

CNHW Neighbourhood Plan Review

2021 - 2038

Submission Plan

A Report to Bassetlaw District Council of the Examination into the Cuckney, Norton, Holbeck and Welbeck Neighbourhood Plan Review

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Summary and overall recommendation

Following my examination of the Cuckney, Norton, Holbeck and Welbeck Neighbourhood Plan Review (CNHWNPR), including a site visit to the neighbourhood area on 21 March 2022, it is my view that, subject to modifications, the CNHWNPR reflects the views of the community and will set out a clear vision and suite of reviewed policies for the neighbourhood area.

As required by legislation and regulation I have provided Bassetlaw District Council as Local Planning Authority and the Cuckney and Norton Parish Council as Qualifying Body with a statement at the start of the examination setting out my view regarding the status of the Review and the procedures that must be followed. This is appended at the end of the examination report at Appendix 2. Whilst there are included in the Review of this Plan a number of minor non-material modifications and some material modifications that do not change the nature of the plan, such as the introduction of the Design Code, the Review also includes significant or substantial changes as follows:

- The introduction of development boundaries for Cuckney and Norton;
- The introduction of new policies 2, 4a, 5 and 8;
- Substantial revision to existing policies.

These changes, in combination, will affect the nature of the neighbourhood plan, its objectives and the implementation of the policies and proposals and the way the plan is expected to function and as such the Review must undergo independent examination and be supported in a local referendum before it can be 'made'.

The Qualifying Body has reviewed the whole plan but has published the submission draft with some of the original CNHWNP policies which should still be extant contained in an Appendix rather than incorporated in the plan. This is unclear and confusing as to their status. The National Planning Policy Framework (NPPF) at paragraph 16 states that policies should be: "*clearly written and unambiguous so it is evident how a decision maker should react to development proposals*". The advice in the Planning Practice Guidance states that: "*A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence*". This being the case, in order for the Review to comply with these requirements and therefore Basic Condition a) I have recommended that the policies that are still extant and operational should be reinserted into the main body of the neighbourhood plan with their supporting text.

My report highlights a number of other areas of policy where I consider the wording of the Plan as submitted is not in accordance with one or more of the Basic Conditions.

For the most part, the reason for this is that the policies fail the test of being clear and unambiguous. I have therefore recommended a number of modifications to the Plan that should be made before the Plan can proceed to referendum. These are intended to ensure that, first and foremost, the Plan can meet the Basic Conditions.

In proposing the modifications, I have tried to ensure that the integrity and value of the CNHWNPR and its vision is retained and that the intention of neighbourhood planning, where the community's wishes should be central to the Plan, is honoured.

By its nature, the examination has to be rigorous. Any criticism is not at all to undermine the significant community effort that has gone into the Review. Rather, the purpose of the examination is to ensure that the Neighbourhood Plan Review meets the Basic Conditions and is as robust as possible and that it can better play its part in planning decisions and managing change in the neighbourhood area in the future in an effective way.

In addition to the recommended modifications, it should also be noted that there may be a number of consequential changes, for example to referencing and numbering, particularly as a result of reinserting policy sections into the main plan. It will also be necessary to ensure all references to current local planning documents and the stage reached in the plan making process are up to date. I have tried to capture these, but not necessarily highlighted all these consequential changes to account for policy sections as they are reinserted and these amendments need to be made in finalising the Plan for referendum.

Subject to the recommended modifications in the report being completed, I am satisfied that:

- having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
- the making of the neighbourhood plan contributes to the achievement of sustainable development;
- the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority;
- the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations;
- prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the plan.
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The CNHWNPR also complies with the legal requirements set out in paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990.

With the modifications in place, the CNHWNPR will meet the Basic Conditions and as the review involves material changes that change the nature of the Plan it must be supported at a local referendum in order to be 'made'.

When that referendum takes place, I also recommend that the CNHW Neighbourhood Area, which covers the administrative area of the two Parishes, is taken as the area for the referendum.

Peter Biggers BSc Hons MRTPI AIHBC - Independent Examiner – 27 May 2022

1. Introduction

Background context

- 1.1. This Report provides the findings of the Examination into the Cuckney, Norton, Holbeck and Welbeck Neighbourhood Plan Review (referred to as the CNHWNPR throughout this report).
- 1.2. The CNHWNPR was produced by a Steering Group acting on behalf of Cuckney and Norton Parish Council (CNPC) in consultation with Holbeck and Welbeck Parish Council, Bassetlaw District Council as Local Planning Authority, interested parties and local stakeholders.
- 1.3. The CNHWNPR relates to the CNHW Neighbourhood Area which has not changed since its original designation and equates to the administrative area of the two Parishes – Cuckney and Norton and Holbeck and Welbeck.
- 1.4. The CNHW Neighbourhood Plan was originally ‘made’ following a public referendum on 9 March 2017. Subsequent to the Plan being ‘made’, the Parish Councils determined in 2019, in consultation with their communities, that they wished to review the plan to tackle further issues around development, design, climate change, community facilities and tourism.
- 1.5. The Neighbourhood Area comprises a rural agricultural landscape around the villages of Cuckney, Norton and Holbeck together with the Welbeck Estate ‘village’ centred on Welbeck Abbey. The four settlements are closely interconnected explaining the rationale for one neighbourhood plan covering them all. The neighbourhood area lies within the administrative area of Bassetlaw District with Cuckney lying about 11 kilometres south of Worksop.
- 1.6. The Neighbourhood Area equates to an area of approximately 11 square miles with a population of approximately 550 living in 274 dwellings (Census 2011).

Scope and scale of the Review

- 1.7. Once ‘made’, neighbourhood plans can be reviewed as required. The National Planning Policy Guidance clarifies that there are three classes of review that can be undertaken in respect to a ‘made’ neighbourhood plan, each with its own procedure for enactment, as follows:

<u>Type</u>	<u>Scope</u>	<u>Procedure</u>
Non-material amendment	Correcting a minor error that will not materially change the way that a ‘made’ plan functions.	The changes can be made to the plan, subject to the approval of both the qualifying body (e.g.

		parish council) and BDC Full Council.
Minor material amendment	Making small-scale changes that may have a material impact on the way that a 'made' neighbourhood plan functions. The decision as to whether the changes alter the nature of the plan will be determined by the examiner.	The modified plan should be subject to public / statutory consultation (Reg 14 and Reg 16), and independent examination, before seeking BDC Full Council approval
Significant material amendment	Making more substantial changes that will materially alter the way that a 'made' neighbourhood plan functions and will alter the nature of the Plan.	As above, but a public referendum will be required subsequent to BDC Full Council approval

- 1.8 The Local Planning authority and the Qualifying Body must issue a statement to the examiner setting out the status of the review which I can confirm I have received.
- 1.9 BDC and CNPC have concluded that the submitted CNHWNPR includes amendments and new policies which change the nature of the Plan as a whole.

Appointment of the independent examiner

- 1.10 I was appointed as an independent examiner by BDC, with the consent of CNPC, following a competitive procurement process, to conduct the examination and provide this report as an independent examiner. I am independent of the qualifying body and the Local Planning Authority. I do not have any interest in any land that may be affected by the CNHWNPR, nor do I have any professional commissions in the area currently. I hold appropriate qualifications and experience and have planning and development experience, gained over 40 years across the public and private planning sectors. I am a Member of the Royal Town Planning Institute and an Affiliate of the Institute of Historic Building Conservation.

