

# **Sturton Ward Neighbourhood Development Plan Review 2021 - 2037**

**A report to Bassetlaw District Council on the Sturton  
Ward Neighbourhood Development Plan Review**

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## **Executive Summary**

- 1 I was appointed by Bassetlaw District Council in June 2021 to carry out the independent examination of the Sturton Ward Neighbourhood Plan Review.
- 2 The examination was undertaken by way of written representations. I visited the neighbourhood plan area on 1 July 2021.
- 3 The Plan includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on allocating housing sites, designating local green spaces and safeguarding its distinctive character.
- 4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Sturton Ward Neighbourhood Plan Review meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

**Andrew Ashcroft**  
**Independent Examiner**  
**3 September 2021**

## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the Sturton Ward Neighbourhood Development Plan Review 2021-2037 ('the Plan').
- 1.2 The Plan has been submitted to Bassetlaw District Council (BDC) by the Sturton Ward Planning Group (SWPG) on behalf of the three parishes of North and South Wheatley, Sturton Le Steeple and North Leverton with Habbleshthorpe. The three parishes make up the Sturton Ward in Bassetlaw District.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF), the most recent version of which was published earlier this year.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the Plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. It seeks to provide a context in which the neighbourhood area can maintain its distinctiveness and identity. It proposes a range of policies which include the identification of housing allocations and the designation of a series of Local Green Spaces.
- 1.6 Within the context set out above, this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome, the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan.

## 2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by BDC, with the consent of the SWPG, to conduct the examination of the Plan and to prepare this report. I am independent of BDC, the SWPG and the three parish councils. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

### *Examination Process and Outcomes*

- 2.4 The initial Sturton Ward Neighbourhood Plan was 'made' by BDC in February 2016. The submitted Plan is identified as a review of the 'made' neighbourhood plan. However, given the scale and nature of the updates and additions to the 'made' Plan, it is accepted by all concerned that the submitted Plan needs both an examination and a referendum. This report proceeds on that basis.
- 2.5 In my role as the independent examiner of the Plan, I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan as submitted proceeds to a referendum; or
  - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
  - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.6 The outcome of the examination is set out in Section 8 of this report.

### *Other examination matters*

- 2.7 In examining the Plan I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
  - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
  - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.

- 2.8 Having addressed the matters identified in paragraph 2.7 of this report, I am satisfied that all of the points have been met.

### 3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submission Plan.
- the Basic Conditions Statement.
- the Consultation Statement.
- the SEA/HRA Screening Statement
- the Design Code.
- the representations made on the Plan.
- the SWPG's responses to the Clarification Note.
- the adopted Bassetlaw Core Strategy 2011.
- the National Planning Policy Framework (July 2021).
- Planning Practice Guidance (March 2014 and subsequent updates).
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 1 July 2021. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. The visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I concluded that the Plan could be examined by way of written representations.

## 4 Consultation

### *Consultation Process*

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 SWPG prepared a Consultation Statement. The Statement is proportionate to the neighbourhood area and its policies.
- 4.3 The Statement records the various activities that were held to engage the local community and the feedback from each event. It also provides specific details on the consultation processes that took place on the pre-submission version of the Plan (July to September 2020).
- 4.4 The Statement sets out details of the comprehensive range of consultation events that were carried out in relation to the various stages of the Plan. They include the following events and processes:
- the use of leaflet drops;
  - the call for sites; and
  - the drop-in events in the three settlements (November 2019).
- 4.5 The details in the Statement set out the nature of the consultation exercises and the responses received. They demonstrate the way in which those responsible for the preparation of the Plan sought to address the expectations of the wider community. A significant part the Statement sets out how the Plan took account of consultation feedback at the pre-submission phase. It does so in a proportionate and effective way. The analysis in Figure 2 helps to describe how the Plan has progressed to its submission stage.
- 4.6 Consultation on the submitted plan was undertaken by BDC. It ended on 19 March 2021. This exercise generated representations from the following organisations:
- Bassetlaw District Council
  - Canal and River Trust
  - Coal Authority
  - Highways England
  - Historic England
  - National Grid
  - Natural England
  - Nottinghamshire County Council
  - Severn Trent Water

- 4.7 In addition a representation was received from a local resident.
- 4.8 I have taken account of all the representations in preparing this report. Where it is appropriate to do so, I refer to specific representations on a policy-by-policy basis.

## 5 The Neighbourhood Area and the Development Plan Context

### *The Neighbourhood Area*

- 5.1 The neighbourhood area is the Sturton Ward of Bassetlaw District. It consists of the separate parishes of North and South Wheatley, Sturton Le Steeple and North Leverton with Habbleshthorpe. Its population in 2011 was 2289 persons living in 1000 households. It was originally designated as a neighbourhood area on 4 April 2012.
- 5.2 The neighbourhood area is an attractive rural area in which isolated and distinctive villages sit within their surrounding agricultural hinterland. It is located within the eastern part of Bassetlaw District. In a wider context, the neighbourhood area sits to the east of Retford and to the south and west of Gainsborough (in Lincolnshire). Its eastern boundary is formed by the River Trent. The neighbourhood area is largely flat. Its topography reflects its location within the wider Trent Washlands. However, it rises to the west towards a distinctive ridge running roughly in a north-south direction.
- 5.3 The three principal villages of North and South Wheatley, Sturton Le Steeple and North Leverton with Habbleshthorpe have pleasant and distinctive characters. Whilst they have different settlement patterns, they contain similar examples of local vernacular buildings with characteristic brick construction and pantile roofing materials. The villages sit comfortably in their agricultural hinterland and several agricultural buildings remain in either their original format or as modified over time. The three smaller settlements of Bole, Fenton and Littleborough also sit comfortably within the rural landscape. The visual impact of the evolution of the neighbourhood area over many centuries is ever present. Littleborough in the east of the Plan area was a strategic Roman settlement (Segelocum) and sits on the former Roman road between Lincoln and Doncaster. It is an important ancient monument. The former West Burton village is also a scheduled ancient monument. There are many fine buildings within the various villages and the church in Sturton Le Steeple is particularly iconic within the context of the Trent Valley. Other buildings such as the North Leverton Windmill and the Old Hall in North Wheatley point to the rich history of the three principal villages.

### *Development Plan Context*

- 5.4 The development plan covering the neighbourhood plan area is the Bassetlaw District Core Strategy and Development Management Policies Development Plan Document 2010 - 2028 ('the Core Strategy'). The Core Strategy sets out a vision, objectives, a spatial strategy and overarching planning policies that guide new development in the Plan period.
- 5.5 Policy CS1 of the Core Strategy provides a focus for new development based on the existing principal settlements in the District. The three separate communities of North Leverton with Habbleshthorpe, Sturton Le Steeple and North and South Wheatley are identified as Rural Service Centres where there will be limited rural growth in the Plan period.

