification of the 9 July 2018 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 risks from past coal mining activity at shallow depth. Therefore the Coal Authority has **no specific comments** to make on the Neighbourhood Plan.

Yours sincerely

Melanie Lindsley

Melanie Lindsley *BA (Hons), DipEH, DipURP, MA, PGCertUD, PGCertSP, MRTPI*
Development Team Leader

T 01623 637 119

E planningconsultation@coal.gov.uk

Environment Agency

From: [Millbank, Rob](#)
To: [Luke Brown](#)
Subject: RE: EMD-92188 - no response needed
Date: 23 July 2018 10:24:50
Attachments: [image001.gif](#)
[image002.png](#)
[image003.gif](#)
[image004.gif](#)
[image005.gif](#)
[image006.jpg](#)

Dear Luke,

Thank you for consulting us on the submission version of the Everton Neighbourhood Plan. We have no comments to make – there are no environmental constraints on the allocated sites and we are content that National Planning Policy, and the emerging Local Plan, will adequately address any environmental issues associated with windfall development.

Kind regards,

Rob

Rob Millbank

Planning Specialist
Sustainable Places Team

East Midlands Area

Environment Agency

✉ Trentside Office, Scarrington Road, West Bridgford, Nottingham, NG2 5FA

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Gladman Developments

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

By email only to: neighbourhoodplanning@bassetlaw.gov.uk

Dear Sir/Madam,

This letter provides Gladman Developments Ltd (Gladman) representations in response to the submission version of the Everton Neighbourhood Plan (ENP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. Gladman requests to be added to the Council's consultation database and to be kept informed on the progress of the emerging neighbourhood plan. This letter seeks to highlight the issues with the plan as currently presented and its relationship with national and local planning policy.

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) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The basic conditions that the ENP must meet are as follows:

- (a) Having regard to national policies and advice contained in guidance issued by the 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 Framework and Planning Practice Guidance

The National Planning Policy Framework (the Framework) sets out the Government's planning policies for England and how these are expected to be applied. In doing so it sets out the requirements for the preparation of neighbourhood plans to be in conformity with the strategic priorities for the wider area and the role in which they play in delivering sustainable development to meet development needs.

At the heart of the Framework is a presumption in favour of sustainable development, which should be seen as a golden thread through both plan-making and decision-taking. For plan-making this means that plan makers should positively seek opportunities to meet the development needs of their area and Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change. This requirement is applicable to neighbourhood plans.

The recent Planning Practice Guidance (PPG) updates make clear that neighbourhood plans should conform to national policy requirements and take account the latest and most up-to-date evidence of housing needs in order to assist the Council in delivering sustainable development, a neighbourhood plan basic condition.

On the 24th July 2018, the government published a revised National Planning Policy Framework. The revised Framework states at paragraph 213 that 'the policies of the previous Framework will apply for the purposes of examining plans, where those plans are submitted on or before 24 January 2019.' As such the Parish Council will need to ensure that the policies contained within the ENP are consistent with the appropriate version of the NPPF. Further, the Parish Council will need to be aware that the revised NPPF is considered a material consideration which will need to be taken into account in dealing with any planning applications.

The application of the presumption in favour of sustainable development will have implications for how communities engage with neighbourhood planning. Paragraph 16 of the previous Framework makes clear that Qualifying Bodies preparing neighbourhood plans should develop plans that support strategic development needs set out in Local Plans, including policies for housing development and plan positively to support local development.

Paragraph 17 of the previous Framework further makes clear 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 the wider opportunities for growth.

Paragraph 184 of the previous Framework 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.

Planning Practice Guidance

It is clear from the requirements of the Framework that neighbourhood plans should be prepared in conformity with the strategic requirements for the wider area as confirmed in an adopted development plan. The requirements of the Framework have now been supplemented by the publication of Planning Practice Guidance (PPG).

On 11th February 2016, the Secretary of State (SoS) published a series of updates to the neighbourhood planning chapter of the PPG. In summary, these update a number of component parts of the evidence base that are required to support an emerging neighbourhood plan.

On 19th May 2016, the Secretary of State published a further set of updates to the neighbourhood planning PPG. These updates provide further clarity on what measures a qualifying body should take to review the contents of a neighbourhood plan where the evidence base for the plan policy becomes less robust. As such it is considered that where a qualifying body intends to undertake a review of the neighbourhood plan, it should include a policy relating to this intention which includes a detailed explanation outlining the qualifying bodies anticipated timescales in this regard.

Further, the PPG makes clear that neighbourhood plans should not contain policies restricting housing development in settlements or preventing other settlements from being expanded. It is with that in mind that Gladman has reservations regarding the ENP's ability to meet basic condition (a) and (d) and this will be discussed in greater detail throughout this response.

Relationship to Local Plan

To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, Neighbourhood Plans should be prepared to conform to up-to-date strategic policy requirements set out in Local Plans. Where an up-to-date Local Plan has been adopted and is in place for the wider authority area, it is the strategic policy requirements set out in this document that a Neighbourhood Plan should seek to support and meet. When a Local Plan is emerging, or is yet to be found sound at Examination, there will be lack of certainty over what scale of development a community must accommodate or the direction the policies in the Neighbourhood Plan should take.

The current Development Plan relevant to the preparation of the Everton Plan (ENP) consists of the Core Strategy & Development Management Policies DPD (CSDMP). The CSDMP covers the period from 2010 to 2028 and provides the overarching spatial strategy for Bassetlaw. Adopted in December 2011, this plan was prepared in a different era of plan making before the introduction of the Framework.

The Council are now working on a Framework compliant Local Plan, the new Bassetlaw Plan which will cover the period between 2019 and 2034. The emerging Local Plan is at the very early stages of preparation with initial consultation on the plan running from October to December 2016.

Given this early stage of preparation and uncertainty in reference to housing requirements, the ENP will need to ensure that it allows for sufficient flexibility so that it is not ultimately superseded following any subsequent adoption of the emerging Bassetlaw Plan as per s38 (5) of the Planning and Compulsory Purchase Act 2004;

"If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published (as the case may be)."

Policy E1 Protection of the Landscape

Policy E1 identifies 'green gaps' between Everton Village and Harwell, Drakeholes and Mattersey. Within these defines areas the policy states that built up areas should be prevented.

This is considered a strategic policy beyond the remit of neighbourhood plans that would have the effect of imposing a blanket restriction on development to around much of Everton. It would effectively offer the same level of protection as Green Belt land without undertaking the necessary exceptional circumstances test for the designation of new areas of Green Belt. As stated by PPG paragraph 074, a neighbourhood plan should not attempt to introduce strategic policies, such as this, which would undermine the strategic policies set out in the development plan.

Further, the PPG makes clear that neighbourhood plans should not contain policies restricting housing development in settlements or preventing other settlements from being expanded. Accordingly, the ENP will need to be updated so that it takes into account the latest guidance issued by the Secretary of State so that it can be found in compliance with basic condition (a), (d) and (e).

Policy E3 Protecting and Enhancing Biodiversity

Policy E3 states that development proposals that cannot avoid, adequately mitigate, or as a last resort, compensate for the loss of locally or nationally identified sites of biodiversity value will be refused.

Firstly, Gladman would like to politely remind the Council that it is not within the remit of a Parish Council to determine planning applications, and as such, we suggest that the word 'refused' is replaced with 'not supported'.

Further paragraph 113 of the previous Framework refers to the need for criteria-based policies in relation to proposals affecting protected biodiversity or nature conservation or landscape areas, and that protection should be commensurate with their status which gives appropriate weight to their importance and contributions to wider networks. As currently drafted, Gladman do not believe this policy fully aligns with the Framework. The policy fails to make a distinction and recognise that there are two separate balancing exercises which need to be undertaken for national and local designated sites and their settings. We therefore suggest that the policy is revisited to ensure that it is consistent with the approach set out within the Framework.

Policy E7 Encouraging High Quality Design

Policy E7 sets out a number of design principles, including architectural quality principles that all proposals for residential development will be expected to adhere to.

Whilst Gladman recognise the importance of high quality design, planning policies should not be overly prescriptive and need flexibility in order for schemes to respond to sites specifics and the character of the local area. There will not be a 'one size fits all' solution in relation to design and sites should be considered on a site by site basis with consideration given to various design principles.

Gladman therefore suggest that more flexibility is provided in the policy wording to ensure that a high quality and inclusive design is not compromised by aesthetic requirements alone. We consider that to do so could act to impact on the viability of proposed residential developments. We suggest that regard should be had to paragraph 60 of the previous NPPF which states that: "*Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles*".

Policy E8 Housing within Everton Parish

Policy E8 states that around 40 new homes should be provided in the plan area during the lifetime of the plan.

Gladman are concerned that the proposed housing requirements is overly ambiguous in saying 'around' instead of being expressed as a 'minimum provision' and subsequently do not consider the policy to be in line with the requirements of the current and previous Framework(s). We suggest that the policy wording is amended to reflect that a minimum of 40 dwellings will be delivered over the plan period.

Conclusions

Gladman recognises the role of neighbourhood plans as a tool for local people to shape the development of their local community. However, it is clear from national guidance that these must be consistent with national planning policy and the strategic requirements for the wider authority area. Through this consultation response, Gladman has sought to clarify the relation of the ENP as currently proposed with the requirements of national planning policy and the wider strategic policies for the wider area.

Gladman is concerned that the plan in its current form does not comply with basic conditions (a) and (d). The plan does not conform with national policy and guidance and in its current form does not contribute to the achievement of sustainable development.

Gladman hopes you have found these representations helpful and constructive. If you have any questions do not hesitate to contact me or one of the Gladman team.

Yours Faithfully,



Megan Pashley

Highways England

Our ref:
Your ref:

Bassetlaw District Council
Queens Buildings
Potter Street
Worksop
Nottinghamshire
S80 2AH
via Email: NeighbourhoodPlanning@bassetlaw.gov.uk

Adrian Chadha
Spatial Planning and Economic
Development Team
Highways England
The Cube
199 Wharfside Street
Birmingham B1 1RN

Direct Line: 0300 470 8148

15th August 2018

Dear Luke,

CONSULTATION ON THE SUBMISSION VERSION OF THE EVERTON PARISH NEIGHBOURHOOD DEVELOPMENT PLAN

Highways England welcomes the opportunity to comment on the submission version of the Everton Neighbourhood Development Plan that covers the period 2018 to 2034. It is noted 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 the role of Highways England to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth. In relation to the Everton Parish Neighbourhood Development Plan, our principle interest is safeguarding a section of the A1 which routes 3 miles to the west of the Plan area.

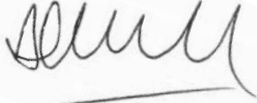
Highways England understands that a Neighbourhood Development Plan is required to be in conformity with relevant national and Borough-wide planning policies. Accordingly, the Neighbourhood Development Plan for Everton is required to be in conformity with the emerging Bassetlaw Local Plan and this is acknowledged within the document.

We note that there are existing commitments of 41 dwellings with outline planning consents (but not under construction) as of May 2018. We also note that 40 new dwellings are being proposed in the Everton Neighbourhood Development Plan to come forward in the Plan period bringing the total housing allocation to 81 dwellings. The majority of these will be provided through site allocations under Policy E9, with some further limited infill developments and small-scale sites.

Due to the small-scale of development growth being proposed and distance from the SRN, it is not considered that there will be any impacts on the operation of the A1.

We have no further comments to provide, and trust the above is useful in the progression of the Everton Neighbourhood Development Plan.

Yours sincerely,



Adrian Chadha
Spatial Planning & Economic Development Team
Email: Adrian.Chadha@highwaysengland.co.uk

D. and J. Hirst (Bramble Farm)

From: [REDACTED]
To: [Luke Brown](#); [Luke Brown](#); [REDACTED]
Subject: Everton Neighbourhood Plan
Date: 19 August 2018 19:48:38

Bramble Farm
Sluice Lane
Everton
Doncaster
DN10

Dear Neighbourhood Planning Team,

Re: Everton Neighbourhood Plan

Please reply confirming receipt.

We would like to object to the exclusion of site NP04a/b (Bramble Farm) for the following reasons:

1. The site was initially requested for inclusion by The County Council and regarded by The Council as a “good site, one of the better”.
2. Since inclusion the Parish Council has been both opaque and inconsistent with regards justifying it’s exclusion.
3. We believe that the sight should be included for the following reasons:
 - a. The site sits on an existing development corridor with numerous developments completed, approved and in-progress along Sluice Lane and to the boarder of our site (e.g. Ashfield Court & Northfields Farmstead Development)
 - b. The site sits on the most viable / substantial road within Everton and therefore benefits from the best transportation and traffic impact of any site.
 - c. The site borders other developments and the village boundary – the site is immediately next to the village speed limit signs marking the village boundary.
 - d. The road has been widened up to NP04's boundary and can easily be widened further as part of any approved development. This has been demonstrated by the development at Ashfield Court.
 - e. The site though technically agricultural is, in layman’s terms, brown belt consisting of existing, very substantial, unsightly, redundant, relatively modern, early to mid-20’t century livestock farm buildings. Though in-use these buildings are no-longer economically viable. Any development of this site will therefore have positive cosmetic impact.
 - f. There is a relatively unbroken strip of development from the village centre to the

boundary of this site.

- g. In the subsequent evaluation of the site post splitting into NP04 a & b there seems to be no significant objection towards developing the site - see Site Evaluation documents. The development at Ashfield Court adjoining NP04 has proven the road can be widened at minimal cost, visual impact, ambiance or inconvenience.
4. The Parish repeatedly cites the consultation process as a reason for this site being excluded. We object to this observation as the Consultation was both poorly attended and managed. There were very few responses to the consultation and therefore we do not believe they have statistical relevance. Much of the Parish's wording and presentation around this site led to a negative outcome.
5. We understand that NP04 a and b may need to be considered along with NP 12
6. The site is one of the few sites within Everton – even as a whole or split into a & b that can support significant development.

For the above reasons we object to the negative evaluation of the site at Bramble Farm on the basis it seems either unsound or biased.

David and Jill Hirst

From: [REDACTED]
To: [Luke Brown](#); [Luke Brown](#)
Subject: Re: Everton Neighbourhood Plan
Date: 22 August 2018 12:12:04

You

Can we also add, officially, that the land evaluated - NP04 "a" and "b", is substantially larger than the site we put forward. This again suggested that the evaluation has not been completed with due care.

Please confirm receipt of this email too.

Thanks

Historic England



Historic England

EAST MIDLANDS OFFICE

Mr Luke Brown
Neighbourhood planning Officer
Bassetlaw District Council
Queens Buildings
Potter Street
Worksop
Nottinghamshire S80 2AH

Direct Dial: 01604 735460

Our Ref: PL00079127

10 July 2018

Dear Mr Brown,

Neighbourhood plan for Everton

Thank you for consulting Historic England about your Neighbourhood plan.

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

Please refer to our advice on the letter dated 18th January 2018 to the Parish Council attached with this letter.

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

Yours Sincerely

Clive Fletcher
Principal Adviser, Historic Places
E-mail: clive.fletcher@HistoricEngland.org.uk



2nd Floor, WINDSOR HOUSE, CLIFTONVILLE, NORTHAMPTON, NN1 5BE

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Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.



Historic England

EAST MIDLANDS OFFICE

Mrs Gillian Culverwell
Everton Parish Council
44 Ordsall Park Road
Retford
Nottinghamshire
DN22 7PQ

Direct Dial: 01604 735460

Our ref: PL00079127

18 January 2018

Dear Mrs Culverwell

Neighbourhood Plan for Everton

Thank you for consulting Historic England with further information about your Neighbourhood Plan.

Your Neighbourhood Plan falls within the boundary of both Everton and Wiseton and Drakeholes Conservation Areas, and includes a number of designated heritage assets including 1 Grade II* and 25 Grade II listed buildings. It will be important that the strategy you put together for this area safeguards those elements which contribute to the importance of those historic assets. This will assist in ensuring they can be enjoyed by future generations of the area and make sure it is in line with national planning policy.

The conservation officer at Bassetlaw is the best placed person to assist you in the development of your Neighbourhood Plan. They can help you to consider how the strategy might address the area's heritage assets. At this point we don't consider there is a need for Historic England to be involved in the development of the strategy for your area.

If you have not already done so, we would recommend that you speak to the staff at Nottingham County Council's archaeological advisory service, who look after the Historic Environment Record and give advice on archaeological matters. They should be able to provide details of not only any designated heritage assets but also locally-important buildings, archaeological remains and landscapes. Some Historic Environment Records may also be available on-line via the Heritage Gateway (www.heritagegateway.org.uk <<http://www.heritagegateway.org.uk>>). It may also be useful to involve local voluntary groups such as the local Civic Society, local history groups, building preservation trusts, etc. in the production of your Neighbourhood Plan.

Your local authority might also be able to provide you with general support in the production of your Neighbourhood Plan. National Planning Practice Guidance is clear that where it is relevant, Neighbourhood Plans need to include enough information



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Historic England is subject to the Freedom of Information Act, 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.



Historic England

EAST MIDLANDS OFFICE

about local heritage to guide planning decisions and to put broader strategic heritage policies from the local authority's local plan into action at a neighbourhood scale. If appropriate this should include enough information about local non-designated heritage assets including sites of archaeological interest to guide decisions.

Further information and guidance on how heritage can best be incorporated into Neighbourhood Plans has been produced by Historic England. This signposts a number of other documents which your community might find useful in helping to identify what it is about your area which makes it distinctive and how you might go about ensuring that the character of the area is retained. These can be found at:-

<<http://www.historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>>

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

Yours sincerely,

Yours sincerely,

Clive Fletcher

Principal Adviser, Historic Places

clive.fletcher@HistoricEngland.org.uk



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Historic England is subject to the Freedom of Information Act, 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.

NFU

From: [Paul Tame](#)
To: [Luke Brown](#)
Subject: FW: Everton Neighbourhood Plan
Date: 11 July 2018 14:25:00

Thank you for consulting the NFU about the neighbourhood development plan. Our general comments on the neighbourhood plan are as follows:-

The NFU has 4,800 farmer members out of the 6,000 farmers in the East Midlands region who are commercial farmers. About 80 per cent of land within this part of Nottinghamshire is farmed. The viability and success of farmers near Everton is crucial to the local economy and the environment. Farmers need local plan policies which enable:-

- New farm buildings needed by the business. This could be for regulatory reasons (e.g. new slurry stores) or because new or more crops and livestock are being farmed (grain stores, barns, livestock housing etc).
- Farm and rural diversification. Some farmers will be in a good position to diversify into equine businesses, on farm leisure and tourism and in other sectors which will help boost the local economy and support the farm business.
- On farm renewable energy. Farms can be ideal places for wind turbines, pv, solar, anaerobic digestion, biomass and biofuels plant provided they do not cause nuisance to others. The UK must meet a target of 15% renewables by 2020. Currently we are not meeting this target but on farm renewables can help us to meet it.
- Conversion of vernacular buildings on farms into new business use or residential use. This enables parts of older buildings to be preserved whilst helping the economy and the farm business.

Fast broadband and mobile connectivity. Rural businesses depend on these but so often these are not provided and planning can be an obstacle to their provision rather than the enabler that it should be.

The NFU will be looking to see that the neighbourhood plan has policies which positively encourage the above and do not deter them because of, for example, restrictive landscape designations and sustainable transport policies which imply that all development needs to be by a bus stop. There can also be issues about new buildings being sited too close to noisy or smelly farm buildings which cause nuisance to new householders and lead to abatement notices being served on longstanding businesses. We would urge the local planning authority to be especially careful before granting permission to residential development near to bad neighbour uses.

Paul Tame, Regional Environment and Rural Policy Adviser, NFU East Midlands Region, Agriculture House, North Gate, Uppingham, Rutland, LE15 9NX, tel. 01572 824255, email paul.tame@nfu.org.uk

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Natural England

Date: 24 August 2018
Our ref: 252169



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BY EMAIL ONLY

T 0300 060 3900

Dear Luke

Everton Neighbourhood Plan - Final Draft.

Thank you for your consultation on the above dated 09/07/2018.

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 this draft neighbourhood plan.

Allocations

We note that all of the site allocations are within Impact Risk Zones (IRZ's) for discharge of ground or surface water. This means that we would expect to be consulted on any planning applications that plan to discharge to ground or to surface water. For further information on Natural England's IRZ's see [this document](#).

Best and Most Versatile Agricultural Land

We have not checked the agricultural land classification of the proposed allocations, but we advise you ensure that any allocations on best and most versatile land are justified in line with para 112 of the National Planning Policy Framework.

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

For clarification of any points in this letter, please contact Laura Alvey on 0208 0268 695. For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

Yours sincerely

Laura Alvey

Planning Adviser
Area Delivery
East Midlands Area Team
laura.alvey@naturalengland.org.uk

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

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

¹ <http://magic.defra.gov.uk/>

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

³ <http://webarchive.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/>

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:

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.

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>

- 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: [Luke Brown](#)
Cc: [Luke Brown](#)
Subject: RE: Everton Neighbourhood Plan
Date: 10 July 2018 09:25:01

Dear Sirs

Everton Parish Submission Neighbourhood Development Plan – Summer 2018

Site No.1 – Pinfold Lane, Harwell (NP01)

The site's sustainability credentials are very questionable. There are no services in Harwell. Although there are limited services in Everton around 1km away, the most direct route is along a narrow lane with no footways. Bus services are infrequent. Consequently, the proposal would lead to increased trips by car. However, being a single dwelling, the Highway Authority would not be able to demonstrate that the residual cumulative traffic impacts of the development would be severe. The proposal would therefore not be contrary to the NPPF sustainable transport policy.

The site has previously been the subject of a planning appeal. Whilst the appeal was dismissed, the inspector was content that the access would be acceptable and not prejudicial to highway safety. The Highway Authority is unlikely to come to a different view subject to satisfactory details of access which should be from Harwell Sluice Lane rather than Pinfold Lane which is a public footpath. The access is unlikely to be very attractive particularly given the levels.

It does seem strange, given all the potential site, that the Neighbourhood Plan settles on this one.