Role of the independent examiner

- 1.11 It is a requirement of the Independent Examiner in respect of neighbourhood plan reviews that they issue a statement on the status of the Review and in particular whether the amendment would change the nature of the Plan thereby confirming the procedure to be followed to 'make' the reviewed neighbourhood plan. I make this statement in section 3 below.
- 1.12 The examination must, as with the original plan, consider whether a neighbourhood

plan review meets the “Basic Conditions”. The Basic Conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (TCPA) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004 (PCPA). They are that *:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
- d) The making of the neighbourhood plan contributes to the achievement of sustainable development;
- e) The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority;
- f) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations;
- g) Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the plan.

1.13 Pursuant to Basic Condition g) above, Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018, effective from 28 December 2018, prescribes the following additional Basic Condition for the purpose of paragraph 8(2)(g) of Schedule 4B to the TCPA 1990: *“The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017”*.

1.14 Regulation 106(1) of Chapter 8 states that : *“a qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the assessment under Regulation 105 (that assessment is necessary where the neighbourhood plan is likely to have a significant effect on a European site or a European offshore marine site either alone or in combination with other plans or projects) or to enable it to determine whether that assessment is required”*.

* NB Basic Conditions b) and c), relating to listed buildings and conservation areas, are also included in the Basic Conditions but as these only concern neighbourhood development orders they are not included in this report.

1.15 In examining the Plan, I have also considered whether the legislative requirements are met, namely:

- The Neighbourhood Plan has been prepared and submitted for examination by a qualifying body as defined in section 61F of the TCPA as applied to neighbourhood plans by section 38A of the PCPA.

- The Neighbourhood Plan has been prepared for an area that has been designated under section 61G of the TCPA as applied to neighbourhood plans by section 38A of the PCPA.
- The Neighbourhood Plan meets the requirements of section 38B of the PCPA (the Plan must specify the period to which it has effect, must not include provisions relating to 'excluded development', and must not relate to more than one neighbourhood area) and
- The policies relate to the development and use of land for a designated neighbourhood area in line with the requirements of the PCPA section 38A.

1.16 I have examined the CNHWNPR against the Basic Conditions and legislative requirements above and, as independent examiner, I must make one of the following recommendations:

- a) that the Plan should proceed, on the basis that it meets all legal requirements;
- b) that the Plan, once modified to meet all relevant legal requirements, should proceed;
- c) that the Plan does not proceed, on the basis that it does not meet the relevant legal requirements.

1.17 If recommending that the Plan should go forward and if determining that a referendum will be required, I am also then required to consider whether or not the Referendum Area should extend beyond the Neighbourhood Area to which the Plan relates. I make my recommendation on the Referendum Area at the end of this report (See Section 9).

1.18 As with the original plan, the role of the independent examiner is not to comment on whether the reviewed plan is sound or how it could be improved, but rather to focus on compliance with the Basic Conditions.

2 The examination process

2.1 It is a general rule that neighbourhood plan examinations should be held without a public hearing; that is by written representations only. However, according to the legislation, when the examiner considers it necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case, a public hearing may be held.

2.2 I have considered the representations received at the Regulation 16 publicity stage and I am satisfied that there is no need for a public hearing in respect of the CNHWNPR and the matters are considered below. I confirm that all Regulation 16 representations on the Plan have been taken into account in undertaking this examination. Where appropriate, I have made specific reference to the person's or

organisation's comments in Section 6 of this report.

- 2.3 As I was not the Examiner for the original plan I undertook an unaccompanied site visit around the Neighbourhood Area on 21 March 2022, during which I looked at its overall nature, form, character and appearance and at those areas affected by policies and proposals in the Review in particular.
- 2.4 Subsequent to my reading for the examination and the site visit, I asked a number of factual clarifying questions of CNPC, as qualifying body, and BDC relating to the context and intent of policies and proposals of the Plan. This exchange was carried out by email and the questions and the responses received from the Councils are set out in Appendix 1 to this report and have been uploaded to the Neighbourhood Plan webpages on the BDC website. I am grateful to the Councils for responding on these matters.
- 2.5 In undertaking this examination, I have considered each of the following documents in addition to the Submission Version of the CNHWNPR:
- National Planning Policy Framework (Jul 2021)
 - National Planning Practice Guidance 2014 (as amended)
 - Town and Country Planning Act 1990 (as amended)
 - The Planning and Compulsory Purchase Act 2004 (as amended)
 - The Localism Act 2011
 - The Neighbourhood Planning Act 2017
 - The Neighbourhood Planning (General) Regulations (2012) (as amended)
 - CNHWNPR Basic Conditions Statement (Jan 2022)
 - CNHWNPR Consultation Statement and Appendices (Jan 2022)
 - CNHWNPR Strategic Environmental Assessment Screening Determination Statement Jan 2022
 - CNHWNPR Habitats Regulation Assessment Screening Determination Statement Jan 2022
 - CNHWNPR Design Code AECOM March 2021
 - CNHWNPR Statement of Extent and Nature of Review Jan 2022
 - CNHWNPR Housing Needs Assessment
 - CNHW Neighbourhood Area Designation Report – 2014
 - Representations received during the Regulation 16 publicity period post submission – (from 21 January 2022 to 4 March 2022)

3. Examiner's statement on the status of the Review

3.1 As required by legislation and regulation I have read and assessed the scope and nature of the CNHWNPR, and am of the opinion that because the Review, in addition to more minor changes:

- introduces development boundaries for Cuckney and Norton;

- introduces new policies 2, 4a, 5 and 8; and
- makes substantial revisions to existing policies

it will change the nature of the Plan as a whole and the way that it functions.

- 3.2 It therefore falls into the last category in the Table at 1.7 above. That being the case an independent examination must be carried out to establish whether the reviewed plan is capable of meeting the Basic Conditions with or without modification. Following the examination the Council must reach a determination on the examination report and whether it proposes to progress the reviewed plan and if so a local public referendum will need to be held. If at the referendum more than 50% of votes cast are in favour of the reviewed plan, then the CNHWNPR would be 'made' by BDC.
- 3.3 My formal determination regarding the nature of the Review and the procedures that must be followed is at Appendix 2 at the end of this report.

4 Public Consultation

Background

- 4.1 An accessible and comprehensive approach to public consultation is the best way to ensure that a neighbourhood plan reflects the needs, views and priorities of the local community.
- 4.2 CNPC submitted a Consultation Statement, as required by Regulation 15 of the Neighbourhood Planning (General) Regulations, to BDC on 14 January 2022.
- 4.3 Public consultation on the CNHWNPR commenced with early discussions about a review of the neighbourhood plan in 2019. This early consultation was followed by various consultation stages, including the two formal stages required by the Regulations:
- The pre-submission consultation under Regulation 14 from 7 May 2021 to 18 June 2021.
 - The publicity stage, as required by Regulation 16, (the consultation period post submission of the Plan) from 21 January 2022 to 4 March 2022.
- 4.4 The Regulation 16 stage resulted in consultation responses from 11 respondents raising multiple points. The representations raised are considered as necessary within my assessment of the Plan in Section 6 below.

Cuckney, Norton, Holbeck and Welbeck NP Review Consultation

- 4.5 The Neighbourhood Planning Steering Group which was set up to prepare the

original plan picked up responsibility for preparing the review and carried out consultation with the community and stakeholders throughout the process of plan preparation. The communication methods used included Parish newsletters and the Parish Council's Neighbourhood Plan webpage, together with the BDC website, and summary leaflets, as well as the offer of events, drop-ins and questionnaires. Copies of the Pre-Submission Draft Plan and Submission Plan together with supporting documents were provided locally as well as being uploaded to the websites and links provided via email.