- 5.6 Policy CS8 of the Core Strategy sets out specific development opportunities and requirements for the various Rural Service Centres. In summary these include:

Housing Development - Up to 10% (599 houses) of the District's housing requirement will be delivered in the Rural Service Centres through existing permissions and allocations in the Site Allocations DPD, for the plan period 2010-2028. Residential development proposals will be supported within the development boundary, in line with other material considerations and planning policy requirements. All housing development resulting in a net gain of one or more units will be required to contribute towards the achievement of affordable housing targets. In the case of each of the three settlements, this figure is 25%. This will be either through on-site provision (where appropriate) or through a financial contribution to the delivery or improvement of affordable housing elsewhere within the rural areas of Bassetlaw.

Employment Development - Proposals that deliver rural employment opportunities, of a scale and type appropriate to the settlement and surrounding land uses, will be supported in line with other material considerations and planning policy requirements. Economic development proposals will be supported within development boundaries, in line with other material considerations and planning policy requirements.

Community Facilities - Proposals for the provision of rural community services and facilities will be supported where they are of a scale appropriate to, and accord with the role of, the village. Where no available sites exist within development boundaries, proposals for standalone community services and facilities will be supported on sites outside of, but adjoining, these Boundaries where need and long-term viability is proven and where there is explicit community support for the proposal.

- 5.7 The submitted Plan has been prepared within its wider adopted development plan context. In doing so, it has relied on up-to-date information and research that has underpinned existing planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter. It is clear that the submitted Plan seeks to add value to the Core Strategy and to give a local dimension to the delivery of its policies. This is captured in the Basic Conditions Statement.
- 5.8 The District Council has started work on the production of a new Local Plan. Once adopted, it will replace the Core Strategy. Focused consultation on the Draft Plan took place in June and July 2021 whilst the neighbourhood plan examination was taking place. This process followed on from earlier consultation on the Plan in November 2020 which included strategic policies and proposed site allocations. Whilst BDC has made good progress on the emerging Plan, it is not at a sufficiently-advanced stage to play any significant role in the examination of the submitted neighbourhood plan.

*Visit to the neighbourhood area*

- 5.9 I visited the neighbourhood area on 1 July 2021. I approached from the A57 to the south. This helped me to understand the neighbourhood area in its wider landscape context. It also highlighted its proximity to the floodplain of the River Trent to the east.

- 5.10 I visited the three main settlements in turn. In each case, I looked carefully at the proposed development boundary, the identified views, the proposed Significant Green Gaps and the proposed local green spaces. In doing so, I was able to understand the key elements of the character and appearance of the settlements concerned.
- 5.11 In North Leverton I looked in particular at three general locations. The first was the southern part of the village based on Southgore Lane/Station Road. I saw the proposed Significant Green Gap (SGG09) and the proposed Local Green Space (LGS08) to the west of Southgore Lane. The second was the area to the west of the village off Main Street. I saw the proposed housing allocation (Policy 15a) to the north of Mill Close and its relationship to the railway embankment. I also looked at the proposed Significant Green Gaps to the west of the railway embankment.
- 5.12 I then looked at the two proposed Significant Green Gaps to the north of the village (SGG 04 and 07). I saw their relationship with both the village and the surrounding countryside.
- 5.13 I then drove to Sturton Le Steeple. I looked at the four proposed housing allocations and their wider relationship with the village. I also saw that the various local green spaces and significant green gaps were important features of the character of the village. During the visit I saw the attractive mosaic in the traditional doorway of the School in Church Street and the attractive plant sale in the front garden of the Old Methodist Chapel.
- 5.14 I then drove to North and South Wheatley. Due to their scale and significance, I concentrated my visit on looking at the proposed significant green gaps. I looked in particular at the three gaps to the south-west of Low Street/Haughgate Hill, at Chapel Field, and at the two proposed gaps to the east of the village (SGG01/02). I saw the importance of the footpath running through Chapel Field and the wider significance of the green gaps in the village.
- 5.15 I also took the opportunity to look at the various local green spaces. I saw that they varied significantly in their sizes and roles within the village. In particular I saw the importance of the Recreation Ground (LGS1) and its relationship with the significant green gaps to the immediate east. I took the opportunity to have a few minutes peace and quiet on the Beryl Harrison seat. I also saw the interesting interpretation panel on The Hiring Triangle (LGS3) which supplemented the information contained in the Plan.
- 5.16 I left the neighbourhood area on the A620 to the north of North Wheatley. This helped me to understand further the landscape setting of the neighbourhood area and its connection to the strategic road network (A631).

## 6 The Neighbourhood Plan and the Basic Conditions

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented, informative and professional document.
- 6.2 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
  - contribute to the achievement of sustainable development;
  - be in general conformity with the strategic policies of the development plan in the area;
  - be compatible with European Union (EU) obligations and the European Convention on Human Rights (ECHR); and
  - not breach the requirements of Chapter 8 of 6 of the Conservation of Habitats and Species Regulations 2017 (7).

I assess the Plan against the basic conditions under the following headings.

### *National Planning Policies and Guidance*

- 6.3 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued earlier this year.
- 6.4 The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Sturton Ward Neighbourhood Development Plan:
- a plan led system– in this case the relationship between the neighbourhood plan and the adopted Bassetlaw Core Strategy;
  - delivering a sufficient supply of homes;
  - building a strong, competitive economy;
  - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
  - taking account of the different roles and characters of different areas;
  - highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
  - conserving heritage assets in a manner appropriate to their significance.
- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic

needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.6 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and the recent ministerial statements.
- 6.7 Having considered all the evidence and representations available as part of the examination, I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the neighbourhood area. It includes a series of policies that address a range of housing development and environmental matters. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.8 At a more practical level, the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance in March 2014. Paragraph ID:41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.9 As submitted, the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

*Contributing to sustainable development*

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. I am satisfied that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, it includes a policy on windfall sites (Policy 1), policies on residential allocations (Policies 13-15) and policies for tourism and employment development (Policies 7 and 8). In the social role, it includes policies on community facilities (Policy 11) and on local green spaces (Policy 3). In the environmental dimension, the Plan positively seeks to protect its natural, built and historic environment. It includes specific policies on landscape character (Policy 2a), biodiversity (Policy 2b) and flooding (Policy 4). This assessment overlaps with the commentary on this matter in the submitted Basic Conditions Statement.

*General conformity with the strategic policies in the development plan*

- 6.11 I have already commented in detail on the development plan context in the wider Bassetlaw District in paragraphs 5.4 to 5.8 of this report.

- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted Core Strategy. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the Core Strategy. Subject to the recommended modifications in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

*European Legislation and Habitat Regulations*

- 6.13 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required. In order to comply with this requirement, a Screening Determination on the need for a Strategic Environmental Assessment (SEA) for the Neighbourhood Plan was prepared by BDC in March 2021. The report is thorough and well-constructed. As a result of this process, BDC concluded that the Plan is not likely to have any significant effects on the environment and accordingly would not require the preparation of a SEA.
- 6.14 The screening report includes the responses from the three consultation bodies. This is best practice.
- 6.15 BDC also prepared a Habitats Regulations Assessment (HRA) of the Plan at the same time. The report is very thorough and comprehensive. It assesses the likely effects of the implementation of the policies in the Plan on the potential Sherwood Forest SPA. For completeness, it also assesses the impact of the Plan on four Sites of Special Scientific Interest which are within the immediate vicinity of the neighbourhood area (Lea Marsh, Ashton's Meadow, Clarborough Tunnel and the Chesterfield Canal). It concludes that the neighbourhood plan will not give rise to likely significant effects on European sites, either alone or in combination with other plans or projects, and that Appropriate Assessment is not required.
- 6.16 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns with regard to either neighbourhood plan or to European obligations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.
- 6.17 In a similar fashion, I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

### *Summary*

- 6.18 On the basis of my assessment of the Plan in this section of the report, I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report. Section 7 assesses each policy against the basic conditions. Where necessary, it recommends modifications on a policy-by-policy basis.