Site No.2 - Hall Farm, Gainsborough Road, Everton (NP10)

The Highway Authority has strong reservations with respect direct access to the A631 Gainsborough Road. The primary function of the road is that of a district distributor road which carry high volumes of traffic including HGVs. It will therefore have a higher propensity for accidents than more minor roads. In the case of this site, visibility for emerging vehicles at the existing access is restricted by the adjacent buildings. Furthermore, at least from the point where the site abuts the highway, there does not appear to be any prospect of providing a footway into the village. Pedestrians would therefore be reliant on the footway opposite. This is not particularly wide and would involve crossing the 'A' road. Whilst these issues would be covered in the NP site policy, if they can't be overcome, there would seem little sense in the allocation.

Site No3 - The Willows, Gainsborough Road (NP11)

For the reasons given above (site No.2) the Highway Authority has strong reservations with respect the acceptability of providing direct access to the A631 Gainsborough Road and due to the inability to provide a continuous footway linking back into the village. Whilst these issues would be covered in the NP site policy, if they can't be overcome, there would seem little sense in the allocation.

Yours sincerely

Martin Green

Principal Officer

Nottinghamshire County Council

T (+44) 0115 9773963

www.nottinghamshire.gov.uk

Nottinghamshire County Council – Planning Policy

This matter is being dealt with by:

Nina Wilson

Reference: n/a

T 0115 977 3793

E nina.wilson@nottscc.gov.uk

W nottinghamshire.gov.uk

Sent via email to neighbourhoodplanning@bassetlaw.gov.uk

10th August 2018

Dear Luke

Everton Neighbourhood Plan Consultation

Thank you for your letter dated 9th July 2018 requesting strategic planning observations on the above Neighbourhood Plan. I have consulted with my colleagues across relevant divisions of the County Council and have the following comments to make.

Public Health

Appendix 1 sets out the local health report for the settlement of Everton and identifies that many of the health indicators are: *similar to and not better than the England average* with Limiting Long Term Illness or Disability worse than the England average for this area or remove if not appropriate).

The National Planning Policy Framework (NPPF) seeks to promote healthy communities. Paragraphs 69-78 of the NPPF sets out ways in which the planning system can play an important role in facilitating social interaction and create healthy inclusive environments. Planning policies should in turn aim to achieve places which promote:

- Safe and accessible environments
- High quality public spaces
- Recreational space/sports facilities
- Community facilities
- Public rights of way

The Nottinghamshire Joint Strategic Needs Assessment (JSNA) provides a picture of the current and future health needs of the local population:

<http://jsna.nottinghamcity.gov.uk/insight/Strategic-Framework/Nottinghamshire-JSNA.aspx>.

This states the importance that the natural and build environment has on health.

The Nottinghamshire Health and Wellbeing Strategy sets out the ambitions and priorities for the Health and Wellbeing Board with the overall vision to improve the health and wellbeing of people in Nottinghamshire:

<http://www.nottinghamshire.gov.uk/caring/yourhealth/developing-health-services/health-andwellbeingboard/strategy/>

The 'Spatial Planning for Health and Wellbeing of Nottinghamshire' document approved by the Nottinghamshire Health and Wellbeing Board in May 2016 with the Planning and Health Engagement Protocol 2017 identifies that local planning policies play a vital role in ensuring the health and wellbeing of the population and how planning matters impact on health and wellbeing locally. In

addition a health checklist is included to be used when developing local plans and assessing planning applications:

<http://www.nottinghamshireinsight.org.uk/search?q=Spatial+Planning>

It is recommended that this checklist is completed to enable the potential positive and negative impacts of the neighbourhood plan on health and wellbeing to be considered in a consistent, systematic and objective way, identifying opportunities for maximising potential health gains and minimizing harm and addressing inequalities taking account of the wider determinants of health.

Obesity is a major public health challenge for Nottinghamshire. Obesity in 10-11 year olds in this area is similar to not better than the England average. Obesity levels for this It is recommended that the six themes recommended by the TCPA document 'Planning Health Weight Environments'

http://www.tcpa.org.uk/data/files/Health_and_planning/Health_2014/PHWE_Report_Final.pdf

are considered to promote a healthy lifestyle as part of this application. The six themes are:

- Movement and access: Walking environment; cycling environment; local transport services.
- Open spaces, recreation and play: Open spaces; natural environment; leisure and recreational spaces; play spaces.
- Food: Food retail (including production, supply and diversity); food growing; access.
- Neighbourhood spaces: Community and social infrastructure; public spaces.
- Building design: Homes; other buildings.
- Local economy: Town centres and high streets; job opportunities and access.

Minerals and Waste

Though areas to the north of this neighbourhood plan area are within a Minerals Safeguarding and Consultation Area, there do not appear to be any proposed policies in this neighbourhood plan which may unduly restrict current or potential future mineral extraction sites. There are no waste safeguarding concerns in respect of this neighbourhood plan.

Travel and Transport

Nottinghamshire County Council Transport and Travel Services (TTS) wish the following observations to be taken into account as part of the consultation in respect of the Everton Neighbourhood Development Plan (NDP) submission version consultation. It is noted that the plan includes a vision and objectives, planning policies, and that the document includes proposed site allocations under five planning themes, including 'Improving Local Infrastructure and Transport'

General

Transport and Travel Services welcome the draft plan and the emphasis on sustainable development. The proposed planning policies and proposed site allocations includes a section covering 'Traffic and Transport', which is supported by Transport and Travel Services. The proposed site allocations account for approximately 40 dwelling houses during the Plan period. The opportunity should be taken to state the impact of new development on the local bus network, including the demand for statutory transport to serve schools and any funding implications for developers.

Current Everton Bus Network

Section 9.1 makes a brief reference to the local bus services: "*There are bus services to Retford (8 miles away), Doncaster (12 miles away) and Gainsborough (9 miles).*" Everton is served by 2 services that were reviewed in 2015 as part of the North East Bassetlaw scheme. Service 27 provides a 2 hourly service to Bawtry and Retford whilst service 98 links Everton with Bawtry/Doncaster and Gainsborough every 2 hours. Both of these services are provided by Stagecoach but each receive substantial deminimis support from Nottinghamshire County Council. Section 9.4. states that it is suggested that the NDP could be used to promote travel by means other

than the private car as part of contributing towards wider sustainability aims and objectives. The opportunity could be taken at Section 9.4 to consider how bus use could be sustained and increased.

Community Transport

The document doesn't make reference the important role of Community Transport in delivering transport provision in rural areas. A number of important community transport providers are based in Bassetlaw, including Bassetlaw Action Centre which operates a community car and minibus schemes including wheelchair accessible transport. It is suggested that reference to their work and the potential for Community Transport and related services i.e. taxi buses to complement the local bus network is explored, especially as these services offer a potentially more sustainable alternative to services offered by commercial service providers.

Taxis

There is no reference in the document to the role of taxis, which are licensed by Bassetlaw District Council and play an import role in the local economy.

Community Infrastructure Levy

It is noted in Section 9.6 that Parish Councils which have a made NDP are entitled to 25% of CIL generated by a new development, and those without a NDP are entitled to 15%. It should be recognised that at the current rate of £55 psm the CIL for Everton Parish has the potential to make a significant contribution to village infrastructure, and could be used as match funding to support applications for further funding.

Appendix VII lists the types of CIL funded schemes and projects that would be supported in Everton Parish which includes reference to a new bus shelter at the bus stop used by the school bus on High Street.

The CIL could also be used to fund the purchase of a Community Transport vehicle, for use by the local community and either managed by a local committee or placed with an existing community transport provider.

Conclusion

It should be noted that all comments contained above could be subject to change, as a result of ongoing negotiations between the County Council, the Local Planning Authority and the applicants. These comments are based on the information supplied and are without prejudice to any comments the County Council may make on any future planning applications submitted for this site.

Should you require any further assistance in relation to any of these matters please do not hesitate to contact me.

Yours faithfully

Nina Wilson
Principal Planning Officer
Nottinghamshire County Council

This document is unsigned as it is electronically forwarded. If you require a signed copy, then please contact the sender.

Rural Solutions, on behalf of R. Troop and Sons



REPRESENTATIONS TO EVERTON
NEIGHBOURHOOD PLAN V2
REGULATION 14 CONSULTATION

Richard Troop of R.Troop & Son





Rural Solutions

The Nationwide Planning and Development Specialists

REPRESENTATIONS TO NEIGHBOURHOOD PLAN v2 REGULATION 14 CONSULTATION

LOCATION

EVERTON, NOTTINGHAMSHIRE

ISSUE DATE

15TH DECEMBER 2017

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AUTHOR	VERSION	DATE
SC	VERSION 1.1	30/11/2017
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1. Introduction

- 1.1: These representations are prepared by Rural Solutions Ltd and submitted on behalf of Richard Troop of R.Troop and Son, who has land interests in the village of Everton.
- 1.2: Our client is not opposed to the principle of the Neighbourhood Development Plan (NDP) and the Plan's overall objective to ensure that appropriate development is brought forward within the Parish. However, the Plan must be realistic and allow for appropriate levels of growth and investment to take place.
- 1.3: The Neighbourhood Plan should stand alongside and support other strategic plans such as the Bassetlaw Local Development Plan and the government's National Planning Policy Framework (the Framework). A Neighbourhood Plan can add detail and clarification about how development comes forward. It must however be consistent with the strategic policies of the District's Local Development Plan, and support delivery of national planning objectives.

Summary of Representations

- 1.4: There are concerns that the NDP, whilst planning for some housing growth, is overly restrictive in respects of housing development when considered in the context of these higher-level strategies.
- 1.5: There are also concerns that the approach taken to identify land for housing allocation is inconsistent with the principles of sustainable development which form the backbone of the Framework. In an attempt to secure allocations, and 'protect' against unplanned sites coming forward in the village, it is apparent unsuitable sites have been put forward for allocation. This is despite clear concerns regarding the suitability and deliverability of such sites being identified in the Bassetlaw SHLAA and during the evidence gathering phase of plan preparation of the NDP. We believe that the allocation of unsuitable sites underpins the Parish Council strategy of attempting to stifle development in the Parish, particularly since the Draft NDP policy states that allocated sites are the priority to come forward before windfall developments (paragraph 6.15)..
- 1.6: Despite acknowledging representations on this matter to the previous Draft Plan v1, and the need to therefore reconsult on the Draft Plan due to what are described as 'substantial changes' being undertaken to the document, it is evident the assessment, particularly around housing sites and policy, remains flawed.
- 1.7: As a result, we consider the Draft Everton Neighbourhood Plan v2 fails to meet two of the 'basic conditions' as set out in Paragraph 8(2) of schedule 4B of the Town and Country Planning Act 1990 as amended:
 - (d) the making of the order (*or Plan*) contributes to the achievement of sustainable development; and

(e) the making of the order (or *Plan*) is in general conformity with the strategic policies contained in the development plan for the area of the authority (of any part of that area).

- 1.8: We will set out within this representation where we consider the Plan fails in these respects and how we recommend the Plan is amended in order to overcome such objections. This includes recommending an excluded site for allocation as a future housing site.
- 1.9: We hope these comments are given due consideration. Our client continues to have serious reservations regarding the Draft NDP v2 and is willing to defend those objections through to examination if necessary, to seek to ensure the NDP is fit for purpose and in line with government objectives.

2. Planning Policy Context

To which part of the Draft Everton Neighbourhood Development Plan does your representation refer?

Page Number	7-9
Paragraph Number	1.3-1.6
Policy Number	N/A

Are you supporting, objecting, or making a comment? (Please Tick ✓)

Support	
Object	✓
Making a Comment	

Comments:

- 2.1: We note the Parish Council's dismissal of our previous objections raised to this element of the Regulation 14 NDP v1. Notwithstanding this, we continue to have concerns regarding the proposed NDP, as set out below.
- 2.2: One of the basic conditions for Neighbourhood Plans is for them to be in general conformity with the strategic policies of the development plan.
- 2.3: Paragraphs 1.3-1.4 of the NDP set out the context of the strategic local planning policies for Bassetlaw District. Paragraph 1.3 confirms that the Bassetlaw Core Strategy and Development Management Policies DPD is the most up-to-date Adopted Local Plan.
- 2.4: Paragraph 1.4 also acknowledges the emerging new Bassetlaw Plan. It confirms that 'the NDP plan period reflects that of the new Bassetlaw Plan'.
- 2.5: Whilst we acknowledge the draft form of this emerging new Bassetlaw Plan – an 'Initial Draft' Plan was published in 2016 and the local development scheme suggests it will be 2019 before a new Plan is adopted – and that the strategies and policies it currently contains are subject to change, as a minimum the evidence base supporting this Plan should be used to guide the development of the NDP.
- 2.6: We consider this is particularly important given the age of the current Core Strategy, which is pre-NPPF, and therefore in parts at least, inconsistent with the key principles and objectives of the Framework, with which the NDP should be consistent.

2.7: Where the Initial Draft Plan provides evidenced based information on the challenges to be addressed in the District, for example the scale of housing need, or demographic challenges such as an ageing population, these statements in themselves should be considered as relevant issues for the NDP to address. This would result in a more forward looking NDP rather than one that could be quickly out-of-date following the adoption of the new Bassetlaw Plan, because it focused too much on the strategy and objectives of the 2008 Core Strategy. The government's National Planning Practice Guidance¹ is clear on this, for example:

Where they (NDPs) do contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need.

2.8: The 2016 document is described by the Council as 'the culmination of nearly a year's work collecting and analysing evidence, in order to put forward what we think the Bassetlaw Plan should try to achieve, and how we should achieve it'. Whilst the Plan goes on to clarify that 'the principles contained in it are not fixed and we welcome alternative ideas suggesting how the issues outlined might be addressed', the content of this document should be given some weight by the NDP as the considered 'preferred option' of the Council at this moment in time.

2.9: It also represents the best reflection of the evidence based assessment of the issues facing the District and the Council's technical assessment of how they consider the District Plan can best address such issues in a way consistent with national planning policy and objectives.

2.10: This point is made clear in the National Planning Practice Guidance which states that:

Although a Draft Neighbourhood Plan or Order is not tested against the policies in an Emerging Local Plan the reasoning and evidence informing the Local Plan process is likely to be relevant to the consideration of the basic conditions against which a Neighbourhood Plan is tested.

2.11: The Bassetlaw Initial Draft Plan helpfully sets out its interpretation of the basic condition requirement regarding conformity with the District Plan. It states that 'for the Bassetlaw Plan it is intended that these Strategic Policies will be those that implement the Vision, Objectives and the Spatial Strategy Hierarchy'.

2.12: Whilst these policies are yet to be confirmed, it is considered that it is reasonable to give some weight to the evidence behind the Draft Vision, Objectives and Spatial Strategy Hierarchy at this present time.

¹ Paragraph: 040 Reference ID: 41-040-20160211

2.13: For example, the Initial Draft Plan (paragraph 6.5) advises that:

Prior to developing the proposed spatial strategy, a series of strategic options were considered through the 2016 Spatial Strategy Options paper. This paper sets out a range of spatial strategies with each option presenting a different way of distributing the development that is required to meet the District's future needs. Each option was subjected to analysis through a sustainability appraisal process where the associated benefits and shortcomings of each option were tested. This allowed the most sustainable approach to the spatial strategy to come forward.

- 2.14: It is considered reasonable, therefore, to conclude that the spatial strategy as put forward in this Initial Draft Plan represents the most sustainable strategy in light of current evidence, and that the NDP should seek to be consistent with its findings and overall thrust of direction.
- 2.15: On such matters we feel the NDP fails. It is basing a forward-looking Plan, by its own admission intended to cover the period of the emerging new Local Plan, on strategic policies and priorities of the current Adopted Plan not the Emerging Plan.
- 2.16: Paragraph 184 of the Framework is clear on this matter that 'the ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area', a point the NDP acknowledges in paragraph 1.5 but does not respond to in devising its policies and proposed allocations. For example, the NDP deliberately tries to reduce the level of housing proposed for the village below the levels District level evidence suggests is appropriate for rural villages.
- 2.17: Paragraph 184 also states that the purpose of neighbourhood planning is to ensure local people 'get the right type of development for their community'.
- 2.18: We consider the NDP fails on this purpose on multiple fronts. For example, despite several consultation responses concerned with the proposed access and highways impacts of proposed housing sites, such sites have still been proposed for allocation.
- 2.19: In its current form, we consider the NDP is at best inconsistent in its approach on these matters. We do not consider it has been demonstrated that the Regulation 14 Draft NDP complies with basic condition (e).

3. Vision, Aims & Objectives

To which part of the Draft Everton Neighbourhood Development Plan does your representation refer?

Page Number	14-15
Paragraph Number	N/A
Policy Number	N/A

Are you supporting, objecting, or making a comment? (Please Tick ✓)

Support	
Object	✓
Making a Comment	

Comments:

- 3.1: The NDP states that the 'Overall Aim' of the NDP is to 'promote sustainable development in Everton Parish up to 2034'.
- 3.2: We would challenge the use of sustainable in this context. As set out in national planning policy, there are 'three pillars' to sustainable development; economic, social and environmental. The approach in the NDP to seek to unduly limit development in the Parish will not enable the economic and social roles to be fully met.
- 3.3: The NDP states that the Overall Aim will be achieved through 5 Objectives. We have the following comments to make on the 5 Objectives.
- 3.4: We disagree that the NDP as drafted fulfils Objective 2, i.e. to provide a 'positive planning framework' to guide housing development within the Parish. The housing policy is unduly restrictive and the proposed housing allocations appear chosen to stymify the delivery of development. Despite representations being made pointing out the undeliverability of several of the preferred site options, and proposals for realistic, deliverable alternative, the sites still remain proposed for allocation.
- 3.5: The statement that the target housing number and scale and location of housing proposed 'will be appropriate for the rural area' is based on the view of the steering group without due regard to evidence provided by the local planning authority that there is greater scope for development in the village.
- 3.6: We have in our previous representations made specific comment to the policy on local economic development and Section 7 of this representation sets out how we do not consider the policy response adequate to fulfil this objective and be consistent with national planning policy.

- 3.7: It is presumed that Objective 5 refers to the mechanisms for Planning Contributions via Section 106 and Community Infrastructure Levy's to help provide investment in new infrastructure to help accommodate new development within the Parish.
- 3.8: What the NDP does not recognise, or impart to their parishoners, is that by severely limiting new development in the Parish they are also limiting the opportunity for such investment. Neighbourhood Planning can be a real enabling process to help deliver infrastructure and the provision of services and facilities in rural communities and this opportunity has not been taken by the Everton NDP which has taken an overall restrictive view to new development.

4. Protecting and Enhancing our Environment

To which part of the Draft Everton Neighbourhood Development Plan does your representation refer?

Page Number	17-43
Paragraph Number	5.2, 5.5-5.17, 5.26
Policy Number	Draft Policy EI

Are you supporting, objecting, or making a comment? (Please Tick ✓)

Support	
Object	✓
Making a Comment	

Comments:

- 4.1: Whilst we support the principle of ensuring development is sensitive to protected environmental assets, we have objections to some specific elements of section 5 of the NDP as currently drafted.
- 4.2: For example, paragraph 5.2 makes comment that the area has a ‘distinctive landscape character’. We would point out that the landscape is not designated in any way either at a local or national level. As per the Framework therefore, it should not be protected for its own sake, but that great weight should be given to conserving the landscape and scenic beauty of protected, designated landscapes.
- 4.3: Reference is made to relevant landscape assessments, namely the Natural England National Character Areas, and the Bassetlaw Landscape Character Assessment, with detailed information providing in Appendix I of the NDP.
- 4.4: In our view, the consideration given by the NDP Steering Group to the guidance on the landscape assessments is highly selective. Focus has been given to ‘conserve’ rather than ‘reinforce’. The landscape assessment notes that ‘landscape actions’ are to ‘conserve existing landscape features and conserve and reinforce the rural character of the Policy Zone by concentrating new development around the existing settlements of Harwell and Everton’. We would suggest this guidance has not been given due weight in selecting preferred allocated sites for development.

4.5: More detailed guidance includes 'conserve and reinforce the historic field pattern by containing new development within historic enclosed boundaries', which is not highlighted in Section 5 of the NDP, and which again, is not borne through in the site allocations process.

4.6: Paragraph 5.14 notes that:

For Everton and Harwell the assessment notes that further expansion of the built up area would have a moderate effect on a landscape that is characteristic, historic and unified and rated as requiring conservation and reinforcement.

4.7: The NDP choses to however ignore the comments including

Modern residential development occurs at the fringes of Everton, Scaftworth and Harwell

4.8: This makes clear that recent developments are an existing part of the local landscape character. The report does not suggest further development is harmful to landscape character in general terms. We would add that there could be an opportunity to enhance the landscape character through new development which incorporates a sensitive landscaping scheme to soften the existing edges of the settlements, and provide an improved transition from settlement to countryside, where currently development gives a hard edge to the village.

4.9: Paragraphs 5.15 to 5.17 go on to make specific comments regarding identified key views. The drafting of these sections, following on from the discussion regarding the landscape assessments, suggests these comments are also drawn from that technical assessment. However, we could find no record of any such comments in the landscape reports. These comments appear to be based on no evidence and instead are being formed, we would suggest deliberately, to attempt to obstruct development in specific areas around the village, including our client's land west of Mattersey Road.

4.10: 5.15 talks of development 'compromising views between the Windmill and the SSSI at Harwell Woods'. However, there is no evidence presented that such a view is 'important' in any landscape or historic way. Indeed, local topography shows that development off Mattersey Road will be less visible than in many locations around the Parish due to the flat topography in this area.

4.11: Paragraph 5.16 suggests land south of Broomfield Road is a Local Wildlife Site. This commentary is not clear that, with reference to Map 5 of the NDP, the LWS only actually occupies east of Mattersey Road, and not to the west where our client's land has been put forward as a potential development site to the NDP.

- 4.12: In summary, the supporting text at 5.1 – 5.17 is misleading and either should be removed from the NDP or made clear that it will not impact on decisions made in planning applications as it is subjective and not based on technical professional assessment.
- 4.13: In respect of the commentary on the historic development of Everton, the NDPs discussion on the development of the village is again misleading and selective. It ignores the hugely important evolution of the village; the Sun Pub, chapels, Post Office, artisan cottages (Rose Villas), butchers and all the polite architecture that has been developed along the main A631 during the 18th and 19th centuries, as the focus swung away from the church towards the road. The NDP attempts to present the character of the land alongside the A631 as rural instead of a key part of the physical development of the village.
- 4.14: More recently, the approval of 9 dwellings² off the A631 west of Stonegate Farm is the latest example of development on the A631 and away from the historic core of the village.