- 4.6 Initial consultation regarding the review took the form of an explanatory leaflet to all households and updating the community online explaining about the review and the reasons for it and identified the proposed areas of change and highlighting the policies that would be changing. It is clear from this that opportunities were available to the community to be involved in the review.
- 4.7 The pre-submission draft of the Plan was signed off by Cuckney and Norton Parish Council on behalf of the other parish and as required by Regulation 14, the consultation ran for six weeks from 7 May to 18 June 2021.
- 4.8 The CNHWNPR was made available online on the Parish and BDC websites, and links to the Plan were provided via email to statutory consultees and local stakeholders and hard copies of the plan were available locally. The Plan was publicised in the Parish Newsletter. Steering group members were available to answer questions and an online survey was prepared. In the event only 9 responses to the survey were received so a paper questionnaire was distributed to all households and 33 responses were received. There was a low turnout to arranged events. The generally low response was probably a result of both the pandemic and the fact that interest in the review was generally lower than the first time around but I am satisfied that the necessary opportunities were provided to the community to engage in the process.
- 4.9 Following the pre-submission stage and the analysis of results, the Plan was revised, approved for submission and submitted by the Parish Council on 14 Jan 2022.
- 4.10 The Neighbourhood Planning Regulations are part and parcel of Basic Condition a), and Regulation 15 (2) sets out clearly what the Consultation Statement should include. Having reviewed the Consultation Statement, in particular the tables setting out the representations at the Regulation 14 stage and how these were answered, as well as the appendices to the statement, although I am satisfied that the Consultation Statement is compliant with Regulation 15 for the most part, it does not set out who was consulted which is a requirement of Regulation 15. Accordingly, as part of the examiner's clarifying questions, I requested that a revised version of the Consultation Statement should be prepared clearly listing who was consulted at the Reg 14 stage. This has been provided to me by CNPC and I am satisfied that the statement now complies with Regulation 15. The revised version has been uploaded

to the District Council's webpage for the neighbourhood plan.

5 Preparation of the Plan and legislative requirements

5.1 In terms of the procedural tests set out above my findings are:

Qualifying body

5.2 Cuckney and Norton Parish Council, as the duly elected lower-tier council acting on behalf of Holbeck and Welbeck Parish Council, is the qualifying body for preparation of the Reviewed Plan.

5.3 I am satisfied that the requirements set out in the Localism Act (2011) and in section 61F(1) and (2) of the TCPA (as applied to neighbourhood plans by section 38A of the PCPA) have been met.

Plan Area

5.4 An application was originally made by CNPC in 2013 to designate the Cuckney, Norton, Holbeck and Welbeck Neighbourhood Area. The area sought covered the administrative areas of the two Parishes. This neighbourhood area was approved by BDC in January 2014. It remains unchanged for the review.

5.5 This satisfies the requirement under section 61G (1) (2) and (3) of the TCPA (as applied to neighbourhood plans by section 38A of the PCPA) and Regulations 5, 6 and 7 of the Neighbourhood Planning (General) Regulations as amended.

Plan period

5.6 A neighbourhood plan must specify the period during which it is to have effect. The CNHWNPR clearly states on the title page and in the introduction in section 1 that it covers the period 2021-2038.

5.7 The plan period aligns with the proposed revised end point of the emerging Bassetlaw Local Plan (BLP), which will set out the strategic policies for the neighbourhood area in the future once adopted. The intended time period satisfies the requirements of section 38B of the PCPA as amended.

Excluded development

5.8 The Plan does not include policies or proposals that directly relate to any of the categories of excluded development: county matters (mineral extraction and waste development), nationally significant infrastructure, or any matters set out in Section 61K of the TCPA 1990. The CNHWNPR, as proposed to be modified in Section 6

below, relates solely to the neighbourhood area and no other neighbourhood area, and there are no other neighbourhood development plans in place within the neighbourhood area. This satisfies the requirements of section 38B of the PCPA, as amended.

Development and use of land

- 5.9 The Neighbourhood Plan should only contain policies relating to the development and use of land. Subject to the modifications proposed below in Section 6, the CNHWNPR policies would be compliant with this requirement of section 38B of the PCPA, as amended.

Plan publication following submission

- 5.10 BDC undertook a validation check of the CNHWNPR following its submission in January 2022. The Council was satisfied that the Plan could proceed to be publicised under Regulation 16 and proceed to this independent examination.

6 The Basic Conditions

National policy and advice

- 6.1 The main document that sets out national policy is the National Planning Policy Framework (the NPPF). A revised version of the NPPF was published in July 2021. The CNHWNPR was initially prepared in the context of its predecessor dated July 2019. However, in preparing the CNHWNPR for submission, references to the NPPF were updated to reflect the new 2021 NPPF. I have based my consideration of the extent to which the CNHWNPR meets Basic Condition a) against NPPF 2021, along with legislation and regulations.
- 6.2 The NPPF explains that neighbourhood plans should support the delivery of strategic policies and set out non-strategic policies and plan positively to shape, direct and help to deliver sustainable development that is outside the strategic elements of the Local Plan.
- 6.3 The NPPF also makes it clear that neighbourhood plans should be aligned with the strategic needs and priorities of the wider local area. In other words, neighbourhood plans must be in general conformity with the strategic policies of the development plan. They should not promote less development than that set out in the strategic policies of the development plan or undermine those strategic policies.
- 6.4 The NPPF indicates that plans should contain policies that are clearly written and unambiguous, so that it is clear how a decision maker should react to development proposals. They should serve a clear purpose and avoid unnecessary duplication of

policies that apply to a particular area.

- 6.5 National advice on planning is set out in the Planning Practice Guidance (PPG), which includes specific advice regarding neighbourhood plans. I have considered the advice of the PPG as part of assessing the Plan against Basic Condition a).

Sustainable development

- 6.6 A qualifying body must demonstrate how a neighbourhood plan would contribute to the achievement of sustainable development. The NPPF as a whole constitutes the Government's view of what sustainable development means in practice for planning. The NPPF explains that there are three overarching objectives to sustainable development - economic, social and environmental.
- 6.7 There is no legal requirement for a formal Sustainability Appraisal (SA) to be carried out in respect of neighbourhood plans. However, SA is an established method of demonstrating how a neighbourhood plan will contribute to achieving sustainable development.
- 6.8 In this case, CNPC has only included in the Basic Conditions Statement a commentary in tabular form (Table 1) on how each policy of the review performs against the three main sustainability objectives in the NPPF. This has not been done against a suite of sustainability objectives (reflecting the environmental, social and economic dimensions of sustainability) to test the policies, which would have been the more usual procedure. The Basic Conditions Statement is quite generous in its scoring and I am not persuaded that some of the policies are as positive across the 3 objectives as is portrayed. However, overall I agree that the table includes sufficient information to confirm, at a high level, that the effect of the policies of the Plan would be generally positive in terms of sustainability. I consider the contribution of specific policies to sustainable development below in Section 6.

General conformity with the development plan

- 6.9 The CNHWNPR has been prepared in the context of the Bassetlaw District Local Development Framework – Bassetlaw Core Strategy & Development Management Policies DPD (BCSDMP) and the Review must be in general conformity with the strategic policies.