## 7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and the SWPG have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (41-004-20170728) which indicates that neighbourhood plans must address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies, they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

### *The initial sections of the Plan (Sections 1-7)*

- 7.8 The Plan as a whole is well-organised and includes effective maps, tables and photographs. It makes an appropriate distinction between the policies and their supporting text. Its design will ensure that it will comfortably be able to take its place as part of the development plan in the event that it is eventually 'made'. The initial elements of the Plan set the scene for the policies. They are proportionate to the Plan area and the subsequent policies.
- 7.9 Sections 1 and 2 comment about the background to neighbourhood planning. They also helpfully describe the local planning context within which the Plan has been prepared. They include a map of the designated neighbourhood area (Map 1) and an indication of the Plan period (in paragraph 2.22). These parts of the Plan also explain the need for a review of the 'made' neighbourhood plan.
- 7.10 Section 3 summarises key features of the neighbourhood area. It provides a summary of the local environment and the community facilities available to local people.
- 7.11 Section 4 comments about the challenges and opportunities of the neighbourhood area. It is a particularly successful part of the Plan. It provides detailed information about demographic issues and the importance of sustaining local businesses.

- 7.12 Sections 5 and 6 set out the Plan's Community Vision and the supporting Community Objectives respectively. In their own ways, they are well-developed and distinctive to the neighbourhood area and reflect the issues identified in Section 4.
- 7.13 Section 7 comments about the importance of developers engaging with the community as they seek to bring forward proposals. It establishes a 'Key Principle' on this matter.
- 7.14 Thereafter the Plan addresses a series of matters on a topic basis. The topics generate policies and are set out in sections. The numbering of the sections works well up to Section 12. Thereafter it goes out of sequence. I recommend that the SWPG addresses this matter in the referendum version of the Plan.

*Renumber the sections of the Plan after Section 12*

- 7.15 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

Housing Delivery

- 7.16 The Plan has sought to deliver the housing growth for the neighbourhood area as anticipated in the emerging Local Plan. Policy ST1 of the emerging Local Plan sets out a requirement for 10013 dwellings in the District between 2020 to 2037. This overall figure includes about 1500 dwellings in small rural settlements on appropriate sites within development boundaries or on-site allocations in neighbourhood plans by up to 5% of the existing number of homes in the parish concerned.
- 7.17 The submitted Plan delivers the local growth anticipated in the emerging Plan. This limited growth reflects the extent of local facilities and the availability of suitable sites. The submitted Plan allocates sites to allow for a scale of growth compatible with the policy intent of Policy ST2 (Rural Bassetlaw) of the emerging Local Plan. This has been designed to maximise the input from the community in considering the most suitable sites and to ensure that development decisions can be policy-led. The SWPG organised a 'call for sites consultation' in 2018 and commissioned AECOM to assess the sites which came forward.
- 7.18 Policies 13 to 15 of the Plan allocate sites for development. I address them later in this report. Part of the context for their development has been weaved in to Policies 1 and 2 of the Plan which set out a broader spatial strategy for development and identify development boundaries. In the round, I am satisfied that this approach meets the basic conditions. The Plan has responded positively to the national and local growth agenda. In particular I am satisfied that the modest amount of growth promoted in the Plan does not conflict with the broader approach to housing delivery as set out in the adopted Core Strategy.

Policy 1: Sustainable development, Infill and Development boundaries

- 7.19 This policy comments about sustainable development in the three parishes. It seeks to ensure that new development is concentrated with identified development boundaries. The policy sets a wider spatial strategy for the Plan. Development boundaries are

identified for each of the three principal communities in the neighbourhood area (in Maps 2a to 2c).

- 7.20 The first part of the policy offers support for development within the development boundaries which satisfy a series of criteria (and which are a local expression of sustainable development). I am satisfied that the criteria are appropriate and distinctive to the neighbourhood area and will provide BDC with a clear policy framework within which to determine planning applications. In several respects they overlap with other policies in the Plan.
- 7.21 The second part of the policy comments that within the development boundaries, residential development on infill sites will normally be limited to one or two dwellings unless a greater number would not lead to a site becoming overdeveloped and out of scale with the immediate character of the locality. On the one hand, the layout of the various settlements will naturally ensure that infill developments will be of a limited nature. However, on the other hand, the policy approach is onerous and is not underpinned by any detailed justification. In any event scale, density and layout matters are already addressed generally in the second criterion of the first part of the policy.
- 7.22 Taking all matters into account I recommend the deletion of the second part of the policy. With appropriate modifications I am satisfied that paragraph 8.9 of the Plan can remain as a guide to the level of development anticipated.
- 7.23 The third part of the policy comments that housing development may also be permitted on land adjacent to the development boundaries where it can be demonstrated that it would directly meet the housing needs of the area and improve the viability, accessibility or community value of existing services and facilities in the settlement. On the one hand, this is a positive approach which will assist in the delivery of new housing. On the other hand, it goes beyond the approach in national and local policy. In doing so, it has the ability to hinder the development of the sites allocated in the Plan itself. In most cases, the proposed allocated sites are within the identified development boundaries and may have the traditional site clearance and other infrastructure costs associated with their development. In all the circumstances I recommend that this element of the policy takes on a more neutral stance and which would relate to national and local policy. In doing so, this approach will provide the other element of the spatial strategy for the neighbourhood area to complement the approach in the first part of the policy. This will also have the benefit of future-proofing the Plan when the emerging Local Plan replaces the Core Strategy.

#### **Delete the second part of the policy**

**Replace the third part of the policy with: ‘Development proposals outside the defined development boundaries will be carefully controlled in accordance with national and local planning policies’**

*Replace paragraph 8.9 with: ‘The Neighbourhood Plan defines limited infill as the completion of an otherwise substantially built-up frontage by filling a small gap. The second criterion of the first part of Policy 1 comments about the need for infill development to be of a scale, density, layout and design that is compatible with the*

*character, appearance and amenity of that part of the Ward in which the proposal is located, as defined in the Sturton Ward Design Code (2020). In most cases infill sites will be capable of accommodating one or two dwellings'*

Policy 2a Protecting the landscape character, significant green gaps and key views

7.24 This policy celebrates the landscape character of the neighbourhood area. It identifies a series of key views which development proposals need to respect. It also identifies a series of Significant Green Gaps (SGGs). The policy has four related parts as follows:

- a general element on the need for developments to take account of landscape character;
- the designation of Significant Green Gaps in which development will be carefully controlled;
- an element which comments on the potential impact of development and the scope for mitigation; and
- the relationship between new development and the Sturton Ward Design Code.