² 16/01508/OUT Outline planning permission granted for the erection of 9 dwellings on the Bawtry Road Frontage

5. Draft Policy H1 Housing within Everton Parish

To which part of the Draft Everton Neighbourhood Development Plan does your representation refer?

Page Number	44-47
Paragraph Number	6.1-6.15
Policy Number	Draft Policy H1

Are you supporting, objecting, or making a comment? (Please Tick ✓)

Support	
Object	✓
Making a Comment	

Comments:

- 5.1: Paragraph 6.1 sets out that the NDP has a role in setting out the target number of new homes in the village over the Plan period and where they should be located.
- 5.2: It is however clear in the Framework that 'Neighbourhood Plans and Orders should not promote less development than set out in the Local Plan or undermine its strategic policies' (paragraph 184).
- 5.3: We therefore object to a proposed housing target as set out in paragraph 6.16 which is unduly influenced by views obtained in a local survey on how much development residents would *prefer* to see, and is below the figure which the District Council evidence base and proposed strategy suggest is appropriate for the Parish.
- 5.4: We note the LPA response to the Draft Plan v1 raises the same objection (comment 1.15) and notes that 'substantive evidence, beyond questionnaire responses, would be required to justify this position' in respect of a housing number proposed.
- 5.5: The District Council, as local planning authority, has a duty as set out under paragraph 47 of the Framework to deliver sufficient housing to meet its full identified objectively assessed need. The National Planning Policy Framework is also clear that local planning authorities should seek to 'boost significantly the supply of housing'.

- 5.6: The most up-to-date evidence, from the 2017 Strategic Housing Market Assessment OAN Update, suggests that 374 new dwellings are needed each year to meet Bassetlaw's Objectively Assessed Need. The Adopted Core Strategy specified a housing target of 350 dwellings.
- 5.7: The Bassetlaw Initial Draft Plan published in 2016 for consultation acknowledged that around 35% of the District's population lives in the District's rural settlements. Within this, the 'Defined Rural Settlements' within the 'Functional Clusters' are stated to have a combined population of around 32,000 people 'representing a substantial proportion of Bassetlaw's population'.
- 5.8: Strategic Proposal 5 of the Initial Draft Plan stated that "within each Functional Cluster, resident communities have access to a good range of day-to-day facilities and services within a reasonable travel distance. The Defined Rural Settlements belonging to a Functional Cluster are therefore the more sustainable rural areas for growth. As such, development in these Defined Rural Settlements will generally be supported where it meets a range of comprehensive criteria'.
- 5.9: However, in order to manage the impacts of development on the host communities, the Initial Draft Plan proposes to cap development in defined rural settlements to 20% growth in each settlement above the population at the time of adoption of the Bassetlaw Plan. The Initial Draft Plan advises that this development cap is based on a reasonable assessment of residential development trends in the defined settlements over the past 10 years.
- 5.10: It therefore represents a 'business as usual' approach and represents no significant change to local policy regarding development in the larger rural villages, as experienced under the current Adopted Plan. It is relevant to note that in employing this strategy, the LPA has consistently struggled to produce a five year deliverable supply of housing, contrary to the requirement within the NPPF to 'meet the full objectively assessed needs for market and affordable housing' (paragraph 47) and to 'deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities' (paragraph 50).
- 5.11: The NDP however proposes to limit growth to around 10% growth or 40 houses.
- 5.12: Whilst the LPA comments on the NDP v1 make clear the 20% referenced in the Bassetlaw Initial Draft Plan is a 'development cap' and not a target which much be achieved, the NDP v2 must put forward robust evidence in support of a proposed target, particularly if this is a lower number than the LPA suggests would be a sustainable level of growth for the settlement.
- 5.13: In our opinion, no such evidence has been put forwards and we refer to the LPA comment, as discussed at 5.4 above, that the LPA are in agreement that a

lack of evidence has been presented in support for the housing target and the level of housing allocations being proposed.

- 5.14: We therefore also question the Parish Council's comments on our previous Regulation 14 consultation comments regarding the proposed level of housing growth (comment 4.42), as the allocations being at the right level to 'deliver the required growth figure'. We would suggest that 'required' in the context of the NDP is not based on evidence regarding housing need but rather a desire to suppress development.
- 5.15: The Adopted Bassetlaw Core Strategy identifies Everton as a Rural Service Centre. The Initial Draft Bassetlaw Plan identifies Everton village as a Defined Rural Settlement. Everton is accepted within both adopted and emerging Local Plans as one of the most sustainable settlements in the rural area and a suitable location to host growth.
- 5.16: The government's national planning practice guidance clearly states that:
- All settlements can play a role in delivering sustainable development in rural areas – and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.
- 5.17: A 20% rate of growth would maintain the average rate of growth across the Defined Rural Settlements over the past 10 years, as advised by the Initial Draft Plan. The NDP is misleading at 6.10 to suggest Everton has experienced faster growth than the rest of the District; the Initial Draft Bassetlaw Plan advises the proposed 20% growth cap is in line with recent development trends across all of the Defined Rural Settlements.
- 5.18: We note the NDP seeks to downplay this figure as a limit to prevent unlimited development in rural areas, and not a development target. Nevertheless, we maintain it also remains an indicator of a sustainable level of development for the villages, as assessed by the District Council.
- 5.19: The NDP acknowledges there are specific issues affecting housing requirements in the Parish moving forwards. It advises that over 35% of the population are over the age of 60 which could facilitate a specific housing need in the near future to allow such residents to remain in the Parish but in accommodation more suited to their ongoing requirements. It advises that the flip side to this ageing of the local population is that questionnaire responses suggest the role in the school could drop by over 20% in the next five years, potentially giving rise to viability issues for the school. It is also aware of the low 'churn' of properties in the village, citing an average time between house moves for parishioners of 23 years.

- 5.20: All these factors combined suggest a transformational agenda is required to the delivery of housing in the village to deliver sufficient housing to address these identified housing needs. Delivering less housing than recently experienced is not going to deliver sufficient housing to address these future housing need requirements and to address these negative demographic trends in the vitality of the population.
- 5.21: The village is surrounded by open countryside which is not subject to any national landscape or environmental designations. The core of the village is subject to a conservation area designation but this is not offered as a justification for restricting the growth of the village or, in fact, justifiable as such a reason. There is no reason why additional housing above the 40-house target proposed cannot be accommodated within the village.
- 5.22: The NDP suggests at 6.12 that 20% growth or the delivery of approximately 80 houses would 'undermine the Local Plan strategy of targeting most of the housing...towards more urban areas'.
- 5.23: This is incorrect, as this level of growth represents approximately 20% of the residual housing target across the District as a whole, with the majority of the remaining 80% of development being targeted at the main urban centres.
- 5.24: In conclusion, we strongly object to the attempt to introduce a housing target of 40 dwellings, and consider in doing this, the NDP fails to comply with basic condition (e) in being consistent with higher level plans, and basic condition (d) in delivering sustainable development, as it would fail to deliver sufficient housing to meet identified housing needs and as such fail the social dimension of sustainable development.
- 5.25: Notwithstanding the above, should the NDP wish to introduce any housing target figure into the NDP, it should be made clear that the figure is a target not a cap and can be exceeded in line with the provisions of the District Plan, including additional allocations, or via windfall developments in line with the principles of sustainable development.
- 5.26: In addition, the policy criteria should be refined, specifically to include a requirement to be able to provide safe and adequate pedestrian facilities, under the requirements to provide a suitable access.
- 5.27: We also comment that the final paragraph at 6.15 which sets out that a series of proposed allocations would be the 'priority for new development in Everton' is flawed in several respects. Firstly, in respect of the chosen allocated sites themselves, as we will go on to discuss, are in many occasions unsuitable and undeliverable.
- 5.28: But additionally, windfall sites are also a legitimate form of development and these cannot be restricted to only coming forward once allocated sites have all been delivered; as such wording referring to them being 'priority' is unsuitable.

5.29: Finally, and importantly, we question the imposition of a 10-unit scheme threshold as now proposed in Draft Policy H1. Again, this is not evidenced throughout the NDP or displayed to come forward with due consideration given to efficient use of land and delivery of the necessary homes and infrastructure the community needs over the coming Plan period. We object to the inclusion of such a threshold and suggest development proposals should be assessed on a site by site basis against the principles of sustainable development.

6. Draft Policy H2 Housing Allocations

To which part of the Draft Everton Neighbourhood Development Plan does your representation refer?

Page Number	47-62
Paragraph Number	6.16-6.37
Policy Number	Draft Policy H2

Are you supporting, objecting, or making a comment? (Please Tick ✓)

Support	
Object	✓
Making a Comment	

Comments:

Process

- 6.1: We note the Parish Council's dismissal of our previous objections raised to this element of the Regulation 14 NDP v1. Notwithstanding this, we continue to have concerns regarding the proposed NDP, as set out below.
- 6.2: Paragraph 6.16 of the NDP sets out that the NDP Steering Group determined to include housing site allocations within the NDP.
- 6.3: Paragraph 6.17 of the NDP sets out the process undertaken in relation to Call for Sites consultations to gather information on land available for potential housing allocations from residents and landowners.
- 6.4: A Call for Sites consultation had been undertaken by Bassetlaw District Council in January 2016 to inform preparation of the emerging new Bassetlaw Plan. Our client submitted a site to that consultation exercise. The Bassetlaw Call for Sites exercise had set a threshold site size of sites over five dwellings. In November 2016, the Everton Neighbourhood Plan Steering Group undertook its own Call for Sites consultation exercise, including allowing submission of smaller sites.
- 6.5: As reported in paragraph 6.17 of the NDP, both Call for Sites exercises produced a combined 'long list' of 11 sites.
- 6.6: Public views were consequently sought on this long list and a total of 18 response forms were completed to nominate the sites the consultees considered to be 'most suitable' for development and those 'less suitable.'

6.7: We consider that this initial process, although informal, is flawed, as the number of consultees who responded to the consultation (only 16 people) does not provide a robust enough sample to reflect community opinion. In addition, the lack of guidance on key matters for consideration such as accessibility and pedestrian safety, or information on key site characteristics such as topography or visual impact, would not help illicit considered and high-quality feedback.

6.8: Paragraph 6.19 of the NDP advises that Bassetlaw District Council then undertook a detailed technical Site Assessment Process in January to February 2017. Sites were scored against a number of criteria using a traffic light system, with green indicating no conflicts, amber indicating some or minor issues (that can be overcome) and red indicating direct conflict. The scoring criteria used in considering these preferred allocations are set out in the Site Assessment Criteria document, which are as follows:

1. Initial assessment made in the Site Assessment Report.
2. Is the landowner supportive of developing the site?
3. Is the local community supportive of the development of the site?
4. Will development of the site be compatible with existing and/or proposed neighbouring land uses?
5. Will the site result in the loss of best and most versatile agricultural land?
6. Is the site in a landscape character Policy Zone that should be conserved?
7. Will the development detract from or enhance the existing built character of the neighbourhood?
8. Will the development detract from or enhance the Natural Environment of the neighbourhood?
9. Will the site impact upon identified heritage assets (including setting)?
10. What impact would developing the site have on existing infrastructure?

6.9: However, the scoring system placed a higher importance on three 'key' criteria, whereby sites would not be allocated if they were to score a red light:

- The initial assessment made in the Site Assessment Report;
- The landowner being supportive of the site; and
- Whether the local community is supportive of the proposal.

- 6.10: Given the small sample used to provide responses to the site allocations process, we consider that the elevation of these criteria to 'key criteria' is not appropriate, as 'community support' for a proposed site would only be based upon a very small proportion of respondents.
- 6.11: Having reviewed the Site Assessment Criteria Findings document, as referenced in paragraph 6.21 of the NDP, we consider that some of the criteria have not been applied consistently or appropriately. For example, sites two and three are situated some distance from the main body of the village, remote from the centre, but yet are scored as being only likely to lead to the existing character of the locality being slightly altered. We disagree with this conclusion.
- 6.12: Although we agree with the broad conclusions that sites four and five are not suitable, given their locations removed from the main village, we would question the methodology behind their removal, i.e. that the limited sample of respondents meant that both of the sites scored negatively on the key criterion of 'local community support' and, as such, failed immediately.
- 6.13: As a result of the consultation process, a total of seven sites were taken forward as Preferred Options in the Draft Neighbourhood Development Plan (Consultation Draft, Spring 2017). These are as follows:
- Site NP01 Land north of Pinfold Lane, Harwell;
 - Site NP02 Land north of Old Gainsborough Road, Everton;
 - Site NP03 Land north of Old Gainsborough Road, Everton;
 - Site NP06 Land west of High Street, Everton;
 - Site NP09 Land West of Croft Way, Everton (site H20 in the Bassetlaw Site Allocations Document, above);
 - Site NP10 Land south of Gainsborough Road, Everton (site H22 in the Bassetlaw Site Allocations Document, above); and
 - Site NP11 Land south of Gainsborough Road, Everton.
- 6.14: A further public consultation exercise was undertaken, as reported in paragraph 6.27 of the NDP, where consultees were asked whether they supported each of the Preferred Options for allocation. However, we consider the quality of the consultation exercise, and therefore response, was low. People were simply asked whether 'you think these make good housing sites' and whether 'the site is suitable for allocation'. Again, like the first consultation exercise, people were given no information about the sites or guidance on what kinds of matters people should consider. For example, how well a site related to the form of the village, or how well the site could contribute to housing delivery, including affordable housing.
- 6.15: Each of the Preferred Options had a higher number of 'yes' votes than 'no' votes for the support of the allocation, and so was not conclusive in support of particular sites. And with a low response rate and low-quality information gathered, is not considered a useful measure of a site's suitability for allocation.

Neighbourhood Plan Draft v1 Site Assessments

- 6.16: In our previous response to the Draft NDP Consultation in April 2017, we provided a table (Appendix 1) to compare the Neighbourhood Plan Steering Group's summary of responses for each site, the site assessments that were prepared for Bassetlaw District Council by North Notts Regeneration and Investment Team, and our comments on each of the Preferred Option sites below.
- 6.17: In summary, we agreed with the proposed allocation of sites NP01 and NP06 in the Neighbourhood Plan, although we note that site NP06 would result in the loss of an existing allotment site which is discouraged through NDP Draft Policy C1.
- 6.18: Given their distance from the main body of the settlement, we did not consider sites NP02 and NP03 represented sustainable development, and were suitable for development and allocation in the Neighbourhood Plan.
- 6.19: We note at 6.30 that Bassetlaw District Council have also now objected to their inclusion and that these sites have now been removed as proposed allocations. We support this decision but also comment how it highlights the flawed site assessment process that has been undertaken by the NDP Plan Making Group, in addition to the inconsistencies now coming from Bassetlaw Council during the rounds of assessment on the sites.
- 6.20: We also considered that sites NP10 and NP11 are not suitable, given their highway and access concerns.

Neighbourhood Plan Draft v2 Site Assessments

- 6.21: In respect of the new sites now put forward for allocation, we have the following comments.
- 6.22: We note the comments from Bassetlaw DC regarding proposed Site 1 in Harwell and agree that this site cannot contribute towards future District Plan housing delivery in Everton village as Harwell is a distinct settlement.
- 6.23: We comment in respect of Sites 2, 3 and 4, it is noted that previous public consultation responses to the NDP have commented on traffic problems on the High Street, including school bus traffic and traffic to local businesses. Such concern has been disregarded in proposing these sites for allocation, yet the NDP purports to have listened to local views in its decision making, highlighting the inconsistent approach of the NDP Steering Group on responding to consultation feedback.

6.24: It is noted, and supported, that both Sites 2 and 3 are conditioned as only being supported if they provided a widened road and inclusion of pedestrian footways. In contrast, Sites 6 and 7 are supported despite it not being possible to provide pedestrian access. And as such, no provision is required within the policy for provision of pedestrian footways. This approach is inconsistent and unsatisfactory on what is a busy A-road with heavy traffic, as noted at 9.1 in the NDP, and again at pg. 108 where the notes mention:

‘This is a busy road with extremely narrow pavement which ends before the properties (comment: And Sites 6 and 7) do, and traffic that frequently does not obey the speed limit’.

6.25: The photographs overleaf illustrate the lack of opportunity for safe pedestrian access from the site.



These photographs show the lack of pavement/ability to deliver one, along the A631 to Sites 6 and 7.

The red brick buildings on the road are the Hall Farm Farmyard; Site 6 lies to the rear of these buildings, with Site 7 further beyond the buildings out of the village.

- 6.26: It is also inconsistent with the policy approach within the NDP, for example at 9.4 which seeks to promote travel by means other than the private car. These sites are not safe and sustainable locations for new housing development. The LPA comments on the Draft NDP v1 are clear that 'allocations should not be contrary to the Plan's own principles, unless a clear case is made to justify forms of development that are contrary' (comment 1.16). Such a case has not been made and cannot be made whilst alternative sites exist for consideration.
- 6.27: In respect of Site 6 we note the comment requiring the provision of acceptable visibility splays from the vehicular access and comment that we do not consider this is possible to achieve here.
- 6.28: In respect of Site 7, it commented that the site has a steeply rising topography which would increase the visual impact of any development on the site. We understand the Council's Conservation Team also have objections to the whole site being developed on heritage terms and the density therefore being suggested is not therefore deliverable.
- 6.29: We therefore object to the comment made in response to our Draft NDP v1 comments (comment 4.45) that Bassetlaw DC has found the proposed site allocations to be suitable.
- 6.30: Finally, we would comment as regards Site 5 that we do not consider the site shape and size will allow the delivery of 3 dwellings.
- 6.31: We note the LPA comments (comment 1.17) to the Draft NDP v1 that 'it is imperative that site allocations demonstrate consistent application of assessment criteria'. In light of our comments above, we would suggest the NDPs site assessments are not consistent and not robust in their resulting choice of allocations.

The Promoted Site – Land at Mattersey Road/Broomfield Lane

- 6.32: We strongly object to the exclusion of our client's proposed site from consideration as unsuitable for development.
- 6.33: It is clear from the assessment above that the proposed allocations in the Draft NDP are not all suitable for allocation. Furthermore, it is clear they would not deliver the level of development we consider necessary and appropriate for the Parish, as set out in our representation on Draft Policy HI above.
- 6.34: The NDP discusses our client's site at 6.33. This paragraph states that:

A new site, Land off Mattersey Road (NP13) was assessed as not suitable by Bassetlaw District Council as it harmed the existing character of the area and would comprise substantial "backland" development. This site has not been included in the revised Draft Plan.

- 6.35: We have reviewed the Bassetlaw District Council assessment. We have objection to the Council's assessment and the contradictions between previous views from the Council on the suitability of the site for development.
- 6.36: In 2017, the Council granted planning permission (ref 17/00635/OUT) for 5 dwellings to the northerly section of this site. Development in this general locality was not considered harmful to local character by the planning officer, or by professional consultees including conservation or landscape officers at the Council.
- 6.37: The District Council comments have not even suggested this approved site is included in the NDP, as they have apparently the site (NP08), in order to provide longevity to the planning permission already granted.
- 6.38: The recently published Land Availability Assessment has assessed the whole site including the existing farmyard site up to Gainsborough Road, and assessed it as suitable for development.
- 6.39: Similarly, a pre-application enquiry was submitted in 2015 which looked at the residential development of the same site, in addition to some commercial redevelopment of the Stonegate Farm site. This was again accepted in principle by the Council.
- 6.40: It is clear therefore that the Council has consistently found the site suitable for development and therefore their current assessment and feedback to the NDP that the site is now unsuitable is an anomaly and incorrect.
- 6.41: In respect to the Parish Council comment at 4.4.5 in response to our previous Draft NDP v1 representations, we note the comment regarding the dismissal of an appeal on the proposed site. However, we object to the portrayal of this refusal and its relationship to the land now put forward for consideration for allocation. The appeal site was a specific area of land within the total land offered for allocation, and the specific layout and site arrangement proposed during that appeal led to the Inspector's comments. The comments were specific to that proposal and cannot be used to suggest that any form of development on the wider proposed land for allocation would not be suitable for development. The approval for 5 dwellings and the repeated positive appraisal of the extended land area by the LPA, clearly demonstrate this is not the case.
- 6.42: In respect of the comment describing the land as 'backland' development, it is noted that the definition of 'backland' development as given by the planning portal website is:

Development of 'landlocked' sites behind existing buildings, such as rear gardens and private open space, usually within predominantly residential areas. Such sites often have no street frontages.

- 6.43: Site NPI3 has a frontage to Broomfield Lane. It is also adjacent to open countryside to the west and therefore not land locked, and is in a mixed residential, commercial and agricultural locality at the edge of the village. The site does not therefore fit with this definition.
- 6.44: In approving planning permission on our client's site for 5 dwellings the site was not described or considered by planning officers to represent backland development; nor have previous Council assessments of the development potential of the site.
- 6.45: In addition, it is noted land to the west of Stonegate Farm, south of the A631, has recently been granted planning permission, with a further planning application in for additional development to the original linear frontage proposal. Such development has extended the built form of the village west of its current position and changes the context of proposed development in this location.
- 6.46: The recent assessment of the site by Bassetlaw District Council is therefore an anomaly, inconsistent with previous planning decisions and assessments made on the site and should therefore be given limited weight, and further consideration should be given to the site's suitability for providing an allocation.
- 6.47: During our previous submission to the Draft NDP in April 2017, we also gave clear indications to the NDP Group that they could engage with the site owner to bring forward any part of the total site, should it be considered the whole site was too large a scale of development to be supported. No such engagement has been forthcoming.
- 6.48: The land put forward by our client is clearly suitable for development and should be reconsidered in light of the above.
- 6.49: Footnote 11 of the National Planning Policy Framework states that:

To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.

6.50: An assessment of delivery of the site in this regard is made in the table below:

Deliverability criteria of the NPPF	RSL comments
Available now	The site is available for development now. It is currently an agricultural field and is not envisaged to require any significant groundworks or remediation. It is therefore considered to be available for development immediately.
Suitable location for development	The site is well-related to the settlement, with existing residential properties along Mattersey Road to the east and farm buildings to the north. It is a flat site with no topographical constraints or ecological interest. It is outside the conservation area and will not impact upon any designated or non-designated heritage assets. Access can be taken from the south, with adequate visibility. It is therefore considered to be a suitable location for development.
Achievable	It is considered that development of the site – either as one development or in separate phases, is achievable and the development viable, in the short-term. The site could bring forward a mix of units and house sizes to meet identified housing needs and market demand.