The PPG provides the following definition of general conformity:

“When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:

- whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with;

- the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy;
- whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy;
- the rationale for the approach taken in the draft neighbourhood plan or order and the evidence to justify that approach.”

6.10 Bassetlaw District Council (BDC) is well advanced with the preparation of a new Bassetlaw Local Plan to replace the BCSDMP and has published the Publication Version of the plan which will shortly be submitted for examination. CNPC is keen that as far as possible the Review reflects the emerging plan’s policies and the evidence base for this plan informs the CNHWNPR. Whilst this may have a bearing on my consideration of the basic conditions it is the BCSDMP that continues to set out the strategic policies and which must be used in assessing the plan against Basic Condition e).

6.11 The Basic Condition Statement sets out the strategic policies of both the BCSDMP and the emerging BLP. I consider the extent to which the policies and proposals of the CNHWNPR are in general conformity with the strategic policies of the BCSDMP in detail in Section 6 below.

European Union (EU) obligations

6.12 A neighbourhood plan must be compatible with EU obligations, as incorporated into UK law, in order to be legally compliant. Notwithstanding the United Kingdom’s departure from the EU, these obligations continue to apply unless and until repealed or replaced in an Act of Parliament.

Strategic Environmental Assessment and Habitat Regulations Assessment

6.13 Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment has a bearing on neighbourhood plans. This Directive is often referred to as the Strategic Environmental Assessment (SEA) Directive. Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively) aim to protect and improve Europe’s most important habitats and species and can have a bearing on neighbourhood plans.

6.14 Regulation 15 of the Neighbourhood Planning Regulations, as amended in 2015, requires either that a SEA is submitted with a neighbourhood plan proposal or a determination obtained from the responsible authority (BDC) that the Plan is not likely to have ‘significant effects.’

- 6.15 A screening opinion was prepared by BDC in consultation with the statutory bodies in January 2022. The screening concluded that full SEA was not required because the CNHWNPR did not allocate significant areas for development. Any development proposed under the policies would be small scale, largely within settlements and, because of the plan's environmental focus seeking to secure a sustainable form of development, there was unlikely to be any significant adverse effects.
- 6.16 Regarding Habitats Regulations Assessment (HRA), the test in the additional Basic Condition under Regulation 32 now essentially mirrors that in respect of SEA. It requires an Appropriate Assessment to be carried out where a plan is likely to have a significant effect on a European site (either alone or in combination with other plans or projects) or a determination obtained from the responsible authority (BDC) that the plan is not likely to have a 'significant effect'. A screening opinion was similarly carried out by BDC in January 2022 and a determination prepared.
- 6.17 No European sites currently are located within the Neighbourhood Area. However, the Birklands and Bilhaugh Special Area for Conservation is close at approximately 2.2 kilometres SE of the boundary of the Neighbourhood Area. Moreover, although not formally designated, the Sherwood Forest Potential Prospective Special Protection Area is in close proximity to the neighbourhood area and will overlap it in places if designated. There are also two Sites of Special Scientific Interest within the neighbourhood area and four in neighbouring areas. The Neighbourhood Area does fall within the Impact Risk Zone for these.
- 6.18 Screening showed, that as the Plan does not propose to introduce any significant additional development, and any sites are likely to be small in scale, and guided by CNHWNPR's policies to ensure sustainable outcomes, the conclusion of the Council's determination was that the Neighbourhood Plan either alone or in combination with other plans and programmes would not have a significant effect on any European sites. Consequently, the CNHWNPR is not considered to require Appropriate Assessment under Article 6 or 7 of the Habitats Directive.
- 6.19 Both the determinations regarding SEA and HRA have been confirmed by Natural England, the Environment Agency and Historic England as statutory consultees. I have no reason to reach a different view to the statutory consultees.

European Convention on Human Rights (ECHR)

- 6.20 The Human Rights Act 1998 encapsulates the Convention and its articles into UK law.
- 6.21 An Equalities and Human Rights Impact Assessment has not been specifically carried out for the CNHWNPR. Instead, the Basic Conditions Statement briefly asserts that care has been taken to ensure there are no negative impacts of the Review in relation to the relevant Articles of the Convention and concludes that the Review has regard to the fundamental rights and freedoms guaranteed under the ECHR.

- 6.22 In respect of Article 1 of the first protocol - the right of everyone to the peaceful enjoyment of possessions - although the CNHWNPR, as with the original made plan, includes policies that would restrict development rights, this does not have a greater impact than the general restrictions on development rights provided for in national law. The restriction of development rights inherent in the UK's statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding or mitigating adverse impacts on the environment, community and economy.
- 6.23 In respect of Article 6 of the Convention's Rights and Freedoms - the right to a fair hearing in determination of an individual's rights and obligations - the process for preparing the CNHWNPR is fully compatible with this Article, allowing for consultation on its proposals at various stages, and incorporating this independent examination process.
- 6.24 In respect of Article 14 of the Convention's Rights and Freedoms - the enjoyment of rights and freedoms without discrimination on any ground - the policies and proposals of the CNHWNPR have been developed in consultation with the community and wider stakeholders to produce as inclusive a document as possible.
- 6.25 I conclude that, given the nature of the reviewed plan's policies and proposals, it is unlikely there would be any detrimental impact on the 'protected characteristics' set out in the Equality Act and, generally, the CNHWNPR would bring positive benefits. Whilst the Plan does not directly address needs in respect of particular protected characteristics within the plan area, it would be unlikely to be prejudicial to any group in its policies.
- 6.26 No concerns or objections on the grounds of human rights or equalities have been raised during the consultation stages of the Review. I am satisfied on the basis of the above that, across the CNHWNPR as a whole, no sectors of the community are likely to be discriminated against. The policies together would generally have public benefits and encourage the social sustainability of the neighbourhood.
- 6.27 I am satisfied therefore that the Plan does not breach, and is otherwise compatible with, the ECHR.
- 6.28 I am not aware of any other European Directives which apply to this particular neighbourhood plan and no representations at pre- or post-submission stage have drawn any others to my attention. Taking all of the above into account, I am satisfied that the CNHWNPR is compatible with EU obligations and therefore with Basic Conditions f) and g).

7. The Neighbourhood Plan Review – Assessment

7.1 The CNHWNP is considered against the Basic Conditions in this section, following the structure and headings in the Plan. Given the findings in Section 6 above that the Plan as a whole is compliant with Basic Conditions f) (EU obligations) and g) (Other prescribed conditions including that under Regulation 32), this section largely focusses on Basic Conditions a) (Having regard to national policy), d) (Contributing to the achievement of sustainable development) and e) (General conformity with strategic policies of the development plan).

7.2 Where modifications are recommended, they are clearly marked as such and set out in bold print.

The general form of the Plan

7.3 The Qualifying Body CNPC has reviewed the whole plan but has published the submission draft with some of the original CNHWNP policies of the ‘made’ plan which it considers have delivered their objectives contained in an Appendix A(1) rather than re-incorporated into the reviewed plan. It is not clear for a user of the plan as to the status of the policies in the Appendix and in view of this confusion and the fact that it is also a matter raised by BDC in its Regulation 16 comments I allowed the CNPC to clarify the intention as part of the Examiner’s Clarifying Questions (see Appendix 1 below) The Parish Council has responded to say:

“The removal of the extant NP policies to Appendix A was considered to be a clearer way of showing that not all the made NP policies had been amended. Previous Reg 16 comments on a different Review NP in BDC sought to challenge made NP policies so it was suggested that the made policies be move to an appendix”.