7.25 I recommend a detailed modification the first part of the policy to ensure that it meets the basic conditions. It will ensure that the policy is applied on a proportionate basis. As submitted, the policy simply refers to all development without acknowledging that the majority of development proposals will be of a minor or domestic nature and may not directly impact on the policy.

#### SGGs

7.26 The SGGs are parcels of land either within the three settlements or on the edge of the defined development boundary. I looked at them carefully during the visit both in their own right and to establish the extent to which they would bring added value to the second part of Policy 1 of the Plan which effectively addresses development in the countryside. I sought the views of the SWPG on this issue in the clarification note. The response commented as follows:

*'Significant Green Gaps (SGGs) were perceived to be a particularly important part of the Neighbourhood Plan revision by the Planning Group, especially in the villages of North and South Wheatley and Sturton Le Steeple where it is felt that development has the potential to erode rural character within the villages, as well as on the outskirts. Designating SGGs was perceived to be an effective way of identifying open spaces that contribute to the landscape character and which would be more sensitive to change. The SGGs are either pleasant rural "snapshots" (for example, SGG04, SGG05 and SGG09 in North and South Wheatley or larger spaces on the periphery of villages which are integral to setting the overall character of the settlements (for example, SGG01 and SGG06 in Sturton Le Steeple). This emphasis on rurality would, we believe, be missing without the use of Significant Green Gaps. It is also worth noting that there have historically been high volumes of infill in Sturton Ward and this has – in the opinion of some residents – slowly eroded the overall character of the villages. The Steering Group believes the allocation of Significant Green Gaps provides additional local detail appropriate in a Neighbourhood Plan that will help to arrest this worrying trend.'*

- 7.27 I have considered this matter very carefully. Based on the information within the Plan and my own observations of the various parcels of land, I am satisfied that the concept of SGGs meets the basic conditions. In particular they reflect the character and layout of the individual settlements and, in some cases, highlight their interplay with the surrounding countryside. Development proposals which would affect the identified SGGs are addressed in the second part of the policy. I recommend modifications to its format so that it explicitly designates the SGGs and provides a closer connection to the development management process. Otherwise, it meets the basic conditions.
- 7.28 The next paragraphs of this report (7.29 to 7.36) comment on specific proposed SGGs. In each case I set out the issue, the response from the SWPG and any recommended modifications

*Sturton-Le-Steeple SGG01*

- 7.29 In the clarification note I asked the SWPG to advise if the south-western boundary of the proposed SGG was artificial in nature. It responded that this was the case and that the view to the south-west is uphill, meaning the drawn boundary is towards the top of this peak.
- 7.30 I looked at this issue carefully during the visit. On balance I am satisfied that the approach taken meets the basic conditions. In particular it reflects the significance of the parcel of land in the wider context of the village. In addition, whilst the boundary is artificial, it can be readily distinguished by reference to the adjacent property boundaries.

*North Leverton SGG04/07*

- 7.31 In the clarification note I asked the SWPG to advise about the specific purpose of these proposed SGGs fulfil given that they are on the northern edge of the village. It commented that 'they were perceived to be notable visual breaks between the start of North Leverton and outlying properties beyond the established village boundary. It was felt to be important to protect these spaces or, in due course, development may extend to the north towards Sturton Le Steeple. North Leverton has the lowest number of SGGs of the three villages, so protecting SGGs near the Development Boundary was deemed especially important by the Planning Group'.
- 7.32 I looked at this issue carefully during the visit. Based on the evidence available to me, I am not convinced that the designation of the two parcels of land as SGGs meets the basic conditions. The character, appearance and function of the two parcels of land are very different from other proposed SGGs. In particular they are unexceptional parcels of agricultural land on the northern outskirts of the village. Paragraph 9.46 of the Plan comments that the two SGGs create an attractive entrance to the village from the north, and public footpaths criss-cross these fields in places. The footpaths are used frequently by residents of the village and visiting ramblers, and are part of historic routes to the nearby villages of Fenton, Coates, Sturton Le Steeple and Littleborough. Whilst I have considered the importance of the various footpaths, they are safeguarded by other legislation. In these circumstances, I recommend the deletion of the two SGGs from the Plan.

*North Leverton SGG09*

- 7.33 In the clarification note I asked the SWPG to advise about the potential conflict between the proposed SGG designation and the extant planning permission 19/00265/RES. It commented that ‘this matter appears to be a mistake by the Planning Group. We would prefer green space to be preserved at the eastern boundary of this development but note that this is not currently part of the approved landscaping layout uploaded to BDC’s Planning Portal. SGG09 should be removed from the Plan on this basis’.
- 7.34 In these circumstances I recommend the deletion of the SGG. It is inappropriate for a proposed designation in a neighbourhood plan to seek (directly or indirectly) to interfere with an extant planning permission.

*North/South Wheatley SGG09*

- 7.35 In the clarification note I asked the SWPG to advise about the extent to which it was realistic to propose a SGG on the parcel of land concerned without any reference to the land to its immediate south. It commented that ‘the land to the south of SGG09 could be referenced directly in the Plan text if this is helpful. The buildings down this lane are sporadic in nature, and we know that Highways opposes significant development in this direction. Given the popularity of walking down Muspitt Lane and SGG09’s role in acting as a break between North and South Wheatley (together with SGG03), it was felt to be a suitable SGG’.
- 7.36 I looked at this issue carefully during the visit. On balance I am satisfied that the approach taken meets the basic conditions. In particular it reflects the significance of the parcel of land in the wider context of the village. In addition, the proposed boundary is largely legible on the ground and can be distinguished by reference to the adjacent property boundaries to the south.

*The identified views*

- 7.37 The identified views are a good reflection of the character of the neighbourhood area. I am satisfied that their identification meets the basic conditions. In its response to the clarification note, SWPG clarified that the identified views were those highlighted in the Design Code. I recommend that the supporting text is modified to clarify this matter.
- 7.38 The third part of the policy comments in general terms about the importance of SGGs and the identified views to the neighbourhood area. However, it does not establish a robust policy to safeguard the identified views and reads as supporting text. I recommend a modification to remedy this issue. Its approach is that development proposals should respect the views highlighted on Maps 5a to 5c by careful attention to their layout, massing and height.

*Other comments*

- 7.39 I recommend detailed modifications to the wording of the fourth part of the policy so that it has the clarity required by the NPPF.

- 7.40 In a general sense, the Plan identifies SGGs based on the three settlements and provides three separate numbering sequences. For clarity I recommend that the SGGs are renumbered in sequence to avoid any potential confusion associated with three SGGs with the same number.