Summary

6.51: In summary, the proposed site at Mattersey Road/Broomfield Lane is considered to be deliverable. Its exclusion from the NDP allocations, whilst clearly undeliverable sites such as 6 and 7 are being advanced, suggests the NDP are deliberately trying to stymie development coming forward in the Parish.

6.52: To allow a comparison with the previously assessed sites, we have also undertaken an assessment of the site against the scoring criteria used in considering the preferred allocations in the Site Assessment Criteria document of the Draft Neighbourhood Plan. This is included in the table below:

Scoring criterion	RSL comments
Initial assessment made in the Site Assessment Report.	Incorrect, as discussed at 4.41-4.46 above.
Is the landowner supportive of developing the site?	Yes, the landowner is highly supportive of developing the site.
Is the local community supportive of the development of the site?	There has been no public consultation on the proposed allocation by the NDP group or LPA. However, it is noted there was minimal public objection to a recent planning application on part of the site.
Will development of the site be compatible with existing and/or proposed neighbouring land uses?	Yes, residential development of the site will be in keeping with the adjacent residential development and of an appropriate density for the edge of the settlement.
Will the site result in the loss of best and most versatile agricultural land?	No – the site is within Grade 3 land (along with the majority of Everton village). Other sites on such land are considered suitable for allocation in the NDP.
Is the site in a landscape character Policy Zone that should be conserved?	Along with all of Everton village, the site is within a 'conserve and reinforce' landscape Policy Zone, the 'Idle Lowlands', as identified in the Bassetlaw Landscape Character Assessment (2009). This is therefore not considered a constraint to development.
Will the development detract from or enhance the existing built character of the neighbourhood?	The proposed development has the opportunity to provide an attractive edge to the settlement and complement the existing ribbon development/built character of the southern end of Everton village.
Will the development detract from or enhance the Natural Environment of the neighbourhood?	The site is not subject to any environmental designation and is unlikely to contain any ecological habitats, given it is a managed field. Development at the site has the opportunity to enhance the ecological value of this location by providing

	landscaping and open space appropriate to the area.
Will the site impact upon identified heritage assets (including setting)?	The site will not impact upon any designated heritage assets.
What impact would developing the site have on existing infrastructure?	Development of the site would utilise the existing road network and can be accessed satisfactorily from the south. There is safe pedestrian accessibility to all villages facilities via footways, which also extend south to the cluster village of Mattersey. To the north, the pedestrian island in the A631 is easily accessible from the site. The site is also adjacent to the fibre optic box which allows access to fast broadband speeds. The NPD acknowledges that speeds of over 30mbps can be reached here, whilst that speed has reduced to less than 10mbps in Harwell.

- 6.53: For the reasons set out above, it is therefore requested that the site is included as a Housing Allocation in the Everton Neighbourhood Plan.
- 6.54: Irrespective of the sites finally chosen for allocation, we have a final additional general comment to make.
- 6.55: In conclusion, we object to the Policy H2, and consider that the policy as currently drafted, including reliance on the allocations proposed, fails to comply with basic condition (d) in delivering sustainable development, as the proposed allocations would not represent sustainable development for the reasons set out above and within the table in Appendix I.

7. Policy BI Supporting Local Economic Growth and Rural Diversification

To which part of the Draft Everton Neighbourhood Development Plan does your representation refer?

Page Number	70
Paragraph Number	-
Policy Number	Policy BI

Are you supporting, objecting, or making a comment? (Please Tick ✓)

Support	
Object	✓
Making a Comment	

Comments:

- 7.1: We are disappointed that our comments made to the Draft Plan v1 have not been taken on board.
- 7.2: Whilst we are supportive of a policy which supports local economic growth and rural diversification, the policy should ensure it is consistent with the Framework.
- 7.3: We object to the wording of Policy BI as currently drafted. The policy states that the NDP will support 'appropriate economic development...in keeping with the rural location' and 'small-scale business activities will be supported'.
- 7.4: Paragraph 28 of the Framework conversely is supportive of all types of business in rural areas, including new business and the growth and expansion of existing businesses, both through the conversion of buildings and development of new buildings.
- 7.5: The NDP needs to ensure it is not adopting a more restrictive role than national policy. This national policy supersedes the 2008 Bassetlaw Core Strategy policies to which paragraph 7.9 of the NDP refers.
- 7.6: As currently drafted, we do not consider the Draft Policy BI complies with basic condition (d) in being inconsistent with national planning policies it does not represent sustainable development as defined by the national planning policy framework.

8. Section 9 – Improving Local Infrastructure

To which part of the Draft Everton Neighbourhood Development Plan does your representation refer?

Page Number	72
Paragraph Number	9.4
Policy Number	-

Are you supporting, objecting, or making a comment? (Please Tick ✓)

Support	✓
Object	
Making a Comment	

Comments:

- 8.1: We support the desire of the NDP to play a role in promoting travel by means other than the private car as part of contributing towards wider sustainability aims and objectives.
- 8.2: Specifically, we support the proposal to create a Retford to Doncaster cycle route which would include a crossing of the Idle to Misson – perhaps linking to the area where the ferry used to be. This would then become part of a route from Worksop to Doncaster, linking Everton to the main National Cycle routes.

9. Basic Conditions Statement – Contribution to Sustainable Development

To which part of the Draft Everton Neighbourhood Development Plan does your representation refer?

Page Number	-
Paragraph Number	-
Policy Number	Table 2

Are you supporting, objecting, or making a comment? (Please Tick ✓)

Support	
Object	✓
Making a Comment	

Comments:

- 9.1: We repeat the comments here made to the Draft Plan v1 consultation to ensure they are taken forward for consideration.
- 9.2: Table 2 of the Basic Conditions Statement sets out how the NDP would contribute to the economic, social and environmental aspects of sustainable development.
- 9.3: We disagree with the assessment, as set out below.
- 9.4: The table suggests that the Plan is supporting 'significant housing growth as identified in the Emerging Local Plan'. However, the NDP actually seeks to restrict development in the NP area, and not deliver its 'fair share' of the growth proposed for the District, at a level commensurate with its Key Service Centre/Defined Rural Settlement Status.
- 9.5: In not seeking to deliver this full level of housing growth, the NDP is also failing to meet a key social objective of delivering sufficient housing to meet identified needs.

- 9.6: Statistics demonstrate that the Parish is currently experiencing an ageing and decreasing population. These characteristics are a threat to the vitality of the village which, if not addressed, may have a negative impact. An aging population is less likely to get involved in community life and have a propensity to spend less within local services. Younger families get involved in more local groups, the local primary school and have higher spending power. A well balanced and growing population, including a good level of younger aged residents, population is better for the vitality of the villages.
- 9.7: Paragraph 55 of the NPPF is clear that “to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.” The Neighbourhood Plan must address the demographic changes in Everton and provide sufficient housing to respond to meet this changing housing need.
- 9.8: Finally, several of the proposed housing allocations are located in unsustainable locations outside of the village core where there are limitations on safe pedestrian access, therefore not compatible with locating development in sustainable locations which encourage other means of travel aside from the private car. This is particularly undesirable when it has been identified that new housing is required for an ageing population, who could be less mobile and therefore less able to access key services.
- 9.9: In conclusion, we do not consider the NDP complies with basic condition (d) in contributing to the achievement of sustainable development.

10. Basic Conditions Statement – Conformity with Strategic Local Planning Policy

To which part of the Draft Everton Neighbourhood Development Plan does your representation refer?

Page Number	-
Paragraph Number	-
Policy Number	Table 3

Are you supporting, objecting, or making a comment? (Please Tick ✓)

Support	
Object	✓
Making a Comment	

Comments:

- 10.1: We repeat the comments here made to the v1 Draft Plan consultation to ensure they are taken forward for consideration.
- 10.2: Table 3 of the Basic Conditions Statement sets out how the NDP would conform with strategic local planning policies.
- 10.3: In addition to the comments already made earlier in this document, we also wish to make the following comments/objections below.
- 10.4: Table 3 in the Basic Conditions Statement states that the approach to the identification of housing allocations within the NDP Policy H2 'provides a positive approach to growth in line with the emerging Draft Bassetlaw Plan Strategic Proposal 5 and should allow for a growth figure for Everton of around 20%'.
- 10.5: This is inconsistent with the NDP which states that it seeks to identify allocations to deliver approximately 40 houses or 10% growth. It is therefore incorrect of the basic conditions survey to states that are adopting a positive approach to growth and that they are providing for 20% growth.
- 10.6: The NDP is clear that it has been guided by local views on desired levels of development and is therefore seeking to deliver less development than being suggested by the emerging District Plan as required to meet future housing needs. The NDP does not therefore comply with the basic condition (e).

II. Consultation Statement

To which part of the Draft Everton Neighbourhood Development Plan does your representation refer?

Page Number	Whole Document
Paragraph Number	
Policy Number	

Are you supporting, objecting, or making a comment? (Please Tick ✓)

Support	
Object	✓
Making a Comment	

Comments:

- 11.1: As already referenced in our representation on Policy H2 above, significant weight appears to have been given to public views on the site in selecting preferred sites for allocation. This is despite the consultation statement confirming that only 33 people attended the site consultation event, and only 16 completed questionnaires on the sites were received (paragraph 2.12). This is from a population of 839 people in the Parish. We do not consider this a statistically relevant number and question therefore the weight given to these responses in determining the sites for allocation.
- 11.2: We welcome the fact that further to our comments to the Draft NDP v1 consultation and plan making process regarding the error in excluding our client's site from consideration, the site has now been included for review.
- 11.3: We do not agree with the reason for its exclusion, as set out in Section 6 of these representations.
- 11.4: In summary we consider that the site allocations process is fundamentally flawed and, in the context of the unsuitable site allocations continuing to be proposed through the Regulation 14 Draft NDP v2, we strongly request that our client's site is given fresh consideration in light of the inconsistencies in its assessment.

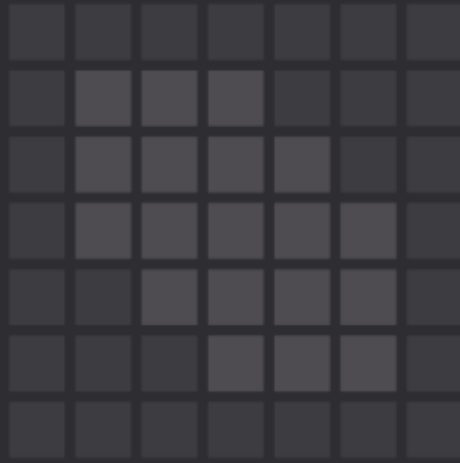
11.5: As a final further point, we would add that generally comments submitted to the Regulation 14 Draft Plan v1 consultation appear to have been given limited regard, as evidenced in the response documents. In many instances detailed consultation representations are responded to in single words with limited explanation as to why the comments are not being taken into account to inform modifications to the NDP. This includes, in some instances, comments from the LPA being only partly addressed. In respect of comments made on behalf of our client, we will continue to raise matters we feel not being satisfactorily addressed including at examination as necessary.

Proposed land for Housing Allocation – Land off Mattersey Road



Disclaimer: The information, analysis and recommendations within this document are made by Rural Solutions Limited in good faith and represent our professional judgement on the basis of the information obtained from others. No statement made within this document may be deemed in any circumstance to be a representation, undertaking or warranty and we cannot accept any liability should you rely on such statements or such statements prove to be inaccurate. In particular the achievement of particular goals depends on parties and factors outside our control. Any illustrations and otherwise in this report are only intended to illustrate particular points of argument.

This document and its contents are confidential and will remain confidential until we waive confidentiality or the document is published by a Local Planning Authority.



WE ARE RURAL

Sport England

From: [Planning Central](#)
To: [Luke Brown](#)
Subject: Everton Neighbourhood Plan
Date: 13 July 2018 09:32:57

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 73 and 74. 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 74 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 Admin Team

T: 020 7273 1777

E: Planning.central@sportengland.org

Sport England



D. Troop

REGULATION 16 RESPONSE TO THE SUBMITTED EVERTON NEIGHBOURHOOD PLAN CONSULTATION STATEMENT

Foreword

In May 2015 the independent examiner, Nigel McGurk, had said that mistakes should not prevent the Haddenham Neighbourhood Plan going to referendum. In his [report](#) he said:

"I am mindful that neighbourhood planners, by their very nature, tend not to be professional planners. There are examples – especially in neighbourhood planning - of where the 'experts,' whether planners, lawyers or other practising professionals, have failed to properly grasp legislation. Given this, it would seem unreasonable to expect neighbourhood planners to get everything right all of the time. Most of us are human and we make mistakes."

Contrary to the situation described by the Inspector above, the Everton Neighbourhood Plan Steering Group has not "made mistakes." Assisted by professional planners:

- Louise Kirkup (RTPI) of Kirkwells,
- Bassetlaw District Neighbourhood Planner Luke Brown (LB)
- The Parish Council (including planning consultant Cllr David Kerford RTPI)

they have ignored our relevant, material consultation responses and **we request a hearing.** Indeed, of late, and in response to a number of formal written complaints, the District Council and the Parish Council have variously "blamed each other" or issued abject apology, with respect to the weakness of Site Assessments.

This is a procedural issue and the Everton Neighbourhood Plan should NOT proceed to referendum. We do not believe that it should even be submitted for examination. It certainly should not have been signed off by Everton Parish Council.

Introduction

At 1.1 the Reg 16 Consultation Statement claims that the document:

- (a) contains details of the bodies and persons who were consulted*
- (b) explains how they were consulted*
- (c) summarises the main issues and concerns raised by the persons consulted; and*
- (d) describes how these issues and concerns have been considered and, **where relevant,** addressed in the proposed neighbourhood development plan.*

We strongly challenge the submitted plan/Consultation Statement interpretation of "where relevant." The status of land, existing planning permissions, physical constraints of allocated sites, pre-application enquiry responses and positive assessments made by Bassetlaw Planning Policy Officers as part of Local Plan development, have all been ignored. [REDACTED]

[REDACTED]. The Neighbourhood Plan Steering Group has repeatedly refused to put my husband's site, NP13 out to consultation and additionally, have misrepresented NP13 pictorially in a range of publicly available documents – refusing to alter submitted illustrations to show the true status of land.

The pictorial illustration of Everton "Character Areas" is a travesty. Found at page 41 of the REG16 submitted Neighbourhood Plan, it is used to repeatedly discard my husband's site under the guise of

“non-compliance with existing ribbon development” – yet the area around said “ribbon development” has already been altered by numerous planning approvals – that the Steering Group have glossed over pictorially and left as blank white fields. Please see APPENDIX X for the correct pictorial representation of village evolution/the status of land surrounding NP13.

Timeline

NOV 2017

Realising that the Steering Group were intending to breach S1 637, I commenced lobbying Bev Alderton Sambrook and the Solicitor to the Council Stephen Wormald pre v2 Reg14 Consultation completion because:

- a. [REDACTED]
- b. I did not want to issue formal complaint against the Steering Group or the Parish Council. **Our intention, after all, was to ensure that my husband’s site NP13 was put out to consultation for local people to assess in a way that we hoped would elicit positive vote.** The Neighbourhood Plan creation process is very fine grained politically. The issuing of formal complaints against essentially, other villagers, would have become local knowledge meaning that NP13 would be viewed through a negative lens. This would have affected any subsequent voting process.
- c. I did not want the Neighbourhood Plan Steering Group to run headlong into a situation that would trigger Judicial Review et al.
- d. The Steering Group response to v1 and v2 Reg14 consultation submission repeatedly stated that any issues with site assessments, should be directed back to the District Council. Whilst this assertion was regarded with suspicion (since all other teams in the planning department of the LPA had given NP13 positive assessments), it had become clear that the new non-RTPI Neighbourhood Planner was without local knowledge and relying instead on the version of “local knowledge” supplied to him by the Steering Group.

In lobbying the Solicitor to the Council (see Appendix B), my realistic assumption was that he would warn the Director of Planning (and thereby the new Neighbourhood Planner LB) that the Everton Neighbourhood Plan Steering Group were in breach of S1 637 and that they should:

- Represent NP13 in the proper manner pictorially – as advised by us in consultation responses
- Acknowledge the positive assessments made by the Planning Policy Team, the Conservation Officer and the Development Control Team by virtue of pre-application response (pertaining to the whole of NP13) and planning approvals on part of NP13 – as advised by us in consultation responses
- Put NP13 out to public consultation – so that local people would have the opportunity to vote for a site with great connectivity, adjacent to the built form of the village, in a secluded location and importantly, on the south side of the A631 thereby not impacting on core village highways.

WINTER 2017/18

Rural Solutions were once again appointed by my husband to submit a consultation response to v2 Reg 14 consultation. The submission was largely identical to that submitted to v1 Reg 14 consultation because all comments bar the exclusion of sites NP02 and NP03, had been ignored. In fact, for his Reg 16 consultation submission, my husband has submitted the same documents again because all comments were viewed by the Steering Group as irrelevant – albeit the word “inappropriate” is used instead. Please see the Reg 16 submission from R.Troop and Son. Please see the Rural Solutions v1 and v2 Regulation 14 submissions already documented – albeit in barely legible, narrow column, format.

[http://www.evertonvillage.org.uk/storage/NeighbourhoodPlan/OctoberUpdate/Red-Representations-from-Landowners-and-Developers-to-first-Draft-Plan\(28-Oct-17_10-30-17\).pdf](http://www.evertonvillage.org.uk/storage/NeighbourhoodPlan/OctoberUpdate/Red-Representations-from-Landowners-and-Developers-to-first-Draft-Plan(28-Oct-17_10-30-17).pdf)

[http://www.evertonvillage.org.uk/storage/NeighbourhoodPlan/ConsultationDocuments/second-reg-14-Table-4-developers-and-landowners\(03-May-18_15-35-30\).pdf](http://www.evertonvillage.org.uk/storage/NeighbourhoodPlan/ConsultationDocuments/second-reg-14-Table-4-developers-and-landowners(03-May-18_15-35-30).pdf)

MAY 2018

I became aware that the Solicitor to the Council had *not* intervened in May 2018 when an update appeared on the Parish Council website stating that the Everton Neighbourhood Plan had been “health checked” by a professional planner. The update advised that following minor amendments, the plan would be submitted to the Parish Council for sign off as a pre cursor to Regulation 16 consultation. It was obvious that the health checker could not have seen our consultation responses and the Steering Group Chair was asked the question. I received the following answer 24.5.18 by email:

As you know following the regulation 14 consultation in April-June 2017 we had a number of responses and landowners had asked us to consider three more sites (one being NP13). The steering group agreed to have all the sites, including the three new ones, undergo a technical assessment by BDC. The sites deemed suitable were then included in the revised Plan. Site NP13 was assessed as unsuitable.

We then went out to a second regulation 14 consultation 1st November -15th December 2017, as the plan had some changes including the sites.

All the responses, including the one submitted by yourself and R Troop and sons were looked at by the **steering group** and the plan was revised again.

This revised plan then went to the Parish Council in March 2018 for their approval.

It was then ready to be submitted to BDC. Luke Brown, who has been the person supporting the steering group from BDC said that they would pay for an independent person to undertake a "healthcheck" of the revised plan. This was to make sure that the plan meets the basic conditions and that all the policies and decision making was as clear as it could be.

We received the "healthcheck" report in the middle May 2018 and are just making some minor changes to the plan as suggested in the report. Overall the report was positive about the plan and felt it met the basic conditions.

[REDACTED]

[REDACTED]

JUNE 2018

Since the (new) Neighbourhood Planner had elected to accept the Steering Group fiction ref: NP13 (as opposed to listening to his Planning Policy, Conservation or Development Control colleagues), a formal complaint was issued against LB also.

JULY 2018

[REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

DETAIL

1. How bodies and persons were consulted

1.1 Whilst the Reg 16 Consultation Statement details a lengthy list of consultation events and processes, it glosses over the lack of information provided to consultees. Ultimately, this has meant that consultees were often responding “blind.” Quantity of consultation is irrelevant if the required quality of information is absent. For example, at 2.12 the Reg 16 Consultation Statement states:

“an important part of this draft of the Plan was the inclusion of options for site allocations for new housing in the Parish. These options for housing sites were sites put forward for consideration by landowners and agents through two “Call for Sites” processes in 2016, the first undertaken by Bassetlaw District Council in January 2016, and the second by the Parish Council in November 2016. Residents and stakeholders were invited to comment on 12 the sites, to suggest 3 sites which they supported and why, and 3 sites which they did not support and why, using a short questionnaire which was provided at the event and on the NDP website. 33 people attended the event and 18 completed questionnaire forms were returned”.

1.2 My husbands’ site, NP13, has been excluded from ALL consultations linked to the Everton Neighbourhood Plan development process. Local people were not given the opportunity to consider his site and inferior sites have been proposed for allocation. Despite the site having been submitted to the Local Plan Call for Sites, we struggled to get the Neighbourhood Plan Steering Group and the District Council to even acknowledge NP13 until AFTER the Reg 14 v1 consultation process.

1.3 Prior to the release of Reg 14 v1 consultation document, I had been a member of the Everton Neighbourhood Plan Steering Group. I sent the following email to the Steering Group Chair, with proposed site selection questions because it was clear to me that the questions asked at PG78 of the Consultation Statement, were trite and respondents needed guidance. Otherwise, there would be a risk that far flung sites favoured by the Steering Group (who are newer arrivals to the village and living on the periphery), would indeed be allocated, to the detriment of village evolution.

----- Forwarded message -----

From: Danielle Troop [REDACTED] >

To: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] >;

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Sent: Wednesday, 15 February 2017, 14:32:04 GMT
Subject: Re: 2017.02 Survey for eventAMENDMENTS

Good Afternoon

I have added wording to the leaflet - reproduced below and on the attached.