7.4 Whilst I understand the Parish’s reason for this during the initial preparation stage of the review, the document is now at the stage when it has to meet the Basic Conditions. Moreover, the explanation implies something different to what Appendix A(1) actually says. The Appendix actually states that the policies within it have served their purpose. This is clearly not correct.

- Previous Policy 12 on local green space is not simply about designation. In the event of an application on one of these local green spaces the policy would be applied as a reason for refusal unless there were very special circumstances for it. The policy therefore needs to be part of the reviewed plan not in an appendix.
- Regarding previous made Policies 7 and 15, notwithstanding the fact that permission has been granted for these schemes this will expire on 2 December 2023. It was clear from my site visit that, whilst CNPC state that the site has been cleared, no substantive start has been made on site. If the permission expires or an amendment is required, a new application should be considered against the terms of Policies 7 and 15 and they (or an amalgamated version of them) should be re-

inserted into the reviewed plan.

- Finally, regarding Appendix A(1) and previously made Policy 6, the need for this policy is still extant as at least two allocated sites with frontages to the A60 and or the A616 remain undeveloped. The Policy may be required to ensure appropriate off-street parking provision and it should be re-incorporated into the reviewed plan.

7.5 The confusion caused by Appendix A(1) is compounded by Appendix A(2) which sets out the allocation policies in their original 'made' form. Having compared these against the reviewed allocation policies the content is virtually entirely replicated in the reviewed policy and whilst some of the supporting text may be different this could have been included in the preamble to the reviewed allocation policies. There is no need for Appendix A(2).

7.6 The National Planning Policy Framework (NPPF) at paragraph 16 states that policies should be: "*clearly written and unambiguous so it is evident how a decision maker should react to development proposals*", and the advice in the Planning Practice Guidance states that: "*A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence*". As things stand the submission draft fails in this regard as the status of the policies in Appendix A compared to the main part of the Review is not clear and unambiguous. This being the case, in order for the Review to comply with these requirements and therefore Basic Condition a) I have recommended that the policies in A(1) that are all still extant and operational should be reinserted into the main body of the neighbourhood plan with their supporting text and Appendix A(2) policies should be deleted.

7.7 Otherwise, the structure of the CNHWNPR is generally logical and clear with early sections setting the context both in respect of policy and background to the neighbourhood area and the key issues facing it, before setting out the vision and objectives and the policy sections.

7.8 The Plan distinguishes between the policies themselves and their justification by boxing the policies. Each policy is accompanied by supporting text setting out the context, rationale and intent. The BDC Planning Policy Section in its Reg 16 representation proposes that the order of policies would be more logical if all the allocation and development policies were together and all the environment and protection policies followed. However, the current layout and arrangement does not impact on the objective of a clear and unambiguous plan and therefore Basic Condition a) (other than in respect of the matter discussed above) and therefore I make no formal recommendation regarding the ordering of the Review document. It may be that in reinstating the policies from Appendix A(1) that there is the opportunity for a better grouping of policies to be achieved and there is no reason why this should not be done. It may also be sensible once the final policy order is decided that the policies of the review could be given a numbering discrete from the 'made' plan for example R1, R2, R3 etc as proposed by BDC and again in the interests of clarity there is no reason why this should not be done.

7.9 Finally, a minor point relating to the plan being clear and unambiguous is also made by the District Council in its Regulation 16 representations that some of the Map extracts are too small and therefore not sufficiently clear, specifically Maps 6a, 6b, 8a and 8b. Whilst these maps could ‘focus in’ more, it is mainly the Maps 6a and 8a relating to Cuckney as the larger settlement that would benefit from this. Those relating to Norton appeared to me to be sufficiently clear. The other matter with the map extracts, however, is that some of the key blocks are too small to be interpreted, in particular on Maps 11, 15 and 16. These mapping issues should be rectified in the final version going forward to the referendum.

7.10 I recommend the following modifications in order to ensure the general form of the plan meets the Basic Conditions in particular Basic Condition a).

Recommendation 1	
1A	Ensure that all policies of the ‘Made’ CNHWNP set out in Appendix A(1) that are still expected to be applied, together with their supporting text are amalgamated into the main part of the CNHWNP and Appendix A(1) is deleted. (Note the parallel modification to para 3.1 at Recommendation 3A)
1B	Remove all duplicate versions of allocation policies in Appendix A(2) so that there is only one allocation policy for each site. Delete Appendix A(2). Any supporting text in the appendix that remains relevant can be amalgamated into the main Reviewed plan. (Note the parallel modification to para 3.1 at Recommendation 3A)
1C	Clarify and enlarge the key wording on maps used within the plan and enlarge maps for Cuckney at Map 6a and 8a by focusing in more on the settlement.
1D	Ensure all policy references in the Review are corrected following this reorganisation. The opportunity should be taken to provide the review with a discrete set of policy numbers eg R1, R2 etc

Introduction

7.11 This section provides a brief introduction to the Review and how it has come about.

7.12 This is largely a factual section and for the most part there is no need for any changes. However, paragraph 1.3 makes reference to the process involved in making the review and, in the light of my determination above regarding the status of the review, reference should be made to the fact that a local referendum will again be held. With this minor modification the paragraph will reflect the procedure set out in legislation and will therefore meet Basic Condition a).

Recommendation 2	
2	Revise paragraph 1.3 to read : “The review NP has been through the statutory processes for review including consultation and independent examination. The Review as modified following examination will be the subject of a local referendum and if more than 50% of those voting in the referendum support the Review it will be made by Bassetlaw District Council replacing the CNHWNP.”

Local Context

7.13 Section 2 of the Plan sets out the context for the two parishes and four settlements. Again, this is largely factual and raises no issues in respect of the Basic Conditions.

Why Do We Need to Review the CNHW Neighbourhood Plan?

7.14 Section 3 of the Plan sets out the rationale for producing a Review of the Neighbourhood Plan and sets out the issues which have been considered. The section leads into the Neighbourhood Plan vision and the objectives designed to deliver the vision and provide the basis for the policies. Again, the current content of the section is largely factual, and the only modifications required relate to the reorganisation of the plan (see Recommendation 1) and an incorrect reference to the Basic Conditions at paragraph 3.15. The Basic Conditions referred to here are paraphrased and incorrect. They should refer to the plan having regard to national policy and in general conformity with the strategic policies of the development plan.

Recommendation 3	
3A	Delete all text in para 3.1 after the word ‘framework’ in Line 2
3B	Delete the second sentence in paragraph 3.11 referring to Appendix A(2)
3C	Reword Paragraph 3.15 line 2 to end to read <i>“...is required to have regard to National policies and be in general conformity with the strategic policies of the Development Plan.”</i>

Consultation

7.15 The fourth section of the plan is a short section referring to the importance of consultation and cross references to the consultation statement for additional information. The section raises no issues relating to the Basic conditions.

Vision and Objectives

7.16 Being able to demonstrate the thread from issues to vision and objectives and from objectives to policies is an important part of evidencing the Neighbourhood Plan as required in the PPG. There is a clear thread from issues to vision and objectives to policies. The vision and objectives in the review are largely the same as those of the made plan except that the review versions are supplemented with references to achieving low carbon planning within the neighbourhood area.

7.17 The vision looks to preserve the character of the Parish and to meet residents' needs at every stage of their lives.