**In the first part of the policy replace ‘All development proposals’ with ‘As appropriate to their scale, nature and location development proposals’**

**Replace the second part of the policy with: ‘The Plan designates the parcels of land shown on Maps 6a, 6b and 6c as Significant Green Gaps. Development proposals should demonstrate how they would safeguard the positive contribution made by the affected Significant Green Gap to the landscape and character of the neighbourhood area, the role and character of a settlement affected and, where appropriate its relationship with settlements around the neighbourhood area. Development proposals which would have an unacceptable impact on the character of an identified Significant Green Gap will not be supported’**

**Replace the third part of the policy with: ‘Development proposals should respect the views highlighted on Maps 5a, 5b and 5c by careful attention to their layout, massing and height. Development proposals which would have an unacceptable impact on the identified views will not be supported’**

**In the fourth part of the policy replace ‘are required to’ with ‘should’ and ‘possible’ with ‘practicable’**

*Delete North Leverton SGG04/07 from Map 6c.*

*Delete paragraph 9.46.*

*In paragraph 9.33 insert the following after the first sentence: ‘The identified views are those included in the Design Guide’*

*Renumber the LGSs in sequence order rather than in settlement order.*

#### Policy 2b Enhancing biodiversity

- 7.41 This policy comments that proposals which would enhance biodiversity will be supported. It provides a specific series of enhancements which be supported. It also provides a strategic context for biodiversity net gain in general and to the Nottinghamshire Local Biodiversity Action Plan in particular.
- 7.42 The policy provides a positive response to this matter and has regard to national policy. I recommend a modification to the opening element of the first part of the policy so that there is a more natural relationship between the general approach and the specific examples of biodiversity enhancement. Otherwise, the policy meets the basic conditions.

**Replace the opening element of the first part of the policy with: ‘Proposals which would improve existing environmental assets and enhance biodiversity will be supported. The following enhancements will be particularly supported:’**

Policy 3 Local Green Spaces

- 7.43 This policy proposes a series of local green spaces (LGSs). The Plan includes details about the way in which it considers that the various LGSs meet the criteria for such designations in the NPPF. The approach taken incorporates details about each site, a photograph and an individual map. I looked carefully at the proposed LGSs when I visited the neighbourhood area.
- 7.44 Based on my own observations and the information in the Plan, I am satisfied that the proposed LGSs meet the basic conditions. In several cases they are precisely the types of green spaces which the authors of the NPPF would have had in mind in preparing national policy. The Village Green (LGS3 Sturton) and the Recreation Ground (LGS1 North and South Wheatley) are particularly good examples of informal and formal LGSs respectively.
- 7.45 In its representation, BDC commented about the details of three of the proposed LGSs. Based on this representation and the SWPG’s response to the clarification note I recommend detailed modifications to the extent of the three identified LGSs as follows:
- LGS1 (Map 8a) – the deletion of the outbuilding associated with a neighbouring property.
- LGS6 (Map 8c) – the exclusion of the Church building itself from the defined LGS.
- LGS8 (Map 8c) – the exclusion of the access tracks which connect the road to the parcel of land to the east.
- 7.46 In addition, I am satisfied that the proposed package of LGS designations would accord with the more general elements of paragraph 101 of the NPPF. Firstly, I am satisfied that their designation is consistent with the local planning of sustainable development. They do not otherwise prevent sustainable development coming forward in the neighbourhood area and no such development has been promoted or suggested. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. Indeed, they are established elements of the local environment and, in most cases, have existed in their current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the proposed LGSs would not endure beyond the end of the Plan period.
- 7.47 The second part of the policy sets out the implications for LGS designation. It seeks to follow the approach as set out in paragraph 103 of the NPPF. However, it goes beyond that approach in indicating that developments will only be supported where it would not ‘have an adverse effect on the openness or special character of these local green spaces’
- 7.48 Given the diversity of proposed LGSs, I can understand the circumstances which have caused the parish councils to design the policy in this way. Nevertheless, I recommend

a modification so that the policy takes the matter-of-fact approach in the NPPF. The recommended modification also takes account of the recent case in the Court of Appeal on the designation of local green spaces and the policy relationship with areas designated as Green Belts (2020 EWCA Civ 1259).

- 7.49 In the event that development proposals affecting designated LGSs come forward within the Plan period, they can be assessed on a case-by-case basis by BDC. In particular BDC will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the 'very special circumstances' required by the policy. I recommend that the supporting text clarifies this matter.
- 7.50 The Plan identifies LGSs based on the three settlements and provides three separate numbering sequences. For clarity, I recommend that the LGSs are renumbered in sequence to avoid any potential confusion associated with three LGSs with the same number.

**Replace the second part of the policy with:  
'Development proposals within the designated local green spaces will only be supported in very special circumstances'**

*On Maps 8a and 8c amend the boundaries of the LGS as follows:*

*LGS1 (Map 8a) – the deletion of the outbuilding associated with a neighbouring property.*

*LGS6 (Map 8c) – the exclusion of the Church building itself from the defined LGS.*

*LGS8 (Map 8c) – the exclusion of the access tracks which connect the road to the parcel of land to the east.*

*At the end of paragraph 10.2 add: 'Policy 3 identifies a series of local green spaces and sets out a policy which follows the matter-of-fact approach in the NPPF. In the event that development proposals come forward on the local green spaces within the Plan period, they can be assessed on a case-by-case basis by the District Council. In particular it will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the 'very special circumstances' required by the policy'.*

*Renumbered the LGSs in sequence order rather than in settlement order.*

Policy 4 Reducing the risk of flooding

- 7.51 This policy seeks to ensure that the risk of flooding is managed and reduced. It is underpinned by extensive supporting text. The eastern boundary of the neighbourhood area is the River Trent and much of its eastern part is within the River's floodplain (flood zone 3). By definition much of the neighbourhood area is low-lying. Drains and ditches form field boundaries which run across the countryside and through the settlements. Surface water flooding is a significant factor and flooding has affected all the larger settlements to some extent in the past decade.

- 7.52 The policy incorporates a series of related requirements including:
- a general assessment of the relationship between the development concerned and flooding;
  - setting out support for new flood infrastructure;
  - the requirement for the use of sustainable drainage facilities;
  - the requirement for a net decrease in surface water run off; and
  - a restriction on new dwellings for water usage.
- 7.53 The policy responds positively to this important matter for the neighbourhood area. In particular it has regard to national policy (NPPF Section 14).
- 7.54 The third part of the policy requires that developers should discuss drainage issues with the relevant agencies before submitting planning applications. Plainly this is best practice. Nevertheless, it is a process issue rather than a matter of policy. In these circumstances I recommend that this part of the policy is deleted. However, given its potential importance, I recommend that it is repositioned in the supporting text.
- 7.55 The fourth part of the policy comments about the need for sustainable drainage measures for new development. In some cases, these measures will not be needed based on the nature of the proposal and on the basis of national policy as contained in Section 14 of the NPPF. I recommend modifications to this part of the policy to address this issue.