YOU MUST CONSIDER:

- 1. ADJACENCY TO THE BUILT FORM OF THE VILLAGE – can village facilities be safely reached on foot? Is there a pavement or a quiet lane?***
- 2. TOPOGRAPHY – will the resultant scheme be significantly higher than adjacent housing? Meaning high impact?***
- 3. ACCESS – the Highways Authority dislike new/intensified accesses off the A631***
- 4. PLANNING CONTRIBUTIONS – Very small schemes do not trigger affordable housing or other community improvements.***
- 5. HERITAGE/CONSERVATION – planning guidance allows for new schemes adjacent to heritage assets and higher design criteria will apply.***

If community support is weighted in the top 3 considerations of site selection (is this necessary Joelle/James?), you cannot present consultees with a question as glib as "do you think the site should be allocated yes/no." It will perpetuate the lack of objectivity demonstrated last time round where NP02 and NP03 received strong local support BECAUSE they were well out of the village and eg: BDC09 and BDC08 received "no/little local support."

Secondly, many people will not be aware that the south side of the A631 is without pavement and almost certainly without the means for one to be established (owing to narrowness). Or that site BDC11 rises significantly. I have appended guidance from Hertfordshire re: Nhood Plan site allocations. The first question they pose is: "Is it necessary?".....personally I think you are at risk of promoting some very poor sites (NP01, NP06, NP07, BDC08, BDC09 - excluded with BD08 coming through regardless and the rest delivering under 20 units between them *and no planning gain*).

https://www.herefordshire.gov.uk/media/6312632/21_site_assessment_and_site_allocations_1.pdf

Finally, I disagree with some of the technical assessments. I do not believe that NP02 and NP03 should be green in the first column and I do not understand why BDC08 is Amber (in the first column)?

Regards

Danielle

1.3 My efforts (above) were rejected and once again, the far-flung sites scored highly with the low number of respondents. I was therefore relieved when a set of minutes arrived confirming that Bassetlaw Planning Officers were rejecting the proposed sites outside of the village (titled NP02 and NP03), in open countryside as counting towards the housing target. I assumed that despite their "high score", those sites would now be pulled from the Reg14 v1 Consultation document. Not so. Instead, shockingly, what was "pulled" were the minutes documenting Bassetlaw objections to those sites. Linking back to the Nigel McGurk quote at the commencement of this paper – this was not a "mistake" – please see Appendix A.

1.4 Realising that a highly flawed document was about to be released that excluded our site, I took legal advice from Planning Lawyer Shruti Trivedi of Roythornes. I was advised to disassociate myself from the Steering Group and the document immediately and to appoint a professional planning consultant to respond to consultations on behalf of my husband. Happily, I still had a set of the “offending” minutes which were shared and Bassetlaw issued a formal response that NP02 and NP03 should be excluded. This triggered the need for v2 Regulation 14 document. Please see Appendix A.

1.5 As part of the v2 document, site NP13 was finally added to the mix. However, according to Steering Group minutes available on the Parish Council website, it was then hastily excluded albeit the actual trajectory of its’ journey to exclusion is extremely unclear. Unlike all other sites, NP13 is not individually identified in the minutes.

2. The main issues and concerns raised by persons consulted

2.1 Please see para 4.5 PG18 of the Consultation Statement which says:

“Representations from landowners largely consisted of one major objection from a local landowner whose site was not included in the draft plan. The landowner argued that the NDP process had been flawed in relation to site allocations and that basic conditions had not been met”

2.2 Please see v1 and v2 Regulation 14 consultation responses submitted by Rural Solutions on behalf of my husband, Richard Troop of R.Troop and Son. In particular, please see Section 6 of Regulation 14 Consultation response to v2, where photographs are included. It is interesting to note that Everton Parish Clerk confirmed receipt of this consultation response by stating that the contents would be “collated” – as indeed they were - in a near impossible and barely legible table format, with narrow columns and unaligned responses, that can only be described as disingenuous.

[REDACTED]

2.3 The table below has been formatted to provide a more legible version of that found on the Parish Council website. My husband has resubmitted the full Rural Solutions documentation (x2) and all points, bar the need to exclude NP02 and NP03, remain relevant.

<p style="text-align: center;">V1 Reg 14 Consultation Response Table - Paraphrased</p> <p style="text-align: center;">http://www.evertonvillage.org.uk/storage/NeighbourhoodPlan/OctoberUpdate/Red-Representations-from-Landowners-and-Developers-to-first-Draft-Plan(28-Oct-17_10-30-17).pdf</p>	
PG21	The promoter of one of 2 allocated (Everton not Harwell) sites in the submitted plan thanks the Steering Group for including their site stating: <i>“and we are considering at this time the most appropriate access routes into the site”</i>
PG102	The owner of the other one of 2 allocated sites in the submitted plan requests that the boundary of her site can be extended so her house can be demolished and the Steering Group agrees stating: <i>“The site boundary has been agreed through discussions with the landowner and BDC”</i>
PG88 & 92	Rural Solutions contend that the Basic Conditions have not been met to which the Steering Group responds: <i>“It is for the Examiner to consider whether the submission meets the Basic Conditions”</i>
PG59	In response to Rural Solutions assessment of NP13 alongside all other sites the Steering Group responds: <i>“All submitted sites have been reassessed in the updated site assessment process undertaken in summer / autumn 2017 by BDC. The updated site assessment process concluded that allocation of the site for housing in the NDP would not be supported”</i>
PG57	Rural Solutions question the Site Assessment methodology and in particular, the high weighting of “Community Support” when the number of respondents was so low. The Steering Group contends that since the client (‘s wife) was at that time on the Steering Group, objection could have been made earlier. It was impossible for me (the client’s wife) to make all of the meetings however, my email of 15.2.17 replicated at 1.3 above, clearly demonstrates that I did have very real concerns about the assessment methodology describing the blank yes/no community response requirement, minus all other considerations, as “glib”. Of course, I also had no idea at that time that the Steering Group would refuse to put NP13 out to consultation at any juncture in the whole process!
	<p>DT REG 16 RESPONSE – ACCORDING TO THIS TABLE/v1 CONSULTATION RESPONSES:</p> <ol style="list-style-type: none"> 1. A SITE WITH ADMITTED ACCESS ISSUES CAN BE RETAINED RIGHT THROUGH TO THE SUBMISSION STAGE WITH ALL PARTIES CLEAR THAT THE ACCESS SHOWN CANNOT BE DELIVERED. I ALSO CONTEND THAT THE SITE AS SHOWN IS TOO SMALL TO BE VIABLE WITH 3XLARGE FARM SHEDS TO BE DEMOLISHED, 2 OF WHICH ARE ASBESTOS (pg21) 2. A SITE WITH NO PEDESTRIAN ACCESS, WELL OUT OF THE VILLAGE, POORLY SCREENED WITH RISING TOPOGRAPHY, IN THE CONSERVATION AREA AND DEMONSTRATING ONLY ONE BOUNDARY WITH EXISTING HOUSING - CAN BE SIGNIFICANTLY ENLARGED WITH THE BLESSING OF BDC AND THE STEERING GROUP SO THAT THE OWNER CAN KNOCK DOWN HER LARGE HOUSE AND OUTBUILDINGS AND MAKE THE CURRENTLY UNVIABLE SITE, VIABLE (regardless of access issues) (pg102) 3. A SITE SITUATED ON THE SAME SIDE OF THE SAME ROAD AS THE 2 X ALLOCATED SITES (above) YET EN-ROUTE TO CLUSTER VILLAGE MATTERSEY AND WITH THE ABILITY TO PROVIDE INFRASTRUCTURE BENEFITS, WITH NONE OF THE NEGATIVE ISSUES IDENTIFIED ABOVE - BUT WHICH HAS BEEN EXCLUDED: <i>“has no justifiable reason to object to the consultation statement” (Steering Group response pg97)</i> INDEED, THE STEERING GROUP REPEATEDLY REFER TO BASSETLAW DC SUPPORT OF THEIR NEGATIVE DECISIONS REF: NP13.
PG55	Rural Solutions object to the attempt to introduce a housing target of 40 dwellings, and consider in doing this, the NDP fails to comply with basic condition (e) in being consistent with higher level plans, and basic condition (d) in delivering sustainable development, as it would fail to deliver sufficient housing to meet identified housing needs and as such fail the social dimension of sustainable development.
PG44	<i>The proposed housing target of 40 units has been deleted from the NDP and individual site allocations include an estimated minimum number of new dwellings.</i>
	DT REG 16 RESPONSE – THE SUBMITTED PLAN USES THE 40 UNIT TARGET AT PG47 DESPITE RURAL SOLUTIONS ASSESSMENT THAT THE BASIC CONDITIONS HAVE NOT BEEN MET. BASSETLAW DISTRICT

	IS STILL WITHOUT A FIVE YEAR DELIVERABLE SUPPLY OF HOUSING, LARGELY BECAUSE OF THE FOCUS ON URBAN REGENERATION SITES AND THE LOW 40 UNIT TARGET SUGGESTED, WILL BE AN INSIGNIFICANT CONTRIBUTION TO MEETING HOUSING NEEDS IN THE DISTRICT. THERE IS STRONG LATENT DEMAND FOR DEVELOPMENT LAND IN THE VILLAGES THAT DESPITE THE NPPF, REMAINS UNMET. A TARGET OF 7.5UNITS PER ANNUM TO 2034, IS SUGGESTED. THIS TARGET REPRESENTS 2.3% OF THE 324pa HOUSING REQUIREMENT IDENTIFIED FOR BASSETLAW TO 2034 THUS INTRODUCING TRANSFORMATIONAL CHANGE TO THE VILLAGE WHILST NOT IMPACTING UPON SETTLEMENT HEIRARCHIES.
	V2 Reg 14 Consultation Response Table - Unparaphrased http://www.evertonvillage.org.uk/storage/NeighbourhoodPlan/ConsultationDocuments/second-reg-14-Table-4-developers-and-landowners(03-May-18_15-35-30).pdf
2.5	RURAL SOLUTIONS Paragraph 5.14 notes that: For Everton and Harwell the assessment notes that further expansion of the built up area would have a moderate effect on a landscape that is characteristic, historic and unified and rated as requiring conservation and enforcement. 4.7: The NDP choses to however ignore the comments including Modern residential development occurs at the fringes of Everton, Scaftworth and Harwell 4.8: This makes clear that recent developments are an existing part of the local landscape character. The report does not suggest further development is harmful to landscape character in general terms .
	<i>Steering Group</i> <i>Modern residential development is not ignored in the NDP but has been considered in a local character appraisal undertaken by the Neighbourhood Plan Steering group members and referred to in the NDP.</i>
	DT REG 16 RESPONSE – THE LOCAL CHARACTER APPRAISAL UNDERTAKEN BY THE NEIGHBOURHOOD PLAN STEERING GROUP AND SHOWN AT PG41 OF THE SUBMITTED PLAN IS SIGNIFICANTLY FLAWED. PLEASE SEE APPENDIX X FOR THE TRUE PICTURE. APPENDIX X DEMONSTRATES THAT DEVELOPMENT OF NP13 REPRESENTS NATURAL EVOLUTION OF THE VILLAGE/LOCAL LANDSCAPE CHARACTER. SEE ALSO 2 X DRONE PHOTOS FROM SOUTH OF STONEGATE SHED AND NORTH OF STONEGATE SHED – NP13 IS EASILY IDENTIFIABLE IF CROSS-REFERENCED WITH APPENDIX X.
4.10	RURAL SOLUTIONS 5.15 talks of development ‘compromising views between the windmill and the SSSi at Harwell Woods’. However, there is no evidence presented that such a view is important in any landscape or historic way. Indeed, local topography shows that development off Mattersey Road will be less visible than in many locations around the Parish due to the flat topography in this area.
	<i>Steering Group</i> <i>The key views have been identified by the steering group and has appeared in earlier emerging drafts which were published for public consultation. This is a common approach in many NDPs.</i>
	DT REG 16 RESPONSE - THE FULL TEXT OF 5.15 GOES ON TO STATE: “particularly from public footpaths and bridleways, notably Broomhill Lane and the footpath from this towards Chapel Lane, as well as compromising views from the footpath connecting Middle Cross Lane to Everton Village towards the South and West” THE HEDGES AROUND NP13 ARE IN EXCESS OF 8FT. THE WINDMILL CANNOT BE SEE FROM THE VAST MAJORITY OF THE FOOTPATH FROM CHAPEL LANE, LOOKING SOUTH EAST ACROSS NP13, BECAUSE THE HEDGE IS TOO HIGH AND DEVELOPMENT ON NP13 WILL NOT AFFECT VIEWS OF HARWELL WOODS FROM THIS PATH. NEITHER THE WINDMILL NOR HARWELL WOODS CAN BE SEEN FROM THE NP13 SECTION OF BROOMHILL LANE – BECAUSE THE HEDGE IS TOO HIGH. I PERCEIVE THAT 5.15 IS AIMED AT STOPPING DEVELOPMENT ON THE FIELD WEST OF NP13 BECAUSE VIEWS ACROSS NP13 FROM THE FOOTPATH CONNECTING MIDDLE CROSS LANE TO EVERTON, ARE OBLITERATED BY TREE COVER, THE FARM SHED AND EXISTING HOUSING ON MATTERSEY ROAD.
6.24	RURAL SOLUTIONS

	<p>It is noted, and supported, that both Sites 2 and 3 are conditioned as only being supported if they provided a widened road and inclusion of pedestrian footways . In contrast , Sites 6 and 7 are supported despite it not being possible to provide pedestrian access. And as such, no provision is required within the policy for provision of pedestrian footways . This approach is inconsistent and unsatisfactory on what is a busy A- road with heavy traffic, as noted at 9.1 in the NDP, and again at pg. 108</p>
6.23	<p><i>Steering Group</i> <i>The Highways comment on site 7 (formally site 11) is that: “The Highway Authority have provided comments on the principle of allocating the site. The Highway Authority would wish to restrict access to a high-volume ‘A’ road due to the potential for a high propensity of severe accidents and the need to maintain the free flow of traffic. Nevertheless, should the site be likely to come forward, a junction would be required compliant with the Design Manual for Roads and Bridges. A footway would be required across the site frontage connecting to the footway fronting the Sun Inn”. The agent is correct to point out that the construction of such a footway is impractical due to the width of the verge. One would imagine that the same requirement for a footway would have been applied to the adjacent site 6, but this is not so. In practice pedestrian access is provided by a footway on the far side of the road fronting the developments.</i></p>
	<p>DT REG 16 RESPONSE</p> <ol style="list-style-type: none"> 1. THE HIGHWAY AUTHORITY SUPPORTS NP13, AS EVIDENCED BY COMMENTS TO 16/01656/OUT, BECAUSE IT OFFERS INFRASTRUCTURE BENEFITS TO THE VILLAGE AND TO THE WIDER LOCALITY. 2. THE MATTERSEY ROAD JUNCTION AT THE SUN PUB IS SUBSTANDARD AND NOW THAT THE PUB IS CONSISTENTLY OR INDEED, VERY BUSY, WITH OVER-FLOW PARKING OCCURRING REGULARLY ON MATTERSEY ROAD AND OTHER RESIDENTIAL STREETS, THE CURRENT JUNCTION FROM THE A631 SHOULD BE USED FOR THE PUB CAR PARK ONLY. 3. NEITHER OF THE 2 X ALLOCATED SITES IN THE SUBMITTED PLAN CAN PROVIDE THE INFRASTRUCTURE (HIGHWAY) BENEFITS OFFERED BY NP13 BECAUSE THEY ARE “CLOSED LOOPS” WITH NOWHERE TO GO OTHER THAN ON/OFF THE A631. 4. THE PROMOTERS OF SITE 2 IN THE SUBMITTED PLAN HAVE MADE IT CLEAR THAT THEY ARE ANGLING FOR A DIFFERENT ACCESS TO THAT IDENTIFIED IN V1, V2 OR IN THE SUBMITTED PLAN, THE OBVIOUS CONTENDER BEING THE LARGE FIELD IN THEIR OWNERSHIP WEST AND SOUTH OF THE PROMOTED SITE. IN THE EVENT THAT INCREMENTS/LARGE SCHEMES ARE BROUGHT FORWARD ON THAT FIELD, NOT ONLY WILL THE VIEWS OF THE WINDMILL FROM THE CONSERVATION AREA BE DISRUPTED, BUT THE GENERATED TRAFFIC WILL GIVE RISE TO THE NEGATIVE ISSUES IDENTIFIED BY THE HIGHWAYS AUTHORITY. EVEN IF THE PROMOTERS SOUGHT TO BRING AN ACCESS ROAD ONTO MATTERSEY ROAD VIA MILL LANE, THEY WOULD FIND THAT THERE ARE: <ol style="list-style-type: none"> a. ADDITIONAL CONSERVATION CONSTRAINTS PERTAINING TO MILL LANE b. INSUFFICIENT SPACE FOR THE REQUIRED JUNCTION ONTO MATTERSEY ROAD – WITHOUT DEMOLITION c. AN INABILITY TO PROVIDE PEDESTRIAN ACCESS EITHER NORTH OR SOUTH OF SAID NEW JUNCTION AT “b” OWING TO LACK OF VERGE IN PUBLIC OWNERSHIP 5. THE SAME CONSTRAINTS APPLY TO SITE 3 IN THE SUBMITTED PLAN. FOR ADDITIONAL CONSTRAINTS PLEASE SEE APPENDIX A AND PARISH COUNCIL APOLOGY EMAIL OF 5.7.18. 6. NONE OF THE HIGHWAYS CONSTRAINTS IDENTIFIED REFERENCE ALLOCATED SITES 2 AND 3 CAN BE LEVELLED AT NP13. FROM 2 X JUNCTIONS ONTO MATTERSEY ROAD, PAVEMENTS HEAD EITHER INTO EVERTON CENTRE OR TO MATTERSEY. FROM 1 X JUNCTION ONTO THE A631, A FOOTPATH IS CONDITIONED TO LINK WITH THE EXISTNG PEDESTRIAN NETWORK. PLEASE SEE APPROVAL 18/00632/FUL. <p>In essence, what we have with respect to sites 2 and 3, is two meaningless allocations. Widening of the A631 will be required so that TWO pedestrian traffic islands can be created, enabling access to</p>

	<p>the pavement north side of the A631. Viability issues with sites that already need extensive demolition work, will come to the fore and on this issue, site densities referred to in the submitted plan are a nonsense and merit OBJECTION. Significantly higher densities will be required to deliver the road/demolition infrastructure required (if possible) meaning that the offer of “windfall sites” will not occur – alongside a comprehensive alteration in the character of the conservation area. In addition, widening of the A631/delivery of pedestrian islands will not benefit any other houses on the A631 other than the two “allocated” sites – because the ability to create a pavement in this location has been “lost”. We already have a perfectly good pedestrian traffic island within the A631 and NCC will not want additional because the flow of this major road will be compromised.</p>
6.41	<p>RURAL SOLUTIONS</p> <p>In respect to the Parish Council comment at 4.4.5 in response to our previous Draft NDP v1 representations, we note the comment regarding the dismissal of an appeal on the proposed site. However, we object to the portrayal of this refusal and its relationship to the land now put forward for consideration for allocation. The appeal site was a specific area of land within the total land offered for allocation, and the specific layout and site arrangement proposed during that appeal led to the Inspector 's comments. The comments were specific to that proposal and cannot be used to suggest that any form of development on the wider proposed land for allocation would not be suitable for development. The approval for 5 dwellings and the repeated positive appraisal of the extended land area by the LPA, clearly demonstrate this is not the case.</p>
6.41	<p><i>Steering Group</i></p> <p><i>We contend that this statement is incorrect. The application (16/01656/OUT) was an outline application for access and permission in principle for 14 dwellings. The layout of the site was indicative only and a reserved matter. In his judgement on the appeal (Appeal Ref: APP/A3010/W/17/31731 94) the inspector confirmed this in his comments: “...as the proposal is for outline permission, the specific details of the house designs and layout of the proposed development, other than access, are not before me. Furthermore, whilst I have had regard to the submitted plans, I regard these as illustrative and therefore I have given them limited weight in determining the appeal.”</i></p>
	<p>DT REG 16 RESPONSE – THE INSPECTOR DISLIKED THE RED LINE AREA OF 16/01656/OUT MEANING THAT <u>ANY</u> ILLUSTRATED LAYOUT WAS (in his opinion) POINTLESS:</p> <p>“I find that the form and dimensions of the appeal site do not allow much scope to provide an appropriate and sympathetic boundary with the adjacent countryside” (para 12 appeal dismissal).</p> <p>HOWEVER, 53% OF IT HAS ALREADY BEEN APPROVED AND THE BOUDARY OF NP13 IS SIGNIFICANTLY DIFFERENT/PROVIDES MORE SCOPE. PLEASE SEE APPENDIX Z</p>
6.45	<p>RURAL SOLUTIONS</p> <p>In addition, it is noted land to the west of Stonegate Farm, south of the A631, has recently been granted planning permission, with a further planning application in for additional development to the original linear frontage proposal. Such development has extended the built form of the village west of its current position and changes the context of proposed development in this location</p>
6.45	<p><i>Steering Group</i></p> <p><i>We assume that this comment refers to two planning applications. The first for a “linear development” was granted, the second for additional dwellings, which would form backfill to the south of the first has been refused by Bassetlaw District Council. The point about the precedent of other developments was made in the applicant’s appeal. This was considered by the inspector in his determination: “I note the appellants’ point relating to other adjacent sites and sites outside development limits around the village having been permitted. I have had due regard to these matters. However, I do not have the full details or circumstances of these other developments before me. Whilst it may be that there are some similarities with the appeal proposal, there are also differences. Notwithstanding this, each proposal must be considered on its own merits and circumstances. Accordingly, I have assessed the appeal scheme on that basis. Therefore, I have given these matters only limited weight”.</i></p>