7.18 The Plan has regard to the PPG advice that it *“provides the opportunity for communities to set out a positive vision for how they want their community to develop over the next 10, 15, 20 years in ways that meet identified local need and make sense for local people.”*

7.19 The vision and objectives also encapsulate and generally reflect the spatial vision set out in the BCSDMP at Section 3.2 and the specific objectives set out in section 3.3 in particular the following objectives:

SO1 Housing

SO5 Rural settlements

SO6 Climate Change

SO7 Design

SO8 Natural Environment

SO9 Historic Environment

SO10 Infrastructure.

The impact of pursuing the vision and objectives of the Neighbourhood Plan would contribute to the achievement of sustainable development in the Neighbourhood Area.

7.20 No modifications to the vision and objectives of the CNHWNP are required to meet the Basic Conditions.

Engaging with the Community - A Key Principle

7.21 Section 7 of the Plan sets out the key principle that the Parish Council expect the promoters of all developments in the plan area to carry out pre-submission consultation with the community and take account of views and concerns before submitting proposals. Inasmuch as this is in accordance with the aspirations of the NPPF at para 128 Basic Condition a) would be met. Applying the principle will also ensure that the policies of the development plan and sustainable development objectives are more likely to be met and therefore Basic Conditions d) and e) would also be met.

Sustainable Development and Development Boundaries – Policy 1

7.22 Section 8 of the CNHWNPR essentially sets out how the Review will achieve sustainable development and the spatial development strategy for the plan area. It is a substantial reworking of the original Policy 1 and takes the opportunity to review the settlement boundary for Cuckney and to introduce a new settlement boundary for Norton reflecting the proposed allocations and other factors. Spatial development options have been considered and the preferred approach is to establish settlement boundaries that allow for modest growth in parts of the Parishes that have the least landscape sensitivity.

7.23 Policy 1 itself sets out the requirements of development to comply with the spatial strategy and deliver sustainable development. It has regard to the requirements of the NPPF in respect of sustainable development and design in particular.

7.24 BDC in its Regulation 16 representations query why there is no Holbeck settlement boundary and argue that the approach in part 3 of Policy 1 is not in general conformity with the BCSDMP. With respect to the first point, having assessed the nature of Holbeck on the site visit, I am satisfied that the settlement is more dispersed and open than either Cuckney or Norton. That being the case a settlement boundary would be difficult to define in a coherent way without incorporating significant areas of open land. I acknowledge that Holbeck and Holbeck Woodhouse are smaller settlements which fall under Policy CS9 of the BCSDMP where housing is more limited and restricted. However, Policy CS9 is not entirely in accordance with the NPPF at paragraph 79 which does allow sustainable development in rural areas where it will enhance or maintain the vitality of rural communities and acknowledges where there are groups of smaller villages development in one may support services in another village nearby. As pointed out by the Parish council this is the situation in the two parishes where the settlements are closely inter-related and co-dependent. In that case the very minor opportunities in Holbeck envisaged by Policy 1 part 3 of the Review to meet local needs would not materially undermine the strategic policy. The Policy therefore is sufficiently in general conformity with Policies CS1, CS8, CS9 and DM4 of the BCSDMP which set out the spatial strategy, the strategy in respect of rural service centres (including Cuckney), the strategy for smaller settlements and seek to control design and character respectively. Furthermore, delivery of Policy 1 will also directly help to ensure sustainable development within the neighbourhood area.

7.25 No modifications other than typographical corrections are therefore necessary to meet Basic Conditions a), d) and e).

Protecting the Landscape Character – Policy 2

7.26 The neighbourhood area has a rich and valued natural environment with a number of important natural assets. Policy 2 is a new policy which seeks to ensure that landscape character is respected in the planning of development including ensuring strategic green gaps and important local views are taken into consideration. The supporting text also sets out the importance of the area's biodiversity but, as both national and development plan policy adequately protect nature conservation interests, the neighbourhood plan at Policy 2

does not look to cover these matters in detail and simply references the new requirement for development to deliver Biodiversity Net Gain.

7.27 The NPPF at section 15, encourages plans to promote the conservation, restoration and enhancement of the natural environment including recognising the intrinsic character and beauty of the countryside and protecting and enhancing biodiversity. In that respect the principle of Policy 2 has regard to national policy.

7.28 However, in respect of the NPPF and PPG guidance that planning policy should be clear and unambiguous there are a number of areas with Policy 2 where this is not achieved.

7.29 First, the Policy includes the term 'where appropriate' in paragraphs 1 and 2 and 'where possible' in paragraph 7. These qualifying words simply makes the policy unclear for a developer as to what is expected of them and the sections need to be clarified.

7.30 Secondly, the wording of the Policy at section 2 is very unclear and confused as to its intent. It implies that development could be expected to take place in the significant green gaps. However, this would be exceptional as they are outside the development boundaries. I share BDC's view that the section should make clear that the gaps are adjacent to settlement boundaries and their purpose is to protect the character of the settlement and landscape setting. It is arguably development adjacent to them that is more likely to have an adverse effect on them.

7.31 Thirdly, the Policy at section 3 requires development to respect the important local views identified on Maps 9a to c. Photos of these views are also included in Appendix C to the review. However, there is no assessment as to why these views are important or what role they play in terms of landscape character. Without knowing this a developer would not be able to determine the implications for a development. Accordingly, as part of the examiner's clarifying questions the CNPC were asked to provide descriptive text to add to the Appendix setting out the importance of each view. This amended Appendix has been provided. A number of the views remain inadequately explained as regards their importance and in a number of cases I have recommended an addition explaining the importance having considered these on the site visit. The new appendix is included at Appendix 3, to this report. The new Appendix needs to be substituted in the Review and cross referenced from section 3 of the Policy.

7.32 The strategic context in respect of protecting the natural environment is set out in Policy DM9 of the BCSDMP which seeks to protect, maintain and enhance the District's natural environment, landscape and biodiversity. Policy 2 is in general conformity with this strategic policy. The neighbourhood plan at Policy 2 does add local context and does not merely replicate the Local Plan policies. Policy 2 is therefore complementary to the strategic policies and in general conformity and Basic Condition e) is met.

7.33 BDC in its Reg 16 representation does, however, question whether strategic green gaps are necessary at all given the small scale nature of planned development and the constraints on development already in place. However, the strategic green gaps are an

important part of the community’s approach. It does not appear as though the Policy would undermine any strategic policy and without such justification their removal at this stage in the process would be unwarranted.

7.34 Given that the objective of the Policy is largely to protect the natural environment and landscape, Policy 2 will have a positive effect in achieving sustainable development and in particular environmental sustainability.

7.35 Finally in respect of the supporting text at Para 9.19 the reader is referred to the Environment Bill and the intention to require development to secure Biodiversity Net Gain (BNG). The Environment Act was passed in 2021 and this section needs to be updated. It may be useful to refer plan users to the current guidance in a footnote. The Gov.UK website lists the current document guide as the Biodiversity Metric 3.1 (JP039) together with the calculator tool and user guide on the Natural England website as the current source of advice. Thus, the reference in paragraph 9.19 should be replaced. The British Standard BS8683:2021 Process for Designing and Implementing BNG Specification could also be referenced. BDC suggest in their representations at the Regulation 16 stage that the Policy at section 5 should stipulate a 10% BNG as although this has not yet come into force, the Environment act has been passed with this requirement in place. I acknowledge that with the legislation already in place and in the interests of clear and unambiguous policies that Policy 2 should state this.