**Delete the third part of the policy.**

**In the fourth part of the policy replace ‘where practicable’ with ‘where necessary and practicable’**

*At the end of paragraph 11.14 add: ‘The careful consideration of the relationship between new development, drainage capacity and infrastructure will be an important matter in the Plan period. As appropriate to the nature of an emerging proposal applicants should demonstrate that appropriate discussions have been held with the sewerage undertaker to enable the delivery of infrastructure improvements (where required), in line with intended programme of the development.’*

**Policy 5 Well-designed places**

- 7.56 This policy provides a very positive and well-considered approach to the national design agenda. It is based on the character work undertaken for the Design Code and as summarised in Table 4 of the Plan.
- 7.57 The policy has been very well-developed. In particular it takes account of the National Design Guide and the assessment of character areas in its own Design Code. This ensures that it is very distinctive to the neighbourhood area.
- 7.58 I recommend that the first element of the policy is recast. This will resolve its slightly unclear format in the submitted Plan.
- 7.59 I also recommend that the second part of the policy is modified so that it would be applied on a proportionate basis. This will acknowledge that most of the proposals

which come forward in the Plan period will be in the development boundary and minor in nature. I also recommend that this approach is incorporated into wider modifications to the opening element of the second part of the policy. This will ensure that there is a more natural flow between the two parts of the policy.

- 7.60 The third part of the policy comments about the design of development on the edge of a settlement. Plainly this will be an important matter where it arises. However, other policies in the Plan address the principle of such development. In these circumstances, I recommend a modification to this part of the policy so that it refers to the principle of development as established elsewhere in the Plan.
- 7.61 The fourth part of the policy comments about the need for a report on how a proposal would meet national design standards. The preparation of such a report would provide helpful information for BDC as it determines planning applications. Nevertheless, this is a process matter rather than a land use policy. As such I recommend that the matter is repositioned into the supporting text.
- 7.62 Whilst the Plan was prepared and submitted before the 2021 version of the NPPF was published it is underpinned by a range of assessments and detailed studies as highlighted in paragraph 129 of the most recent version of the NPPF. In this context, I am satisfied that the policy meets the basic conditions. It will assist significantly in delivering the environmental dimension of sustainable development.

**Replace the first part of the policy with: ‘As appropriate to their scale, nature and location development proposals should demonstrate a high design quality that will contribute positively to the character of the Ward and respond positively to the Sturton Ward Design Code (Appendix I)’**

**Replace the opening element of the second part of the policy with: ‘As appropriate to their scale, nature and location development proposals should’**

**In the third part with: ‘Where development on the edge of a settlement meets the requirements of national and local planning policies and Policies 1,7 and 8 of this Plan, its design should respond positively to the following criteria insofar as they apply to the particular proposal:’**

**Delete the fourth part of the policy.**

*At the end of paragraph 12.8 add: ‘High-quality design should be demonstrated by a report showing how the scheme accords with national design standards (for example Building for a Healthy Life 12 or equivalent) and would be expected to achieve in line with acceptable thresholds (unless it can be demonstrated that there are constraints which make this unviable).’*

Policy 6 Protecting the historic environment

- 7.63 This policy has two related parts. The first sets out general principles for development in the North and South Wheatley conservation area. The second part comments specifically about the gardens, open spaces and fields to the south of North and South

Wheatley which form part of the special interest of the Conservation Area. The policy is underpinned by detailed supporting text.

- 7.64 The policy takes an appropriate approach to this important matter. It will bring local details to the approach set out in Section 16 of the NPPF.
- 7.65 I recommend modifications to paragraph 11.2 as highlighted by BDC. This will ensure that the Plan uses the correct technical language. Otherwise, it meets the basic conditions.

**In the first part of the policy replace ‘Planning applications’ with ‘Development proposals’**

**In the second part of the policy replace ‘permitted’ with ‘supported’**

*Replace paragraph 11.2 with: ‘Consultation feedback showed that local people cherish the character of their built and natural environment. The Plan area is rich in its amount and variety of heritage (buildings and spaces). Many of these are regarded as designated heritage assets, (such as listed buildings and Scheduled Ancient Monuments) and are included on the National Heritage List for England, which is overseen by Historic England. However, there are some buildings which are regarded as ‘locally listed’, and are monitored by the District Council, which has produced their own guidance and criteria concerning Locally listed Buildings, otherwise known as non-designed heritage assets.’*

Policy 7: Tourism Development

- 7.66 The policy comments about tourism development. Paragraph 12.1 comments that the community ‘supports policies that promote the tourism potential of the Plan area. The various Roman sites, the Saxon Church next to the Old Trent Crossing and the history of the Pilgrim Fathers provide a rich source of interest. The community also appreciates the economic benefits that would accrue from sensitively-designed development to provide information that helps tourists navigate the Ward’.
- 7.67 The policy has two main elements. The first sets out a range of criteria which will apply to proposals for tourism development in the development boundary. The second sets out circumstances where proposals for tourism-related development outside the development boundaries would be supported. Whilst the intention of the policy is clear, it is arranged in an unclear fashion. I recommend modifications to remedy this matter. They will bring the clarity required by the NPPF.

**Replace the policy with: Development proposals for new buildings, conversions and changes of use for tourism development within the development boundary will be supported where:**

- **they are appropriate in their location, scale and design;**
- **they would not cause unacceptable harm to the character and appearance of the natural and historic assets of the neighbourhood area;**
- and**

- **they would not cause unacceptable harm to the heritage importance of the existing building.**

**Development proposals for new buildings, conversions and changes of use for tourism development outside the development boundary will be supported where:**

- **the main purpose of the development is to inform and interpret features of historic and archaeological interest in the Plan area; or**
- **the proposal would provide overnight accommodation for visitors, and bed and breakfast accommodation in particular.**

Policy 8 Supporting the local economy

7.68 This policy sets out to support the local economy. It has two related parts. The first offers general support to commercial activities subject to a series of criteria. The second offers specific support to proposals for home working.

7.69 The policy takes a positive approach to this important matter and which has regard to national policy. In particular it has taken account of the changes to the Use Classes Order in 2020. I recommend modifications to the wording used in the criteria within the first part of the policy to bring the clarity required by the NPPF. I recommend that the second part of the policy acknowledges that many proposals for home working and where a material change of use of the premises concerned does not take place may not need planning permission. Otherwise, the policy meets the basic conditions. It will do much to deliver the economic dimension of sustainable development in the neighbourhood area.

**In d) and e) insert ‘unacceptable’ before ‘detrimental’**

**In the second part of the policy replace ‘Development to enable home working is’ with ‘Insofar as planning permission is required, development to enable home working will be’**

Policy 9 Improving broadband and mobile connectivity

7.70 The policy comments about improvements to broadband and mobile connectivity. The Covid pandemic has highlighted the importance of such connectivity to local communities. The policy has three related parts as follows:

- all new residential development in the Plan area should be served by superfast Broadband connection installed on an open access basis;
- all other new buildings should be served with this standard of connection when available unless it can be demonstrated through consultation with the service provider that this would not be possible, practical or economically viable; and
- the roll-out of 4G and 5G wireless communications technologies will be supported unless they lead to the erection of permanent structures which are perceived to damage the landscape character of the Ward.

- 7.71 The approach taken in the policy is commendable. However, in some cases, the policy will be implemented by the activities of the service providers rather than by developers through the development management process. Similarly, other works may benefit from either permitted development rights or be exercised by the prior notification regime. I recommend modifications to the policy to reflect the extent of the control which can be exercised by the planning system.