3.2	<p>DT</p> <p>In December 2017 application 17/01156/OUT sited adjacent to NP13 is refused on design grounds with no mention of backland development. This is despite the following public consultation response from 1x Steering Group Member and 1x Everton Parish Councillor (either or both) residing at 2 Northfield Farmstead: Building on this site would constitute backfill development which appears to run contrary to BDC policy for Everton as exemplified in the rejection of a application for development on an adjacent site. Bassetlaw's Neighbourhood Planning team will be up to date with such a development and, as a listed consultee, should be able to shed further light on this matter (submitted 10.10.17). CONCLUSION Both the author of the above consultation response AND the new Neighbourhood Planner, have failed to do their homework (at best). Approved scheme 17/00635/OUT for 5 units on a portion of site NP13, was originally part of a larger scheme that was refused for the same reasons as 17/01156/OUT - on design grounds. NOTHING to do with "backland development."</p>
3.2	<p><i>Steering Group</i></p> <p><i>We dispute the statement that the application was refused on design grounds as this was an outline application for access and the development in principle of 14 dwellings. In his judgement on the appeal the inspector confirmed this in his comments: "...as the proposal is for outline permission, the specific details of the house designs and layout of the proposed development, other than access, are not before me. Furthermore, whilst I have had regard to the submitted plans, I regard these as illustrative and therefore I have given them limited weight in determining the appeal."</i></p>
	<p>DT REG 16 RESPONSE – THE STEERING GROUP COMMENT AT 6.45 IS INTENTIONAL TORT EVIDENCING ABSOLUTE BIAS AGAINST NP13:</p> <ol style="list-style-type: none"> 1. IT DESCRIBES A NON-EXISTENT PRECEDENT THAT THE STEERING GROUP CHAIR AND HER HUSBAND TRIED AND FAILED TO ENGINEER VIA THE CONSULTATION RESPONSE, MADE IN THEIR PRIVATE CAPACITY, REFERRED TO AT 3.5 ABOVE. 2. 17/01156/OUT WAS REFUSED ON DESIGN GROUNDS NOT ON GROUNDS OF "BACKFILL" DEVELOPMENT. THE CASE OFFICER FOR 17/01156/OUT IGNORED THE CONSULTATION RESPONSE FROM "2 Northfield Farmstead", BECAUSE HE KNEW THAT THEY WERE LYING ABOUT THE REASON FOR REFUSAL ON THE CITED "ADJACENT SITE" BELONGING TO MY HUSBAND. 3. HENCE 16/01656/OUT DOES NOT SET A "BACKFILL" REASON FOR REFUSAL PRECEDENT FOR 17/01156/OUT 4. HENCE 17/01156/OUT DOES NOT SET A "BACKFILL" REASON FOR REFUSAL PRECEDENT FOR NP13. EXCEPT EVIDENTIALLY ON THE LUKE BROWN SITE ASSESSMENTS..... 5. PLEASE SEE APPENDIX A. ROS THEAKSTON, MONITORING OFFICER TO THE COUNCIL HAS WRITTEN THAT ALTHOUGH THE COMPLAINT HAS BEEN ASSESSED AS OUTSIDE THEIR 90DAY TIMEFRAMES, WE NEVER-THE-LESS HAVE "OTHER OPTIONS AVAILABLE TO US". THIS IS BECAUSE THE STEERING GROUP CHAIR AND HUSBAND TORT IS INTENTIONAL (twice – the first being the consultation response to 17/01156/OUT conflating their public/private roles and referring to documents not in the public domain; the second being the consultation response to Rural Solutions at 6.5) 6. THE STEERING GROUP WILL BE PERFECTLY AWARE THAT THE PRECEDENT REFERRED TO BY RURAL SOLUTIONS AT 6.5 IS THAT OF APPROVED 16/01508/OUT. THEY WILL HAVE BEEN PERFECTLY AWARE THAT 16/01508/OUT PLUS OTHER APPROVALS MEANS THAT THE "CHARACTER AREA" AROUND NP13, IS NOT WHAT THEY HAVE PORTRAYED AT PG41 OF THE SUBMITTED PLAN (which is why they did not show them – which is why Rural Solutions made the comment). PLEASE SEE APPENDIX X FOR THE TRUE PICTURE 7. THE STEERING GROUP RESPONSE AT 6.45 KNOWINGLY TWISTS WHAT IS A POSITIVE PRECEDENT FOR NP13, ERGO APPROVAL 16/01508/OUT, INTO A NEGATIVE BY LYING ABOUT THE REASON FOR REFUSAL ON 17/01156/OUT AND MALICIOUSLY DEEMING <u>THAT</u> TO BE THE

	<p>PRECEDENT FOR NP13. THIS IS DESPITE MY CONSULTATION RESPONSE AT 3.5 WHICH EFFECTIVELY “BLOWS THEIR COVER”</p> <p>8. THE STEERING GROUP RESPONSE TO MY COMMENT AT 3.5 IS SILENT ON THE “BACKLAND/BACKFILL” QUESTION BUT CONTENDS THAT 16/01656/OUT WAS NOT REFUSED ON DESIGN GROUNDS QUOTING para 11 OF THE DISMISSAL REPORT. HOWEVER, AT para 12 THE INSPECTOR SUBSEQUENTLY STATES:</p> <p>In my view, the illustrative material and evidence before me indicates no clear overall design concept for the development and I find that the scheme would be piecemeal in its layout and design. I have acknowledge that the site is irregular in shape and its location makes its development difficult in terms of its visual relationship to, and impact on, the existing character and built form of the settlement. Notwithstanding this, and having regard to alternative layouts submitted by the appellants, I find that the form and dimensions of the appeal site do not allow much scope to provide an appropriate and sympathetic boundary with the adjacent countryside.</p> <p>9. THE INSPECTOR IS BUILDING A CASE, THE REPORT IS ITERATIVE, PARA 12 THEREFORE FOLLOWS PARA 11. THE STEERING GROUP DELIBERATELY PLUCKED A SECTION OF FORMATIVE ARGUMENT OUT OF CONTEXT AND PRESENTED IT IN ISOLATION WITHOUT PROVIDING THE CONCLUSION – THE INSPECTOR'S CONCLUSION BEING THAT OWING TO ITS DIMENSIONS AND SHAPE, THE RED LINE OF 16/01656/OUT COULDN'T BE WORKED WITH.</p> <p>10. THE DIMENSIONS AND SHAPE OF NP13 ARE MARKEDLY DIFFERENT AND 16/01656/OUT REFUSAL CANNOT BE USED AS A REASON TO EXCLUDE NP13.</p> <p>11. FINALLY, THE INSPECTOR DID INDEED HAVE THE FULL DETAILS OF 16/01508/OUT IN FRONT OF HIM – BUT HE CHOSE TO IGNORE IT. AS HE HAS DONE WITH OTHER RURAL HOUSING SCHEME DISMISSALS (ASHBY-CUM-FENBY). WE CONTEND THAT THE INSPECTOR WOULD NOT HAVE APPROVED THE 2 X ALLOCATED SITES IN THE SUBMITTED PLAN. PLEASE SEE APPENDIX Z.</p> <p>QU: WHY DOES NP13 RETAIN THE ASSESSMENT OF BACKLAND DEVELOPMENT ON THE SITE ASSESSMENT REPORT??????</p>
6.51	<p>RURAL SOLUTIONS</p> <p>In summary, the proposed site at Mattersey Road/Broomfield Lane is considered to be deliverable. Its exclusion from the NDP at locations, whilst clearly undeliverable sites such as 6 and 7 are being advanced, suggests the NDP are deliberately trying to stymie development coming forward in the Parish</p>
6.51	<p><i>Steering Group</i></p> <p><i>It would not be appropriate to introduce a new site allocation into the submission version of the plan at this late stage. In view of the inspector's decision on appeal we do not consider this site deliverable.</i></p>
	<p>DT REG 16 RESPONSE – THE STEERING GROUP REPEATEDLY USES THE WORD “APPROPRIATE”/INAPPROPRIATE BECAUSE THEY CANNOT MEET THE REQUIRED STATUTORY DEFINITION OF “RELEVANT”/IRRELEVANT TO JUSTIFY IGNORING OUR CONSULTATION RESPONSES. SITES CANNOT BE EXCLUDED ON THE BASIS OF “INCONVENIENCE”- THERE WAS EVERY OPPORTUNITY TO INCLUDE NP13 FROM THE OUTSET. WE ARE ASKING FOR ALL SITE ALLOCATIONS TO BE DROPPED AND FOR SITES TO BE APPROVED BASED ON POLICY COMPLIANCE. THE STEERING GROUP CANNOT SAY THAT THE SITE IS NOT DELIVERABLE WHEN PLANNING POLICY, CONSERVATION AND DEVELOPMENT CONTROL DISAGREE WITH THEM IE: THE STEERING GROUP HAVE IGNORED OUR CONSULTATION RESPONSES. IT HAS 3 X ACCESSES (2 APPROVED AT RESERVED MATTERS), FLAT TOPOGRAPHY, PROXIMITY TO SERVICES AND AS THE INSPECTOR ACKNOWLEDGES, IS FREE FROM TECHNICAL OBJECTIONS. 62% OF THE NP13 ORIGINAL BORDER WITH OPEN COUNTRYSIDE, HAS ALREADY BEEN APPROVED. PLEASE SEE APPENDIX Z.</p>
2.18	<p>RURAL SOLUTIONS</p>

	<p>As a final further point, we would add that generally comments submitted to the Regulation 14 Draft Plan v1 consultation appear to have been given limited regard, as evidenced in the response documents. In many instances detailed consultation representations are responded to in single words with limited explanation as to why the comments are not being taken into account to inform modifications to the NDP.</p>
	<p><i>Steering Group</i> <i>Much of this representation (and the previous submission) is repetitive and extensive extracts of other documents such as NPPF, NPPG and the NDP and supporting documents have been copied and pasted into the submission. It is not necessary and indeed it would be onerous to respond to each and every clause in this lengthy statement. However the steering group have read and considered each and every representation made and the submission NDP has been amended where changes are considered to be appropriate and reasonable.</i></p>
	<p>DT REG16 RESPONSE – THE STEERING GROUP REACTION TO THE CHARGE THAT CONSULTATION RESPONSES ARE BEING IGNORED INDICATES THE CLOSED MIND SET. V2 IS THE PLAN THAT THEY WILL BE SUBMITTING REGARDLESS OF ANY COMMENTS MADE THROUGH CONSULTATION. <u>THIS IS A PROCEDURAL ISSUE</u> AND FURTHER EVIDENCED BY THE PARISH CLERK EMAIL SENT TO ME 2.7.18: <u>it would be inappropriate to delete these documents, which are an accurate record of what happened; they describe the site as submitted by you in response to the first Regulation 14 consultation</u></p> <p>IE: THE PERCEPTION OF THE VILLAGE IN THE SNAP SHOT OF TIME POST V1 REG14 CONSULTATION, IS SET IN STONE, REGARDLESS OF CONSULTATION RESPONSES. HOWEVER, THE EMAIL IMPLICITLY ACCEPTS THAT THE STATUS OF NP13 HAS BEEN CHANGED AND THAT THERE IS NO JUSTIFICATION FOR THEIR ACTIONS – HENCE THE USE OF THE WORD “inappropriate” AGAIN.</p> <p>SEE ALSO THE USE OF THE WORD “APPROPRIATE” IN THE STEERING GROUP RESPONSE. THEY KNOW THEY CANNOT WRITE: “the submission NDP has been amended where changes are considered to be relevant”</p>

4. How issues and concerns raised have been considered

4.1 An incredible 99 pages of text comprised of a single narrow column is taken up by my husbands’ agent Rural Solutions – the original v2 report is of far fewer pages and much easier to read. Within those 99 pages, the only comment in the “Amendments to NP” column is “no change”. SI 637 has been breached.

5. Where relevant – how issues and concerns have been addressed

5.1 Our concerns have not been addressed. NP13 remains excluded and 2 x inferior sites have been allocated. This circumstance gives rise to the conclusion that our issues and concerns are “not relevant”, however, we will continue to insist that this is not the case and that SI 637 has been breached. LEGAL OPINION WILL BE PROVIDED TO DAVID ARMIGER, ROS THEAKSTON, BEV ALDERTON SAMBROOK AND STEPHEN WORMALD, WITHIN THE NEXT FORTNIGHT.

APPENDIX Z

INSPECTOR ANDREW McCORMACK

Introduction

Our Regulation 14 consultation responses (et al) have been ignored and we have submitted a number of unresolved formal complaints. As a consequence, do not believe that the submitted Neighbourhood Plan for Everton should be put to Inspection. In the regrettable event that our Regulation 16 consultation responses are ignored also, we wish to ensure that Inspector Andrew McCormack (AM) is not appointed as Inspector for the Everton Neighbourhood Plan, on the basis that he is not impartial. We would also object to Inspector Richard Schofield, as he is a former Planning Services Manager of the authority.

Background

AM was appointed as Appeal Inspector to my husband's scheme 16/01656/OUT in 2017. The Appeal was made for non-determination, however, AM dismissed the Appeal citing "character and appearance". In the period of time before Appeal dismissal, a smaller application (on the same site) discarding the:

- disputed cemetery extension
- disputed cemetery parking
- bus stop
- public open space
- affordable housing
- disputed agricultural worker house
- 9 of the residential units

was approved via 17/00635/OUT.

The boundary with open countryside for refused scheme 16/01656/OUT was in three parts totalling 356m, the boundary with open countryside and for approved scheme 17/00635/OUT is 176m. That is to say that 50% of the 16/01656/OUT application border with open countryside; has been approved.

The remainder of the site** is named NP13 in the submitted Neighbourhood Plan. The southern edge of NP13 lies at the foot of Mattersey Hill, a large proportion of which is wooded and as the name suggests, rising topography and a high hedge ensure that sight-lines are obscured from the southern direction. Thus, as opposed to 2 x borders with open countryside, the NP13 submission in the Neighbourhood Plan, proposes only one totalling 283m instead of 176m afforded via 17/00635/OUT ie: 62% of the NP13 border with open countryside, has already been approved.

The Inspectors Dismissal Report

With the exception of the bus-stop and public open space (provided for within the signed s106), AM acknowledges the benefits bullet-pointed in the "background" section above and additionally, recognises:

- the total lack of technical objections to the scheme – highways/floodrisk
- the jobs created via construction
- forthcoming Council Tax receipts

- forthcoming New Homes Bonus
- new housing in an area of undersupply

Despite this, AM concludes:

“I find that such benefits would not outweigh the significant harm that I have identified” (para 21)

Since the disputed cemetery, cemetery parking and agricultural workers house (at risk of alleged noise disturbance) have been dropped (both from 17/00635/OUT and NP13 Neighbourhood Plan submission), it is necessary to investigate what remaining “significant harm” has been identified by AM within the 16/01656/OUT dismissal report.

We became aware of AM’s balanced argument style, as soon as he had been appointed to our Appeal because we downloaded his Ashby-cum-Fenby dismissal. The report demonstrated bias against rural housing meaning that we seriously considered withdrawing.

Character and Appearance

1. In para 14 of his dismissal report, AM writes the following:

- “I conclude that the proposal would have a significant detrimental effect on the character and appearance of the surrounding area”*
- “this policy (NPPF?) seeks to ensure that development complements and enhances the character and appearance of its surroundings and is of high quality design”*

2. These conclusions are surprising given that at earlier points, AM states:

- *“the immediate area around the appeal site is characterised by ribbon development” (para 8)*
- *“whilst I have had regard to the submitted plans, I regard these as illustrative and therefore have given them limited weight in determining the appeal (para 11)*
- *“I note that the character of this part of the settlement is less distinctive than other parts which lie within the conservation area” (para13)*
- *“the appellants point that landscaping matters are reserved for a later application” (para 13)*

3. The para 14 conclusion that: *“the proposal would have a significant detrimental effect on the character and appearance of the surrounding area”* is particularly surprising given that AM made a site visit and would have viewed the “surrounding area” as reflected in the appended photographs. Quite clearly, the surrounding area is suburban in character with a range of architectural styles from pre-1919 red brick, to 1970’s bungalows, to mock-Georgian to modern mansion, to swiss chalet – many of which back onto open countryside to highly visible effect. Dismissed scheme 16/01656/OUT, or more importantly, NP13 Neighbourhood Plan submission provides the ability to diminish massing impact because:

“the appellants point that landscaping matters are reserved for a later application” (para 13)

Rather than acknowledging the above, AM writes:

- *“I find that the form and dimensions of the appeal site do not allow much scope to provide an appropriate and sympathetic boundary with the adjacent countryside” (para 12). **ANS: 53% of the appeal site has now been approved and of the portion remaining, the depth was 40m and density low, giving substantial opportunity for a soft, landscaped edge. See also sightlines analysis at “4” below.***

- *“I find that the proposal would create an overly suburban (edge?) and would appear out of keeping with the rural character and setting of the site on the edge of the village”* (para 13). **ANS: See above bullet point response; AM acknowledgement of illustrative nature of scheme; AM acknowledgement of reservation of landscaping for a later application and also, appended photographs. See also sightlines analysis at “4” below.**
- *“I find that the proposal would not compliment or enhance its surroundings”* (para 13) **ANS: See above. In essence, we are seeing evidence of AM’s bias against rural housing. See also sightlines analysis at “4” below.**
- *“the site would be dominated by access roads”* (para 13). **ANS: 53% of the appeal site has now been approved and of the portion remaining, the access road was sandwiched between existing housing and new. See also sightlines analysis at “4” below.**

4. The second reason to highlight AM’s site visit is to draw attention not only to his knowledge of surrounding housing (form/layout/design/character), but also to the topography and sightlines pertaining to the appeal site:

- a. From the EAST – screened by ribbon development
- b. From the SOUTH – screened by Mattersey Hill (wooded)
- c. From the NORTH – screened by Farm Shed
- d. From the WEST – screened by mature/high hedge

The above a – d means that the alleged negatives noted by AM under the “Character and Appearance” heading, would not have impacted the surrounding area. Even prior to landscaping.

Rural Housing – additional

There are many similarities between the 16/01656/OUT and Ashby-cum-Fenby dismissals – low density, well screened, small, edge of village rural housing proposals with extensive “offer” to the local community. Both dismissal reports have a section titled “Other Matters” and it is here where comparable schemes are “considered” – or not.

Para 15 of the Ashby-cum-Fenby dismissal states: *“Furthermore, I have not been provided with the full details of each case”* and clearly, we are in no position to dispute otherwise. However, we are in a position to dispute AM’s assertion at para 19 of our own dismissal:

“However, I do not have the full details or circumstances of these other developments before me. Whilst it may be that there are some similarities with the appeal proposal, there are also differences”

- a. AM was indeed provided with full details of approved scheme 16/01508/OUT
- b. AM does not state what the differences are between dismissed 16/01656/OUT and approved 16/01508/OUT, however, we are able to assist:
 - The dismissed scheme is located behind existing housing at the southern gateway to the village, the approved scheme is located on the road at the western gateway to the village
 - The dismissed scheme *may* have been partially visible from the north west, the approved scheme is visible from the west (long distance), north and east
 - The dismissed scheme is not adjacent to the conservation area, the approved scheme is adjacent/directly opposite the conservation area

- The dismissed scheme delivered affordable housing, public open space, cemetery extension, cemetery car park and bus stop (all via signed s106 bar cemetery elements), the approved scheme delivers no public benefits
- The dismissed scheme sought to tie in (palette/massing) with pre-1919 elements of Mattersey Rd (scattered houses and cemetery), the approved scheme offers no deference to local vernacular – indeed, the reserved matters scheme looks nothing like anything in Everton.

Conclusion

1. AM did review the provided comparable at 16/01508/OUT but ignored it
2. AM also received the positive pre-application enquiry for the whole field, but ignored it
3. AM did see the suburban character of development surrounding the appeal site but ignored it
4. AM did see the topography/obscured sightlines surrounding the appeal site but ignored it
5. AM claimed to have recognised that landscaping was a reserved matters issue
6. AM did receive confirmation that site depth was 40m and that there was space for landscaping (even on a secluded site) but he ignored this information
7. AM claimed gave limited weight to the submitted “illustrative plans” – because he didn’t like the red line.
8. AM should not be appointed to inspect the Everton Neighbourhood Plan because:
 - a. He refused our scheme
 - b. He is not impartial
9. AM would not have approved either of the 2 x allocated sites in the submitted Neighbourhood Plan because they are in the conservation area, they are more visible than NP13, the topography of the bigger site rises, they both “float” within bigger field without natural/residential boundaries – bar on one side; they cannot achieve access.
10. AM’s judgements on the dismissed scheme cannot be transferred to the larger NP13 site because the red line is significantly different.

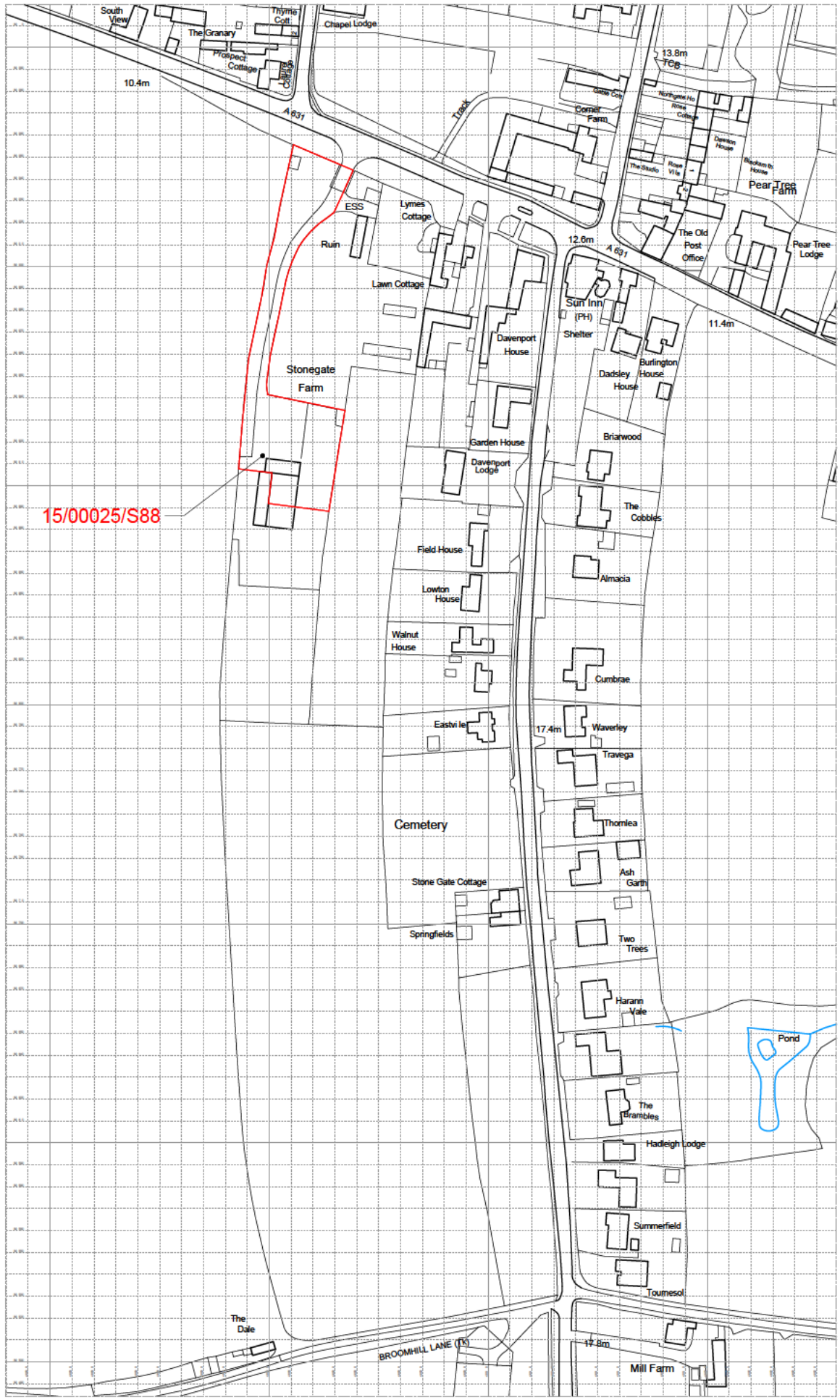
Addendum

Not only was 53% of 16/01656/OUT approved several weeks prior to the AM report but the following September, Bassetlaw Planning Policy Team assessed the entirety of NP13 as suitable for development within the SHLAA for the new Local Plan.