7.36 I recommend the following modifications.

Recommendation 4	
4A	In Section 1 of Policy 2 line 5 delete the words ‘where appropriate’.
4B	Reword the whole of section 2 of Policy 2 as follows: <i>“The plan designates parcels of land adjacent to the development boundaries in Cuckney and Norton and in Holbeck as shown on Maps 8a, 8b and 8c as Significant Green Gaps. Development proposals adjacent to these areas or otherwise likely to affect them should demonstrate how they would safeguard the positive contribution made by the Significant Green Gap to the landscape and character of the settlement and its wider setting. Development proposals which would have an unacceptable impact on the character of an identified Significant Green Gap will not be supported.”</i>
4C	In Section 3 of Policy 2 line 2 after ‘9c’ add the words “and described in Appendix C” Delete the word ‘their’ before the word ‘layout’.
4D	In section 7 of Policy 2 last line delete the words ‘where possible enhanced’ and replace with the words “opportunities taken for their enhancement”
4E	Delete the second sentence of para 9.19 of the supporting text. Replace with:

“The Environment Act 2021 provisions requiring a 10% net gain in biodiversity on development sites, although not yet brought into force, will be a mandatory requirement in due course. The neighbourhood plan.....”

After the last word ‘gain’ in paragraph 9.19 insert a footnote reference and the following footnote:

“The Biodiversity Metric 3.1 (JP039) (Natural England) or later versions along with their User Guide should be used to assess biodiversity net gain required in developments.

Reword the start of Policy 2 part 5 to read:

“Development should achieve a Biodiversity Net Gain of 10% in accordance with...”

7.37 With these modifications Policy 2 would meet Basic Conditions a), d) and e).

Protecting or Enhancing Heritage Assets - Policy 3

7.38 Policy 3 in part takes forward the previous ‘made’ plan Policy 2 relating to Heritage at Risk but the new policy also seeks to ensure that new development protects or enhances heritage assets. Section 16 of the NPPF sets out national policy in respect of heritage assets and the wording of Policy 3 has had regard to this policy. The strategic policy in the BCSDMP is Policy DM8 and Policy 3 is in general conformity with it. However, the Planning Practice Guidance advice in respect of neighbourhood plans and indeed the NPPF itself at section 3 is that plans should avoid unnecessary duplication of policy at different levels in the policy hierarchy. There is some overlap between Policy 3 and Policy DM8 and whilst for the most part I am satisfied that the CNHWNP adds locally specific policy advice to what is included in Policy DM8, section 2 of Policy 3, (in particular the second sentence and clauses a) and b)), are virtually a direct repetition of the national policy in paragraph 202 of the NPPF. This is unnecessary.

7.39 In addition to the need for this modification, section 3 d) of the Policy is not clear and unambiguous in using the phrase ‘where applicable’ which has been added to the original ‘made’ plan policy. The text would be clearer for developers and decision makers if it simply stated that the benefit of **any** enabling development must be fully demonstrated.

7.40 By ensuring that the built heritage is protected and enhanced the Policy would contribute to the achievement of sustainable development and in particular the environment objective. With the modifications made, Basic Conditions a), d) and e) would therefore be met.

Recommendation 5	
5A	Delete the second sentence in part 2 of Policy 3 along with clauses a) and b)
5B	In Part 3 d) of Policy 3 Line 1 replace existing text with “<i>the benefit of any enabling development proposal must be fully demonstrated</i>”.

Expanding Employment Opportunities – Policy 4a

7.41 This section of the CNHWNPR incorporating a new Policy 4a is designed to encourage the conversion of vacant buildings and their sensitive development for small scale employment uses particularly those compatible with the historic setting of Welbeck village.

7.42 The NPPF at Paragraphs 84 and 85 encourage rural economic development both through the conversion and re-use of buildings and through well designed new build. As such Policy 4a has regard to national policy and develops it to be locally specific to Welbeck.

7.43 Policy DM1 of the BCSDMP similarly supports sensitive conversion and new development for rural businesses and Policy DM2 provides significant detailed policy control in respect of the conversion of rural buildings. Policy 4a is in general conformity with the strategic policy approach but does have a degree of overlap with the BCSDMP policies. However, Policy 4a in providing locally specific guidance related to Welbeck as the main opportunity site is complementary to Policies DM1 and DM2.

7.44 Policy 4a in encouraging the effective use of vacant buildings for rural enterprise and job creation locally will contribute to the achievement of sustainable development in the neighbourhood area. As such Basic Conditions a), d) and e) are met by the policy and there is no need for modification other than a typographical error – see Appendix 4.

The Redevelopment of Hatfield Plantation Policy 4b

7.45 Policy 4b is largely the same as Policy 19 in the ‘made’ plan and provides for sensitive reuse of part of the Hatfield Plantation and specifically existing hardstandings from its previous use as an ammunition store. Amendments are limited to those necessary to reflect changes in the use classes order and to reflect possible café and bike hire provision on the site.

7.46 In as much as the NPPF at section 11 sets out policy objectives to make efficient use of land Policy 4b has regard to national policy and the Policy is in general conformity with the scope of Policy DM1 of the BCSDMP.

7.47 There are some tensions with environmental sustainability objectives in reintroducing development into what is now a naturally regenerated site. However, as this is already a

proposal of the 'made' plan provided development is contained as proposed to the hardstandings and tree loss is minimised I am satisfied the proposal for the site given its economic and social benefits will contribute to sustainable development. As such the principle of the Policy meets Basic Conditions a), d) and e).

7.48 However I have one minor concern in terms of whether the policy is entirely clear and unambiguous. There does not appear to be a specific proposal for a café and bike hire facility. The supporting text indicates that development **may** include these to link with the recreational use of the amenity area on the site. However, the Policy implies more certainty that such facilities will be provided particularly at clause j). Parking provision is already covered in clause f) and the intention of clause j) in that context is not clear and unambiguous. The clause should be deleted.

Recommendation 6	
6	Delete clause j) from Policy 4b

Achieving Well-Designed Places - Policy 5

7.49 Policy 5 is essentially a new policy in the review replacing a much more restricted design policy relating to residential development only in the 'made' plan. The new policy is based on work carried out for the review to prepare a design code for the neighbourhood area.

7.50 Again given the focus of the NPPF at section 12 seeking a high quality of design, and encouraging the use of design guides and codes, Policy 5 has regard to national policy.

7.51 The relevant strategic policy in the BCSDMP is Policy DM4 with which Policy 5 is in general conformity. There is again some overlap between the two policies particularly in respect of part B of policy DM4. However, Policy 5 in applying the design code has a local specificity and adds local guidance. The outcome of applying Policy 5 will secure more sustainable development. As such the principle of the Policy meets Basic Conditions a), d) and e).

7.52 As with other policies and in order to ensure the Policy is clear and unambiguous as required by the NPPF and PPG there are two modifications that needs to be made. First in clause 1 it implies that there may be cases where scale, nature and location may influence the extent to which development should be to a high design quality and contribute to the character of the area and respond to the design code. This is inappropriate and misleading. In line with the NPPF high design quality should be sought in **all** development. The start of clause 1 should therefore be deleted. Secondly, the use of the phrase 'where possible' in clause d) is not consistent with the requirement for clarity and can simply be removed.

7.53 BDC in its Reg 16 representation suggest improving the wording of the Policy in clauses 1-4 and making the Policy more settlement specific but as explained above, it is not my role to seek to improve policies merely to ensure that they meet the Basic Conditions.