**Replace the policy with:**

**‘Insofar as planning permission is required proposals for the roll-out of 4G and 5G wireless communications technologies will be supported unless they involve the erection of permanent structures which would cause unacceptable harm to the landscape character of the neighbourhood area.**

**Wherever it is practicable to do so new developments should be served by superfast Broadband connection installed on an open access basis.’**

Policy 10 Housing Mix and Type

- 7.72 This policy comments that proposals for new housing should include a mix and type of houses. It has a specific focus on the need for 2 and 3 bed houses in North and South Wheatley and in Sturton Le Steeple and more generally across the neighbourhood area for homes which respond to the needs of older persons.
- 7.73 The policy is underpinned by extensive supporting text (paragraphs 14.1 to 14.22). The information makes a compelling case for the approach taken in the policy.
- 7.74 I recommend detailed modifications to the first part of the policy to bring the clarity required by the NPPF. Otherwise, it meets the basic conditions.
- 7.75 The second part of the policy comments that housing that meets the needs of older people should be located within walking distance of local facilities. This approach is entirely sensible. However, as submitted, the policy does not define the walking distance acceptable to older persons. Equally, the policy cannot guarantee that local facilities will continue to be available within the Plan period. In all the circumstances, I recommend that this part of the policy is deleted. However, given the importance of the matter I recommend that it is repositioned in to the supporting text.

**Replace the opening element of the first part of the policy with: ‘Development proposals will be supported which provide a mix of housing types and sizes with a particular focus on:’**

**Delete the second part of the policy**

*At the end of paragraph 14.22 add: ‘Housing proposals designed to meet the needs of older people should ideally be located within walking distance of local facilities.’*

Policy 11 Community Facilities

- 7.76 This policy celebrates the importance of community facilities in the neighbourhood area. It has five related parts as follows:

- the identification of key community facilities and their safeguarding;
- the identification of a limited number of circumstances where proposals for the loss of an identified facility would be supported;
- offering support for the development of new community facilities;
- proposals for the relocation of community facilities; and
- offering support for new facilities in North Leverton.

7.77 The policy is well-developed. In particular it acknowledges the importance of community facilities to the well-being of the neighbourhood area. In addition, I am satisfied that the identified facilities in Table 7 are appropriate to the neighbourhood area.

7.78 The second part of the policy takes a flexible approach to proposals which may affect the identified facilities. It takes account of changing circumstances and commercial viability.

7.79 There is a degree of overlap between some of the identified community facilities in Table 7 and some of the proposed LGSs (as identified in Policy 3). I recommend that the facilities which have been designated as LGS are removed from Table 7. Whilst they are important community facilities in their own right, the protection afforded by LGS designation will have a greater effect in the Plan period. This matter was accepted by the SWPG in its response to the clarification note on this matter. I also recommend that the facilities described in Table 7 are shown on a map. Whilst in some cases their location is obvious, a map would result in the Plan having the clarity required by the NPPF.

7.80 I recommend modifications to the third and fourth parts of the policy. Whilst their approaches remain unchanged, their modified wording would have the clarity required by the NPPF for a development plan policy.

7.81 The fifth part of the policy offers support for new community facilities in North Leverton. Such an approach is acceptable in principle. However as submitted the policy does not have the clarity recommended by the NPPF. I recommend modifications to remedy this matter. In doing so I recommend that the reference about developments outside the development boundary is repositioned into the supporting text.

**Replace the third part of the policy with: ‘Insofar as planning permission is required proposals for the improvement or the adaptation of community facilities will be supported’**

**Replace the fourth part of the policy with: ‘Proposals for the relocation of community facilities will be supported where the new location is accessible to local people and the new facility provides an equivalent community offer to the one it would replace’**

**Replace the fifth part of the policy with: ‘Proposals for the provision of a building for community use in North Leverton will be supported provided that it does not have an unacceptable impact on the amenities of residential properties in the immediate locality of the site’**

*Remove the following parcels of land which have been identified as LGS from the contents of Table 7:*

- *North and South Wheatley – Recreation Ground, tennis courts and clubhouse cricket pitch and pavilion, LGS01.*
- *North and South Wheatley – Bowling Green, LGS02.*
- *Sturton Le Steeple – playing field with children’s play area, also called the village green, LGS03.*
- *North Leverton – Blacksmiths Playing Field and Community Garden, LGS05.*

*Show the community facilities (as described in Table 7) on a map (or maps for each of the three settlements).*

*At the end of paragraph 15.9 add: ‘Where no suitable sites exist within the development boundary, sites adjoining the boundary may be suitable where it can be shown that the proposal has community support’*

#### Policy 12 Energy Efficiency in Design

- 7.82 This policy comments about the development of low carbon homes that maximise water efficiency and the generation of renewable and low carbon energy resources. It offers support for such development subject to a series of criteria.
- 7.83 The policy takes a positive approach to this important matter. I recommend modifications to ensure that the policy has the clarity required by the NPPF. In particular I recommend modifications to the opening element of the second part of the policy so that it has a more natural relationship with the first part. I also recommend the deletion of the final criterion of the second part of the policy given that the benefits of energy efficiency are more general in their nature and each proposal will contribute as related to its scale and nature.

**Replace the opening element of the second part of the policy with: ‘In particular proposals for low carbon homes should’**

**In the second part of the policy:**

- **in b) replace significant with unacceptable**
- **delete criterion g)**

#### Housing Allocation Policies

- 7.84 The remainder of the Plan consists of a series of site allocation policies. Section 17 describes the approach which was taken to select the package of sites and the way in which they have been refined during the plan-making process.
- 7.85 There is a healthy and clear relationship between the work undertaken by AECOM on the wider Design Code and its associated assessment of the various site options. This part of the Plan also demonstrates the way in which local people have been engaged in the wider process and have informed the outcomes (as now included in the submitted Plan).

7.86 I comment briefly on each site on a policy-by-policy basis based on the evidence in the Plan itself and based on my own observations. However, in general terms, I am satisfied that the site selection process has been thorough, robust and evidence-based. In particular:

- the various allocations are well-related to the settlement in which they are located;
- the various policies include criteria which are distinctive to the site concerned;
- the policies make direct reference to the Design Code; and
- the policies make reference to Policy 10 of the Plan (on housing mix).

7.87 The approach taken in the various policies is both robust and comprehensive. In particular it requires that development respects the location of the site, any identified heritage assets and that the proposal is of a scale, density, layout and design that is compatible with the character, appearance and amenity of that part of the Ward in which the proposal is located (as defined in the Design Code). This approach is best practice.

7.88 Each policy refers to the need for the use of a 'narrow design palette'. In its response to the clarification note, SWPG confirmed that this means compliance with Section 3 of the Design Code. I recommend that the general supporting text before the policies clarifies this matter.