**** The statement “*The remainder of the site*” is named NP13 in the submitted Neighbourhood Plan” (pg1) is not correct. The Everton Neighbourhood Plan Steering Group has included the area of land covering 17/00635/OUT within NP13, despite its approved status and despite repeated written demands from my husband and I that the true/smaller boundary of NP13 should be reflected – in the submitted plan and on-line. In common with all our consultation responses, our demands have been ignored (by Parish Council and District Council) in what we view as both an extremely serious breach and intentional tort.**



14/014116/COU





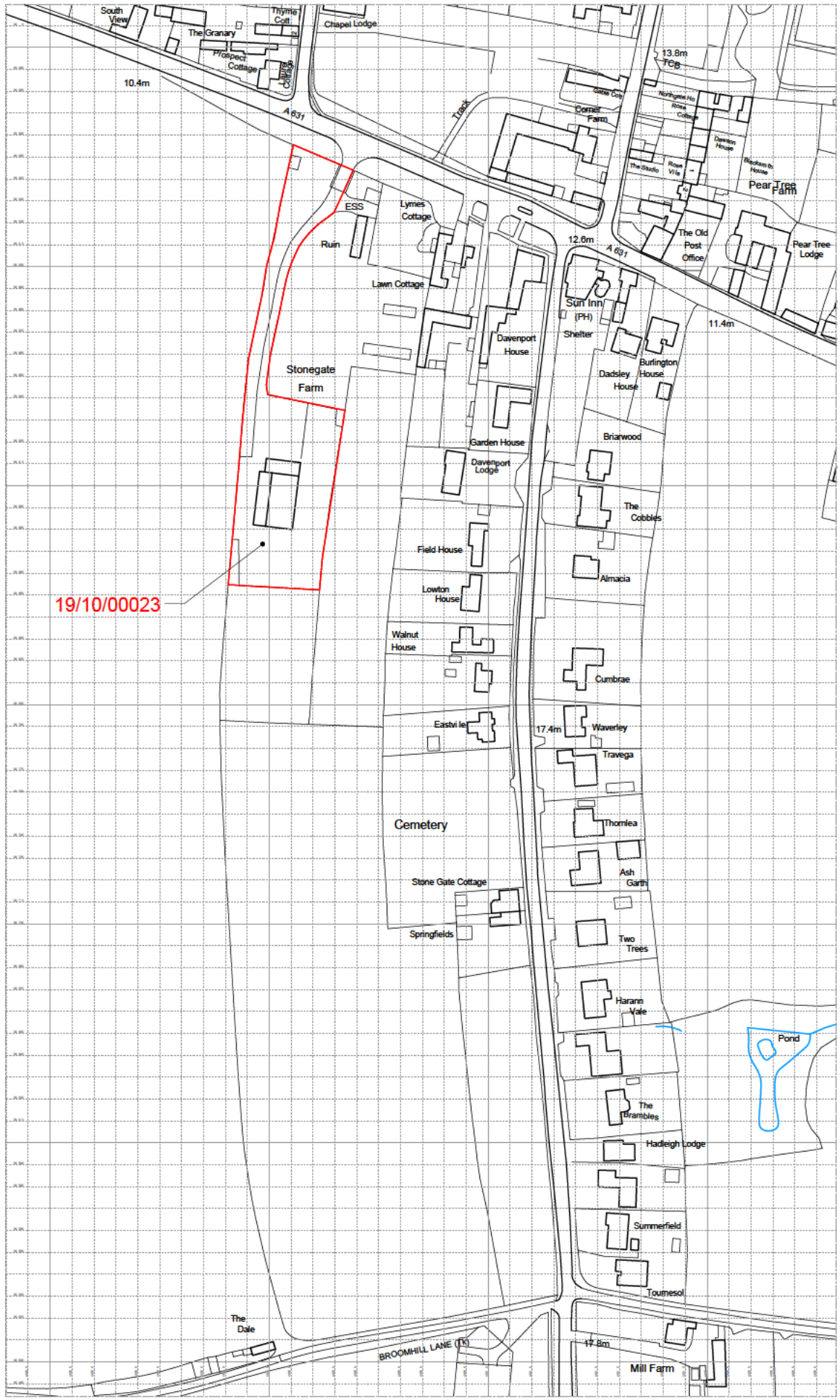


16/01412/OUT











Combined Planning Applications, South of Bawtry Road

SITE ASSESSMENT ANALYSIS EVERTON

1. Current Position

- a. NP10 and NP11 are “allocated” in the submitted Everton Neighbourhood Plan – NP13 is not. All three sites are on the south side of the A631 but the reason for NP13 exclusion is political, as opposed to the result of objective site assessment.
- b. All three sites are on the south side of the A631 BUT unlike NP10 and 11, NP13 is flanked by residential on 2 sides (3 if you class “The Dale”) whereas NP10 and 11 are only connected by resi on their northern side – why is NP13 not allocated? Why are 10 and 11 allocated? See APP/A3010/W/18/3196331. SEE 1.34 BELOW – NP13 should not be RED for “Existing Character.”
- c. All three sites are on the south side of the A631 BUT unlike NP10 and 11, NP13 is additionally bounded by Mature Hedge and Broomfield Lane whereas NP10 and 11 “float” in the middle of larger fields – why is NP13 not allocated? Why are 10 and 11 allocated? See APP/A3010/W/18/3196331. SEE 1.34 BELOW – NP13 should not be RED for “Existing Character.”
- d. All three sites are on the south side of the A631 but NP13 is closer to the village core AND en-route to functional cluster village Mattersey – with pavement access directly from NP13 to the centre of Mattersey (and school and post office) – why is NP13 not allocated? Why are 10 and 11 allocated? See APP/A3010/W/18/3196331. SEE 1.34 BELOW– NP13 should not be RED for “Existing Character.”
- e. Additionally, NP13 is PROVEN to be able to achieve pedestrian and vehicular access within Everton (in 3 locations) – whereas the other 2 x sites cannot. Why has NP13 been awarded AMBER the same as 10 and 11 for infrastructure impact when it should be GREEN? We are increasing network permeability. Why does the NP13 site assessment read:
“developing the site would result in the footpath being extended and road improvements on the Mattersey Road”????

This is incorrect – the footpath is already there and why would Mattersey Road need upgrading? NCC have NEVER made this comment. See 1.6 below.
- f. Why have 10 and 11 been awarded amber for infrastructure impact when they should have been awarded RED? See APP/A3010/W/18/3196331. SEE 1.34 BELOW
- g. NP13 has 2 x reds, NP10 and 11 have only 1 x red PLUS NP13 has an additional red on the overall “site assessment” because it was NOT put out to consultation.

All three sites share a red for “Landscape” WHEREAS NP13 has been awarded an additional red for “Existing Character” whilst NP10 and 11 have only been awarded amber for “Heritage” (on account of both being in the conservation area).

- h. Hence, the Neighbourhood Planning Team places greater emphasis on the importance of “existing character” than on “heritage” See 1.34 below. See APP/A3010/W/18/3196331. See 1.35 below – NP13 is not harming existing character. The maps fail to show the cumulative impact of approvals in that area. When viewing NP13 from the A631, would one think that the linear character of Mattersey Road was being altered? No, because it already HAS been altered. When viewing NP13 from Mattersey Road, would one think that the linear character of Mattersey Road was being altered? No – because you wouldn’t see it.

- i. Observation: Existing Character is a concoction designed to “protect” areas that are not in the conservation areas BUT in this instance, the Neighbourhood Planner is giving it more weight. SEE 1.7 BELOW. See APP/A3010/W/18/3196331

2. Screening Methodology - Addendum

1.6 Describes the “Site Assessment” colour coding GREEN (no conflicts), AMBER (minor issues that can be OVERCOME), RED (direct conflict). Access issues for NP10 and 11 are NOT minor issues that can be overcome. Buildings will have to be knocked down and verges in private ownership will have to be purchased or the A631 will have to be widened. This constitutes RED. Why has NP13 been awarded Amber when it should be GREEN for infrastructure?

1.7 States “*The criteria are not weighted*” - this is not correct. Existing Character has been weighted more highly than Heritage. See above.

1.8 Describes three criteria that would NOT see a site allocated:

- a. Lack of Landowner support for the site – NP13 in place
- b. Lack of Community Support for the site – NP13 NO CONSULTATION
- c. Initial assessment in the site assessment report – NP13 failed because NO CONSULTATION!!! And no credence given to positive assessments below.

1.9 RED for the initial assessment in the site assessment report is generated as follows: “*The site WOULD NOT be supported based on the consultation comments received through the site assessment report.*” So because NP13 was NOT put out to public consultation, according to the methodology, NP13 automatically attracts a RED under “Initial assessment in the site assessment report”. Response:

- a. NP13 was not put out to public consultation via the Neighbourhood Plan (WHY NOT? We submitted the site to the LAA call for sites, it was accepted and judged acceptable by Tim Dawson???? It should be shown on PAGE 2 of the Nhood Plan Site Assessment Document).....
No negative responses from the Community.
- b. NP13 was assessed by Conservation Officer Michael Tagg as acceptable during consultation for 16/01656/OUT. Michael Tagg has also offered no comment on the Neighbourhood Plan site assessment reports CONTRARY to site assessment reports for NP10 and 11 where he has concerns.
- c. NP13 was assessed by Planning Policy Officer Tim Dawson as acceptable during LAA assessment processes Autumn 2017 (see LAA 350 Appendices B and C).
- d. NP13 (0.7HA thereof) was assessed as acceptable by Development Control Officer Jamie Elliott when he granted PLANNING PERMISSION via 17/00635/OUT. The District Council have wilfully ignored the legal status of NP13 and failed to represent it as anything other than agricultural land on all pictorial Neighbourhood Plan documentation – including the recently uploaded submission plan on the District Council server. This is DISHONEST and a serious breach of the Duty of Care owed to us by the Council. What on EARTH is going on??? Why are you representing 17/00635/OUT as non-residential when this is its legal status?
- e. The Appeal against 16/01656/OUT was unsuccessful because the Inspector did not like the tight red line delivering a linear development. Jamie Elliott has in any event granted approval for 53% of the 16/01656/OUT application representing the non-linear element. The Inspectors refusal was not against the whole site YET the Local Authority have construed it as such.

1.34 Existing Built Character: States *“Assessing the aesthetic merits of a design is an inherently subjective process and whilst it is not possible to assess the impact of a development scheme at this early stage, some sites may represent more logical extensions to the existing built form or, in terms of urban design considerations, offer better connectivity/legibility.”* See 1a-1i above.

1.35 MAP ERRORS

- a. The built form of Everton extends all the way to Broomfield Lane along the Mathersey Rd (Property Arc development) – yet this is not shown
- b. Approval 17/00635/OUT is not shown
- c. Approval 17/01156/OUT is not shown

- d. Approval 13/00006/S36 shed diversification is not shown
- e. Approval 14/01416/COU shop and curtilage/car park/garden is not shown
- f. In evidencing all of the above, the character on the west side of Mattersey Road is completely different to that shown on the map. It is not “ribbon development”, instead is “Low Density Piecemeal Development” and for the purposes of the colour key already in use, the blue used for Harwell should be in place.
- g. In executing the above, “ribbon development” on the west side of Mattersey Rd should also be shown in blue – because it is no longer ribbon development.
- h. In view of the above, development of the totality of NP13 DOES NOT alter the existing character of the Mattersey Rd – because to the west, it is not linear.

3. Summary

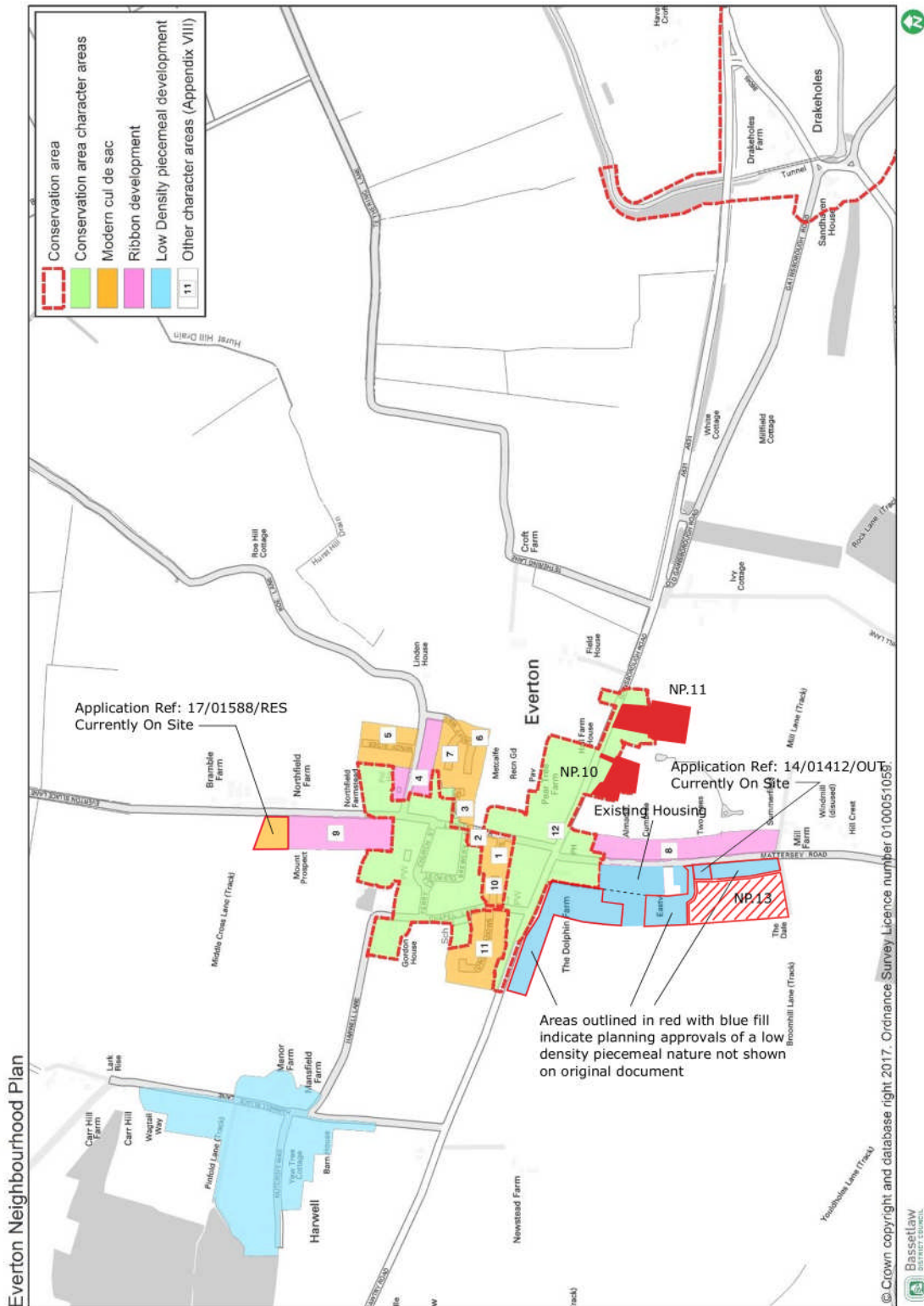
The Bassetlaw Neighbourhood Planning team have worked in tandem with the Ballarini’s to exclude NP13 for political reasons (Ballarini complaint refers). This charge does not extend to the Bassetlaw Planning Policy Team, to the Bassetlaw Conservation Team or to the Bassetlaw Development Control Team.

NP13 should NOT have RED for Existing Character, NP13 should have GREEN for infrastructure, NP13 has red for Site Assessment report because it was deliberately never put out to consultation. NP10 and 11 should both show RED under Infrastructure.

4. Conclusion

Serious breaches by the Neighbourhood Planning Team in tandem with the Ballarini’s, means that the Everton Neighbourhood Plan must drop ALL allocations and rely on policy for new housing. The Neighbourhood Planning Team cannot be trusted.

Map 11 Everton Character Areas - see Appendix VIII



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Dear Mrs Culverwell,

In writing this complaint, have used s27 of the 2011 Localism Act alongside the "Everton Parish Council Code of Conduct" (adopted 29.10.12).

Introduction

My complaint is against Everton Parish Cllr/Neighbourhood Plan Chair Ann Ballarini and her husband Tony Ballarini (Neighbourhood Plan Steering Group Member and co-opted member of the Parish Council). Their actions have breached all seven of the Conduct Principles outlined in the Code of Conduct Introduction. In the context of this complaint, the least (initially) obvious of the Conduct Principles to have been compromised would be "Selflessness", however, the Conclusion and Appendices demonstrate that the self-serving intention of the Ballarini's has been the driving force behind their behaviour. Ultimately, they have sought to improperly confer an advantage to themselves and a disadvantage to me (through my husband), because I took exception to their actions.

"Member Obligations" ignored by the Ballarini's, are "3" and "5":

3. HE/SHE SHALL NOT SEEK TO IMPROPERLY CONFER AN ADVANTAGE OR DISADVANTAGE ON ANY PERSON

5. HE/SHE SHALL NOT DISCLOSE INFORMATION WHICH IS CONFIDENTIAL OR WHERE DISCLOSURE IS PROHIBITED BY LAW.

The Complaint

A. The Ballarini's have sought to improperly confer disadvantage on my husband Richard Troop and his site at Stonegate Farm through dishonest response to planning application 17/01156/OUT (Member Obligation 3). The comment below was uploaded in their private capacity as residents of 2 Northfield Farmstead, however, they conflate their private and public roles by referring to information that was not in the public domain (Member Obligation 5):

Building on this site would constitute backfill development which appears to run contrary to BDC policy for Everton as exemplified in the rejection of an application for development on an adjacent site. Bassetlaw's Neighbourhood Planning team will be up to date with such a development and, as a listed consultee, should be able to shed further light on this matter (10.10.17)

B. The "adjacent site" referred to above, is the Stonegate Site belonging to my husband. In the Everton Neighbourhood Plan, it is labelled as NP13. On 6.7.17, 0.7HA in the middle of NP13 was granted residential approval via 17/00635/OUT - this was not referred to in the Ballerini consultation response - despite the grant of permission occurring **four months** prior to their comment of 10.10.17. This deliberate omission evidences a lack of INTEGRITY, OBJECTIVITY, OPENNESS and HONESTY and a stark breach of conduct principles.

C. 17/00635/OUT was submitted by my husband following negative planning officer reaction to a larger planning application. Jamie Elliott cited "design" and "noise" as likely planning refusal reasons meaning that the NEW application (17/00635/OUT) was drawn up to circumvent both those issues. At no time did Jamie Elliott or Conservation Officer Michael Tagg cite "back land development" as a potential reason for refusal. Because Jamie took so long to make his decision on the larger scheme, we went to Appeal, but subsequent delays within the Planning Inspectorate meant that 17/00635/OUT came before Jamie first. Since we had designed out the concerns with the larger scheme (dropping the ribbon development element within a tight red line, dropping the unit closest to the shed), the scheme, which covered over 50% of the larger application, was approved.

D. Ultimately, the Planning Inspector agreed with the Jamie Elliott assessment of the larger scheme and it was refused on grounds of design and noise. The Planning Inspector did not use the term "back land development" in his report despite the fact that the Parish Council had objected to the scheme on that specific ground. In not using the term "back land development", the Planning

Inspector is DISAGREEING with that element of the Parish Council objection. However, this did not stop the Ballarini's resurrecting the discredited reason for refusal - and attributing it to the Inspector.

E. Therefore, in their consultation response of 10.10.17, the Ballarini's not only ignored the 17/00635/OUT approval by referring solely to the refusal of the larger scheme:

"as exemplified in the rejection of an application for development on an adjacent site"

.....they also lied about the reasons for refusal. No part of NP13 has ever received a planning application decision that cites "back land development" as a reason for refusal. Ballarini use of the word "exemplified" demonstrates their lack of INTEGRITY, OBJECTIVITY, OPENNESS and HONESTY, yet further.

G. The debacle that was v1 of the Regulation 14 Everton Neighbourhood Plan (particularly sites 2 and 3, Appendix B refers), had taught the Ballarini's that if sites were to be included/excluded from the allocations element of said document, there had to be legitimate planning reason as opposed to personal preference or weak Neighbourhood Planner assessment.

F. The Ballarini intention therefore, was that the case officer for scheme 17/01156/OUT would give weight to their categorisation of "back land/backfill" development (on the strength of their reference to the Neighbourhood Planning Team AND their own fabricated planning-decision-evidence) and that it would be used as a reason for refusal. Giving the still confidential/crummy Neighbourhood Plan site assessments much needed weight. He did not. Instead, the case officer relied on the judgement of Conservation Officer Michael Tagg who did not assess scheme 17/01156/OUT as constituting "back land development."

H. The wording *"should be able to shed further light on this matter"* has been used because the documents to which the Ballarini's are referring in their PRIVATE CAPACITY, would not be in the public domain for in excess of two weeks (Member Obligation 5). Namely:

- i. Kirkwells Site Assessment Position Statement
- ii. Neighbourhood Planner Site Assessments
- iii. v.2 Regulation 14 Neighbourhood Plan Consultation

In terms of Everton residents, only Parish Councillors or Neighbourhood Plan Steering Group Members, would be aware of those documents on 10.10.17 meaning that Member Obligation 5 has been breached. All three documents, falsely categorise my husband's site at Stonegate Farm (aka NP13) as unsuitable for housing owing to "back land development" issues. All three documents ignore 17/00635/OUT (bar on pg91 of v2 Neighbourhood Plan which is a meaningless insertion, with no map, but which *usefully* demonstrates that the Ballarini's were indeed aware of the approval all along ie: their tort is intentional as opposed to negligent).

I. The Ballarini's were seeking to influence the Case Officer, in their PRIVATE CAPACITY, through their reference to the Neighbourhood Planning Team and the ability of newbie Luke Brown to "shed further light on this matter" - via the sharing of the documents referred to at i,ii,iii above (member Obligation 5). Whether or not Ballarini urgings that the case officer should speak to the Neighbourhood Planner came to fruition, is not known. What IS known, is that the case officer did not agree that 17/01156/OUT constituted back land development. Meaning that NP13 can't be either.

J. Despite Ballarini failure following the 10.10.17 consultation response, despite our comprehensive consultation response to v2 of the Everton Neighbourhood Plan (winter 2017/18) explaining all of the above, my husband retains an assessment of "back land development" on site NP13 at Stonegate Farm with no reference to 17/00635/OUT on any of the NP13 maps. Neighbourhood Plan Steering Group Chair Cllr Ann Ballarini has left the offending documents i,ii,iii on the Neighbourhood Plan pages of the Everton Parish Council website. Leaving documents in the public domain that malign a site with false information, is hardly an indicator of integrity. It is DISHONEST.

K. The flipside to Ballarini actions to improperly confer disadvantage to my husband/his site NP13 is that other actions improperly confer an ADVANTAGE to other persons. Again, through lying. The following written response was made by the Neighbourhood Plan Steering Group (under the auspices

of Chair Ann Ballarini) to our agents comment that sites had been allocated without the possibility of delivering safe pedestrian access:

"requirement for a footway to serve the development of 9 dwellings to the west of Stonegate Farm (referred to as a precedent by the agent in respect of the proposed development on Mattersey Road), which was the subject of a planning condition, was subsequently withdrawn by Highways following representations by the developer."

L. The above statement is total fabrication and is still on the Parish Council website. I recently had to download a plan of the pedestrian access for approved scheme 16/01508/OUT for 9 units, referred to above, because NCC Highways had asked us to link into the same pedestrian network. The drawing is easily accessible on Bassetlaw Planning Portal and is titled 17/01163/VOC. It took me 5 minutes to find. Conduct principles of HONESTY and INTEGRITY are again breached.

M. In instructing us to link pedestrian access with scheme 16/01508/OUT, NCC Highways made the following comment (5.6.18) to application 18/00632/FUL:

"Footway provision will be required to link the site with the Mattersey Road cross roads and should be in a position compatible with the required footway from the committed development on Bawtry Road to the northwest. It would not be acceptable to rely on the footway opposite on this high category road".

and yet this is precisely what we have with the 2 sites allocated within the submitted version of the Neighbourhood Plan. This is confirmed by Neighbourhood Plan Steering Group responses to our agent (see Parish Council website):

1. *The agent is correct to point out that the construction of such a footway is impractical due to the width of the verge.*

2. *In practice pedestrian access is provided by a footway on the far side of the road fronting the developments.*

Our agent's comments were made to the v2 Neighbourhood Plan Consultation winter 2017/18 - but the point had been made MANY times previously.

QU: Why is it, after all this time, such an exceptionally obvious constraint to the allocated sites in the submitted plan has been deliberately overlooked?

ANS: Poor leadership, lack of objectivity, integrity and honesty. And a total lack of accountability. Underpinned by the fact that the allocated sites have no bearing on the Ballarini residence at 2 Northfield Farmstead. Which is why they have been allocated.

Ballarini Complaint Summary

Improper advantage has been conferred on the promoters of the 2 x allocated sites in the submitted Neighbourhood Plan through the deliberate distortion of highways requirements. Saying "the sites will have to comply at the relevant time" is pointless. Conduct principles have been breached in the process.

RATIONALE: The sites are distant from the Ballarini home

NB: The Parish Council must respond to the accusation of Improper Advantage

Improper disadvantage has been conferred on the owner of site NP13 (my husband) through the dishonest response to consultation on a neighbouring site, undertaken in a private capacity, but which exhorted the relevant case officer to access documents not in the public domain. Despite being able to comply with Highways requirements, NP13 remains excluded from the Neighbourhood Plan as a result. Conduct principles have been breached in the process.

RATIONALE: Malice. The Ballarini's took exception to my objections to their behaviour during my tenure on the Neighbourhood Plan Steering Group.

NB: The Parish Council must respond to this accusation of Improper Disadvantage

The Ballarini's have not demonstrated "Selflessness" in their Neighbourhood Planning roles. The fact that they put themselves forward for Neighbourhood Planning roles was instigated by their fears that the field behind their house would be developed, they would lose their far-reaching views and their asset value and quality of life would decline. Development on NP13 does not compromise their home however, they have been motivated to:

"improperly confer a disadvantage on my husband"

because I challenged their self-serving behaviour on the Neighbourhood Plan Steering Group. I only joined because an existing member was so concerned by their modus operandi that, knowing I had a planning background, she begged me to get involved. Ultimately, I left because my concerns were not taken into account and I would not have my name associated with released Regulation 14 consultation documents.

NB: The Parish Council must respond to the accusation that Appendices demonstrate the motive behind the exclusion of NP13

ALL seven Conduct Principles have been breached. Please see:

Appendix A: Ann Ballarini seeks to retain a photograph of the field behind her house as the premier image under the "Protecting and Enhancing our Environment" chapter of the draft Neighbourhood Plan. I was appalled by the cynicism of her comment:

"Danielle I cannot see anything wrong with the photos what is your objection?"

With this comment Ann Ballarini was clearly "testing boundaries" and seeing "how far she could push the envelope." Would the complainant fold away with embarrassment?? I WAS embarrassed and I kept my response formal. What I should have written was:

"BECAUSE IT'S BEHIND YOUR HOUSE AND YOU ARE THE STEERING GROUP CHAIR YOU SELF SERVING....."

Having said the equivalent to Planning Consultant Louise Kirkup, the photo was dropped.

Appendix B: Tony Ballarini "protests too much" on account of vital, missing minutes from the Neighbourhood Plan pages of the Parish Council website. Fortunately, I still had a copy and as suspected, it was the meeting where Bassetlaw Council voiced negative comment regarding the far-flung nature of sites selected (as far away from their house as possible). The formal layout of the Ballarini apology confirms my suspicion that the exclusion was deliberate - but it didn't make any difference. The sites referred to in the minutes were still included in v1 of the Neighbourhood Plan (before being thrown out by the Council thus instigating a need for v2). A willingness to distort information, communication and ignore evidence is demonstrated – the Neighbourhood Planning pages of the Parish Council website have been used as the Ballarini personal fiefdom. Lies regarding NP13 are still uploaded today – conferring improper disadvantage on my husband.

Appendix C: Tony Ballarini's more usual style of communication is evidenced. At the time, I thought he thought that I had forwarded my comments to the Planning Consultant instead of to the group. What he was protesting however, is that I HAD sent my comments to the group. The Ballarini's wanted to control the Neighbourhood Plan Steering Group by ensuring that communication/comment would go through Ann for editing, before anyone else could see it, in a total strangulation of democracy. Appendix C also shows that Tony Ballarini had been verbally aggressive to Steering Group Members and neither I, nor Charlie, nor Doug remain on the group today.

NB: The Parish Council must respond to the accusation that Appendices demonstrate Ballarini effort to confer improper advantage to themselves

Ballarini Complaint Conclusion

- Inappropriate effort to “protect” their home means that Ann and Tony Ballarini have breached all seven Conduct Principles and should be removed from their positions on the Neighbourhood Plan Steering Group
- Inappropriate effort to “protect” their home means that Ann and Tony Ballarini have breached Member Obligations 3 and 5 and Ann Ballarini should additionally be removed from the Parish Council
- Regardless of whether the risk of development behind 2 Northfield Farmstead is heightened, the Everton Neighbourhood Plan should discard all allocations and rely instead on policy compliance for new housing.
- Regardless of whether the risk of development behind 2 Northfield Farmstead is heightened, “Neighbourhood Planner” Site Allocation assessment documents should be scrapped and decisions made instead by Bassetlaw Development Control Teams in conjunction with Conservation Officers and Notts County Council Highways.

Yours sincerely

Danielle Troop

30.6.18

APPENDIX A – EMAIL TRAIL SHOWING CLLR BALLARINI SEEKING TO BLOCK THE ALLOCATION OF A FIELD BEHIND HER HOUSE

NB: The trail refers to 2 x photos of 2 separate locations. The second location is irrelevant to the matter concerned and has been redacted.

----- Forwarded message -----

From: Danielle Troop [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Sent: Monday, 6 March 2017, 10:39:37 GMT

Subject: Photos in Neighbourhood Plan OBJECTION

Ann

My objection to the photos is that they are being used to fetter potential strategic allocations via the Local Plan. Specifically:

View North East from Northfield Farmstead

1. This is an excellent development site far, far superior to those being put forward - strung out along the A631 with no pavement - via the proposed site allocations consultation doc.

2. It is adjacent to the built form of the village, has great access, little through traffic and ability for safe pedestrian access/egress etc.....I don't need to reiterate all the policies here. It absolutely complies.
3. We already know that Bassetlaw like the site and are disappointed that it had not been put forward. Joelle was very clear on this at the last meeting I attended and I also made it clear that the owners were elderly - and that one of them was extremely ill indeed.
4. Since that Feb 2017 meeting, Ron Moorhouse has sadly passed away. The baton is likely to pass to a younger generation at some stage in the near future - way *before 2034 in any event*. This being the case, it would be entirely **WRONG** for a sustainable (and safe) site to be ruled out beyond the Local Plan lifespan of 2034 because a photo had been cynically lodged under "Protecting and Enhancing our Environment" in the Neighbourhood Plan.

XXXXXX

Conclusion

The 2 x photos selected to represent "PROTECTING AND ENHANCING OUR ENVIRONMENT" are those sustainable sites that have already found favour with the authorities (for obvious reasons). This knowledge is in the public domain - via Nhood Plan meetings and via Planning Portal - *and this is why those photos have been slected/lodged where they have.*

The Nhood Plan is seeking to stop Strategic Allocations via the Local Plan on these sites.

I OBJECT to these photos being used

Regards

Danielle

From: Ann [REDACTED]

To: Danielle Troop [REDACTED]

Cc: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Sent: Tuesday, 28 February 2017, 11:40

Subject: Re: Confirmation of tomorrow afternoon's meeting

Danielle I cannot see anything wrong with the photos what is your objection?

Ann

Sent from my iPad

APPENDIX B – BALLARINI'S MIS-LAY IMPORTANT MINUTES (IN AN ATTEMPT TO ALLOCATE SITES AS FAR AS POSSIBLE AWAY FROM THEIR OWN HOUSE, OUTSIDE THE VILLAGE BOUNDARY, ON ELEVATED FIELDS, IN THE GREEN GAP BETWEEN EVERTON AND DRAKEHOLES)

----- Forwarded message -----

From: Anthony Ballarini [REDACTED]

To: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Sent: Wednesday, 10 May 2017, 13:01:20 BST

Subject: Re: Draft minutes 13 Feb 2017

Dear Danielle,

Thank you for pointing out the problem on the web site with the Minutes dated 13th Feb.

Apparently they were in the wrong year folder and David has now corrected the problem. The Minutes should now be back on the site.

Thanks for spotting the error.

Yours sincerely,

Tony Ballarini

Sent from my iPad

On 10 May 2017, at 00:02, Danielle Troop [REDACTED] wrote:

Dear All

The minutes for 13th Feb are not on the PC website but below is what was sent.

I checked them because that was one of the meetings that I attended and I specifically remembered James Green stating that the far flung sites outside the settlement boundary would NOT count towards the housing target. The attached minutes confirm my recollection **but the Nhood Plan does not reflect this instance.**

APPENDIX C – BALLARINI STANDARD COMMUNICATION STYLE

NB: I NOW REALISE THAT HIS UPSET CENTRED ON THE FACT THAT I SENT MY COMMENTS TO THE WHOLE STEERING GROUP INSTEAD OF JUST TO HIS WIFE (TO CONTROL/EDIT)

From: Danielle Troop [REDACTED]

To: [REDACTED]

Sent: Wednesday, 31 August 2016, 20:12:36 BST

Subject: Re: comments on survey report

Anthony

Please do try to measure your language (both verbal and written).

It is often inappropriate and descends into toe-curling reprimand. You were rude to both Charlie and Doug at the last meeting - and rude to me at the previous meeting. Charlie and Doug were broad shouldered enough to be chuckling. Still, why bother getting yourself so worked up?

Members of the NP Steering Group are not your students.

These are not student/teacher relationships. We are adults. This is a level playing field.

As such, more respectful, less childish, language is required.

Regards

Danielle

NB: I have not provided comment to Louise. I have provided the information requested of me in line with the request from Ann

From: Anthony Ballarini [REDACTED]
To: Danielle Troop [REDACTED]
Sent: Wednesday, 31 August 2016, 11:54
Subject: Re: comments on survey report

Danielle,

Unclear as to what your concerns were about the James Green report apart from a reference to something about a Compulsory Purchase Act. Could you summarise your view for me?

Incidentally, as a group it was agreed that comments should be forwarded through the chair. ***Are you not a part of the group?***

Anthony
Sent from my iPad

On 30 Aug 2016, at 20:40, Danielle Troop [REDACTED] wrote:

Hello

Please see attached my comments on the Scoping Report produced by James Green.

An earlier email from Ann suggested that it was similar to the scoping report produced by Louise. In my opinion, the one from James is much less balanced.

I have sent the info requested of me to Louise.

Minutes etc.. to follow.

Regards

Danielle

APPENDIX X

TIMELINE

1. 10TH OCTOBER 2017 Ballarini comments ref: application 17/01156/OUT - dishonestly categorising the Stonegate site in a way that completely flummoxed us.
2. 12TH OCTOBER 2017 closure of consultation period for 17/01156/OUT
3. 25TH OCTOBER 2017 date of Kirkwells Position Statement ref: Site Allocations - uploaded (despite date of 3.10.17 on document)
4. 26TH OCTOBER 2017 revised site assessments by Luke Brown - uploaded
5. 1ST NOVEMBER 2017 Reg14 consultation on v2 of Neighbourhood Plan commences - and for the first time we see the absurd Stonegate Site assessment that flies in the face of:
 - A. 15/01312/PREAPP - Stonegate Site (27.11.15) - *Residential proposal consistent with Core Strategy Policy CS1 and NPPF*
 - B. 17/00635/OUT - 5 units approved on Stonegate Site (6.7.17) - *Nhood Plan maps show the entire site NP13 as red which is INCORRECT. Circa 35% of it should be shaded green owing to approval 17/00635/OUT*
 - C. APPA3010/W/17/3173194 - 14 units refused on Stonegate Site (14.8.17) - *On design grounds. No reference to "backland development" despite the Parish Council consultation response. In not using their wording/objection, the Appeal Inspector is rejecting the "backland development" wording/objection*
 - D. Planning Policy Site assessments for Bassetlaw Local Plan LAA350 Appendix B (Sept 17) - *"no significant constraints"*
 - E. Planning Policy Site assessments for Bassetlaw Local Plan LAA350 Appendix C (Sept 17) - *Of all Everton sites submitted to the Bassetlaw Call for Sites, Stonegate was the only one deemed suitable/developable (excluding those already with PP).*

Reg 16 CONSULTATION RESPONSE APPENDIX B

----- Forwarded message -----

From: Danielle Troop [REDACTED]
To: Beverley Alderton-Sambrook [REDACTED] David Armiger
<david.armiger@bassetlaw.gov.uk>

Cc: [REDACTED]
[REDACTED]
[REDACTED]

Sent: Monday, 20 November 2017, 22:59:13 GMT
Subject: Everton Neighbourhood Plan Site Assessments

Dear Bev

I hope that you are well.

Please see the attached Conservation Officer response to an application adjacent to a site submitted, by us, to the Everton Neighbourhood Plan.

That adjacent site is located at Stonegate Farm and can be accessed from Mattersey Rd (2 places) and from the A631. It recently achieved outline approval for 5 units but was turned down/dismissed for a larger scheme of 14 based on design grounds and the proximity of one unit to the farm shed/workshop. These elements are easily resolved.....indeed, SHLAA assessments identified the site as "suitable" as recently as September 2017.

Prior to this, the site was deemed suitable through pre-application enquiry - undertaken by Jamie Elliott and for which we paid a fee of over £900. Of course I can forward, if required.

I am looking for serious answers from your department as to why we now face an assessment deeming the site "Unsuitable" by virtue of it being "backland development" (Neighbourhood Plan - Luke Brown).

The only entity, anywhere, who has misused **that** definition (see National Planning Portal) - is the Parish Council. Your Conservation Officer doesn't agree/use it, your Planning Policy Team don't agree and neither do your Development Control Team. The Appeal Inspector certainly never used the term "back land development" anywhere in his report. So why does your Neighbourhood Planner use it???

With the exception of the pre-application (positive) response to the Stonegate site - all the rest:

- a. SHLAA assessment
- b. Approval for 5
- c. Conservation Officer relevant response on adjacent site
- d. Appeal Inspectors Report

are
in the Public Domain.

----- Forwarded message -----

From: Danielle Troop [REDACTED]
To: Beverley Alderton-Sambrook [REDACTED]; Stephen Wormald [REDACTED]
Cc: [REDACTED]

Sent: Monday, 27 November 2017, 23:27:46 GMT
Subject: Meeting required STONEGATE SITE

Bev

As outlined in my email of 20th Nov below, **we will not accept the Luke Brown Stonegate site assessment emanating from your dept.**

A phonecall from Tim Dawson 21st Nov in response to the below, did nothing to clarify the matter beyond confirming that Bassetlaw record-keeping/linking of sites is weak. Tim knew nothing of positive 15/01312/PREAPP (27.11.15) or approval 17/00635/OUT (6.7.17) - which demonstrates his own SHLAA assessment (1.9.17) that the Stonegate site is suitable and deliverable, was made independently. Poor Tim has been unfairly landed with the task of trying to "fudge" the Luke Brown error - but it will not wash.

We were already aware that record-keeping/linking of sites within Planning Policy and Development Control was weak.....it is documented on Planning Portal that Bassetlaw had failed to consult us on sterilising neighbouring site development (Property Arc) - even when we were at Appeal (and live) on the Stonegate site at the time. On that occasion, it was by chance that I saw the site notice within the consultation period. The design was substantially altered as a result of my objection.

The Stonegate site assessment in the Neighbourhood Plan is nothing short of disgraceful (pathetic even). The definition of backland development is designed to cover small landlocked sites ie: garden grabbing:

https://www.planningportal.co.uk/directory_record/119/back-land_development

The reason that none of the other assessments emanating from your dept (ref: Stonegate) use the term - is that it isn't relevant. Even Luke Browns assessment confirms that the site backs onto green field. To this end, I re-attach the Conservation Officer consultation response to the neighbouring site - which also sits behind ribbon development and backs onto open countryside. The Conservation Officer does not use the term "back land development" - he supports the site because it is screened from the road by an existing approval.

I took the liberty of contacting Stephen Wormald last week because the issue is this:

1. YOU - The Council
2. WE - Site Promoters

are both disadvantaged by the Luke Brown assessment. The Council is at risk because we are able to evidence a raft of RECENT Bassetlaw positivity ref: The Stonegate Site.....**and we are at risk because a slip-shod member of Bassetlaw staff (newly appointed) has maliciously excluded our site for non-planning reasons**

OVERLEAF

Please see Conservation Team response to development application on the arable field west of NP13

**Bassetlaw District Council
Heritage/Conservation Consultation**

From: Michael Tagg Conservation Officer		To: Jamie Elliott Development Control Officer	
Application ref: 17/01155/OUT		Date: 31st October 2017	
Proposal	Outline application with all matters reserved for the erection of twenty dwellings		
Location	Land south of Bawtry Road, Everton		
Significance of site	<p>The proposal site comprises an area of agricultural field, which is outside, but within the setting of, the Everton Conservation Area (last designated 16th June 2010). The site is also in the setting of several Listed Buildings, the closest being Davenport House (grade II).</p> <p>The site is behind a strip of land on the road frontage which was recently granted outline permission for the development of 9 dwellings, reference 16/01508/OUT.</p>		
Assessment of proposal	<p>The proposal is in pure outline form with only the principle of development for 20 dwellings up for consideration. Issues of access, appearance, scale, siting and landscaping are all reserved matters.</p> <p>In terms of the principle of development, the site would be set behind the site already granted outline permission, so the majority would be well screened from the road. In addition, the field itself contains no heritage assets and does not make any significant contribution to the setting of the Conservation Area or nearby Listed Buildings, other than it being part of the open countryside.</p> <p>On the basis of the above, it is considered that subject to details, development of this site is unlikely to have any impact on the setting of the Conservation Area or nearby Listed Buildings, so the principle of development would be acceptable. This is, however, subject to an acceptable layout, scale, appearance, siting and landscaping.</p> <p>It is suggested that the following principles be adopted for this site in order to help preserve the setting of the Conservation Area and nearby Listed Buildings:</p> <ul style="list-style-type: none"> + Buildings of one and two storeys; + Steep roof pitches; + Red brick of an appropriate colour and texture; + Non-interlocking natural red clay pantiles; + Timber joinery of an appropriate design on key views into the site; + The inclusion of chimney stacks; + Appropriate boundary treatments (hedges, post and rail, railings, etc), especially those visible from Bawtry Road; and + Buildings sited either perpendicular or parallel (or both) to Bawtry Road. <p>In reaching these views, Conservation has had regard to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy DM8 of the Bassetlaw Core Strategy, Section 12 of the NPPF and guidance contained in the Everton Conservation Area Appraisal & Management Plan.</p>		

These are the views of the Conservation Team only and should be taken into account alongside other material planning considerations (including the merits of the application).