*At the end of paragraph 17.7 add: 'Each of the policies for the allocated sites addresses design issues and the relationship of the site concerned to the findings of the Design Code. The reference to a 'narrow design palette' means compliance with Section 3 of the Design Code.'*

7.89 In turn, the various policies make reference to the need for detailed sustainable drainage solutions. In each policy I recommend modifications to the drainage-related criterion to ensure that the eventual drainage measures reflect the wider approach taken in Policy 4 of the Plan. I also recommend consequential modifications to the supporting text. I do not repeat this explanation on a policy-by-policy basis.

**In each policy replace the second element with: 'Development proposals on the site should manage surface water in a sensitive way which reflects its existing drainage characteristics and ensures that the creation of non-permeable areas is kept to a minimum level. Proposals which incorporate sustainable drainage systems which mimic natural drainage patterns, which reflect the character of the site, and which are designed to improve water quality and improve biodiversity will be particularly supported.'**

Policy 13 Solent, Top Street North and South Wheatley

7.90 This policy allocates land opposite Solent, Top Street for the development of two houses. The site is a brownfield site within the settlement boundary. It is within the Conservation Area but its development would not impact any other heritage assets.

- 7.91 Subject to the recommended modification to the second part of the policy (as set out in paragraph 7.89) I am satisfied that the policy meets the basic conditions. It provides a detailed context for the development of the site.

Policy 14a Roses Farm, Station Road Sturton Le Steeple

- 7.92 This policy allocates land adjacent to Roses Farm for the development of three houses. The site is a parcel of grassland in the north-western part of the village in close proximity to Crow Tree Farm (grade II listed), along with Four Paws and Roses Farm (both non-designated heritage assets).

- 7.93 Subject to the recommended modification to the second part of the policy (as set out in paragraph 7.89) I am satisfied that the policy meets the basic conditions. It provides a detailed context for the development of the site.

Policy 14b Cross Street, Sturton Le Steeple

- 7.94 This policy allocates land at Cross Street for the development of one house. The site is on the eastern side of Cross Street, is currently undeveloped and used primarily as a lawn and vegetable patch for the adjacent grade II listed barn conversion, The Barn.

- 7.95 Subject to the recommended modification to the second part of the policy (as set out in paragraph 7.89) I am satisfied that the policy meets the basic conditions. It provides a detailed context for the development of the site.

Policy 14c Station View, North Street Sturton Le Steeple

- 7.96 This policy allocates the site for the development of two houses
- 7.97 The site is within the settlement boundary of Sturton-Le- Steeple off North Street. The policy proposes the conversion of the existing buildings (which are non-designated heritage assets) to residential use.
- 7.98 Subject to the recommended modification to the second part of the policy (as set out in paragraph 7.89) I am satisfied that the policy meets the basic conditions. It provides a detailed context for the development of the site.

Policy 14d Woodcotes, Freemans Lane, Sturton Le Steeple

- 7.99 This policy allocates the site for the development of one house.
- 7.100 The site is located to the north of Freemans Lane and is adjacent to the defined settlement boundary. It is not particularly constrained in environmental or physical terms. Its development would complement the single plot houses to its immediate west.
- 7.101 Subject to the recommended modification to the second part of the policy (as set out in paragraph 7.89) I am satisfied that the policy meets the basic conditions. It provides a detailed context for the development of the site.

Policy 15a Manor Grove and Main Street, North Leverton with Hablesthorpe

- 7.102 This policy allocates the site for the development of ten houses. It is located on the western edge of North Leverton and to the east of the former railway line. Its development will be comfortably assimilated within the wider landscape.
- 7.103 Subject to the recommended modification to the second part of the policy (as set out in paragraph 7.89) I am satisfied that the policy meets the basic conditions. It provides a detailed context for the development of the site.

Policy 15b Old Shop, south of Main Street, North Leverton with Hablesthorpe

- 7.104 This policy allocates the site for the development and which would result in a net gain of two houses.
- 7.105 The site is within the defined settlement boundary. The Design Code comments that opportunities exist for a small-scale development that reflects the grain of built form along this side of Main Street, including the 'end-on' right-angled elevation.
- 7.106 Subject to the recommended modification to the second part of the policy (as set out in paragraph 7.89) I am satisfied that the policy meets the basic conditions. It provides a detailed context for the development of the site.

Other Matters - General

- 7.107 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However, other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for BDC and the SWPG to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

*Modification of general text (where necessary) to achieve consistency with the modified policies.*

- 7.108 The plan includes four detailed maps for each settlement (development boundaries/key views/SGGs/LGSs). This approach is slightly confusing and does not provide a single indication of policy controls in each settlement. This is not a basic conditions issue as all the relevant information is available to BDC, local people and potential developers. Nevertheless, I suggest that a single policy map is prepared for each settlement to replace the series of maps in the submitted Plan.

Implementation and Review

- 7.109 Section 19 of the Plan properly comments about the need for monitoring of any made neighbourhood plan. It also recognises that a review of the Plan may be required at some point within the Plan period.
- 7.110 The submitted Plan has been prepared within the context of a development plan context that pre-dates the publication of the current version of the NPPF. BDC is now

working towards the preparation of a new Local Plan. It is anticipated that the emerging Local Plan will be adopted in 2023. This process will be an important milestone in the development of planning policy in the District.

- 7.111 In these circumstances, I recommend that the submitted neighbourhood plan includes a degree of commentary about the potential impact of the relationship between the emerging local plan and any made neighbourhood plan at that time. Plainly the SWPG will need to consider the potential impact at that time and reach its own view on the need or otherwise for a review of the Plan.
- 7.112 I also recommend that this part of the Plan addresses two potential scenarios. The first would be one where development does not proceed as planned on the broader package of allocated housing sites. The second would be one where the delivery of any residual number of new homes in the neighbourhood area required in the adopted version of what is now the emerging local plan was unlikely to be delivered through the implementation of the allocated sites.

*At the end of paragraph 19.6 add: 'In particular the Monitoring Group will consider a review of the Plan if some elements of the broader package of allocated housing sites do not come forward. In addition, the Group will consider the need for a review in circumstances where the delivery of any residual number of new homes in the neighbourhood area required in the adopted version of what is now the emerging local plan was unlikely to be delivered through the implementation of the policies in the Plan. The adoption of the Bassetlaw Local Plan 2037 will be a key milestone in this process. In this context the Parish Council will consider the need for a review of the neighbourhood plan at that point. This task will be undertaken based on an assessment of developments that have taken place in general, and the delivery of the allocated housing sites in particular.'*

## 8 Summary and Conclusions

### *Summary*

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2037. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community to safeguard the character and setting of the neighbourhood area and its community facilities and to promote sensitive new development.
- 8.2 Following my independent examination of the Plan, I have concluded that the Sturton Ward Neighbourhood Development Plan Review meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

### *Conclusion*

- 8.3 On the basis of the findings in this report, I recommend to Bassetlaw District Council that, subject to the incorporation of the modifications set out in this report, the Sturton Ward Neighbourhood Development Plan Review should proceed to referendum.

### *Other Matters*

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by Bassetlaw District Council on 4 April 2012.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth manner.

**Andrew Ashcroft**  
**Independent Examiner**  
**3 September 2021**