Recommendation 7	
7A	Delete the words ‘Where appropriate to their scale, nature and location’ at the start of Section 1 to Policy 5. Start the Policy at ‘Development proposals’.
7B	Delete the words ‘where possible’ from clause d) of Policy 5

Low Carbon Development and Renewable Energy - Policy 6

7.54 Policy 6 is a substantial reworking and extension of Policy 9 in the ‘made’ plan in response to the climate emergency and provides much more specific guidance and control to ensure that new development is delivered with as low a carbon footprint as possible.

7.55 The NPPF 2021 carries a much stronger commitment to climate change mitigation than its predecessor versions at section 14 and the Review at Policy 6 has had regard to this. The strategic policy in the adopted BCSDMP at both Policies DM4 and DM10 encourage reductions in carbon footprint and Policy 6 is in general conformity with these. The CNPC has made it clear that the intention in the review is to align with the requirements of the emerging BLP which will seek to respond more strongly to the climate emergency and Policy 6 achieves this. Delivery of lower carbon footprints in new development will contribute to achieving sustainable development and accordingly the Policy will meet Basic Conditions a), d) and e).

7.56 BDC in its Reg 16 representation seeks clarification as to what is meant by ‘small in scale’ in Part 4 of the Policy. In the context of what follows ie that the clause is in respect of community schemes designed to provide energy to local residents I am satisfied that the phrase has sufficient clarity and leaves some flexibility to determine what would be appropriate. Other than typographical adjustments there is no need for any modification.

Housing – Policies 7a, 7b and 7c

7.57 The Review puts forward a suite of 3 housing policies – Policy 7a requires a mix of housing types; Policy 7b sets out the requirements for affordable housing and Policy 7c sets out the basis for a rural exceptions site being acceptable.

7.58 The suite of 3 policies has regard to national policy in the NPPF regarding mix, affordability and exceptions and the Review reflects the Government’s recent policy with respect to First Homes.

7.59 Policy 7a in the Review is a reworking of Policy 3 in the ‘made’ plan and in the main adds encouragement to the provision of accessible and adaptable homes as part of any development. This is supported by evidence from the Housing and Economic Development Needs Assessment 2020 which points to expected growth in numbers of those with disabilities as evidence for a higher provision of ‘lifetime homes’. The Policy is worded not as a requirement but as an encouragement for this type of home and therefore the Policy is

flexible and not contrary to the NPPF. The Policy is in general conformity with Policy DM5 of the BCSDMP on Housing Mix and Density. Again, there is a degree of overlap but I am satisfied that Policy 7a adds locally specific guidance and is warranted. Ensuring a mix of housing appropriate to need will help to ensure sustainable communities in the Plan Area and therefore Basic Conditions a), d) and e) are met.

7.60 BDC in its Reg 16 representations suggests that there is scope to improve the wording of the clauses in the Policy and indeed that the objective might be better included as part of the allocation policies. However in both respects I am not persuaded that these changes are necessary for the Policy to meet the Basic Conditions and other than a typographical amendment set out in Appendix 4 below there is no need for any modification.

7.61 Policy 7b develops what is a very brief statement of intent in Policy 4 of the 'made' plan and expands the intention to reflect up to date national policy regarding affordable housing provision on sites of 10 units or more. Although Paragraph 63 of the NPPF states that ordinarily the provision should be made on-site it does allow for off-site provision or financial contributions where clearly justified and particularly where justified in the interests of balanced communities. The Review takes the view that given the small scale of development there needs to be such flexibility and Policy 7b provides for it. In the circumstances this is justified. The Policy is not in general conformity with Policy CS8 of the BCSDMP which requires developments of one or more houses in rural service centres such as Cuckney to make a contribution to affordable housing. However, this BCSDMP policy is no longer consistent with national policy and therefore I accept the lack of general conformity is justified. Ensuring affordable housing provision targeted at meeting local housing needs will help achieve a sustainable community and therefore the Policy meets Basic Conditions a), d) and e).

7.62 BDC in its Reg 16 representation makes a similar point about relocating the affordable housing requirement to the allocation policies. However, as there is no sound reason in respect of the Basic Conditions to reconfigure the plan in this way there is no need for such a modification.

7.63 Finally, Policy 7c introduces a new policy in respect of rural exception sites. This has regard to the NPPF at paragraph 78 encouraging the identification of such sites. The adopted BCSDMP at Policy CS8 allows for exception sites. Policy 7c therefore reflects the general rural housing objectives of the plan and is in general conformity. Ensuring affordable housing provision targeted at meeting local housing needs will help achieve a sustainable community and therefore the Policy meets Basic Conditions a), d) and e).

7.64 BDC in its Reg16 representation argues that Policy 7c sets out different tests to the NPPF and therefore that compliance will be difficult to ensure. It is not entirely clear what the concern relates to except that the NPPF does not actually go as far as Clause c of the policy and the Policy does not expressly allow subsidisation by market housing on the site. However, Policy 7c does not expressly prevent subsidisation by market housing either and, in respect of the reference to controlling mechanisms, although the NPPF may not refer to mechanisms to control allocation to meet local needs and ongoing affordability that is

clearly the intention. However, the reference to control by condition should be deleted from clause 2. Use of conditions to control occupancy in this way is rarely appropriate.

7.65 In respect of Policies 7b (clause 4) and 7c (clause 1d) there is reference to one of the requirements being that development should accord with the design principles in the CNHW Design Code 2021. As Policy 5 already requires all development in the neighbourhood area to reflect these design principles the wording in these two clauses is superfluous and would be better deleted. However, inasmuch as this is not a matter that puts the policies in conflict with the Basic Conditions, I make no formal recommendation to modify.

Recommendation 8	
8A	In Policy 7c Line 2 replace the words ‘in open countryside’ with the words “<i>outside development boundaries</i>”.
8B	In clause c) – line 2 delete the words ‘planning conditions and’ as well as the words ‘as appropriate’.

Improving Sports, Recreation and Community Facilities – Policies 8 and 9

7.66 Policies 8 and 9 of the Review are designed to encourage the retention and development of community facilities and green infrastructure and sustainable recreational routes for the neighbourhood area. Section 8 of the NPPF at paragraphs 92 and 93 recognises the importance of plans facilitating social interaction and healthy lifestyles through the provision of community facilities and recreational opportunities and therefore the principle of both policies have had regard to the NPPF.

7.67 Policy 8 in the Review is an amalgamation of Policy 8 in the ‘made’ plan encouraging the retention and development of community facilities but incorporates what was previously Policy 17 in the ‘made’ plan dealing with the improvement and development of Lady Margaret Hall into a community hub. The revised policy is in general conformity with Policy CS8(c) of the BCSDMP which looks to support community facilities in rural areas. There is some overlap with Policy CS8’s intentions but Policy 8 focusses on improvement and development rather than preventing loss which is adequately covered in Policy CS8(c) The addition of the proposals in respect of Lady Margaret Hall also ensure that Policy 8 develops the intentions of Policy CS8 in a locally specific way. As with other policies there is phraseology in Policy 8 that is not helpful in ensuring a clear and unambiguous policy particularly the use of ‘where possible’ in clause e) which would be better removed. However, as this wording was included in the ‘made’ Plan at Policy 17 I make no formal recommendation for its removal.

7.68 BDC in its Reg 16 representation suggest that a map of community facilities would be helpful. The principal proposal with a spatial component at Lady Margaret Hall is mapped in

Map 14 and referred to in the Policy (note there is a typographical error to correct re map numbering – see Appendix 4) but if BDC can assist CNPC with a suitable map it could usefully be added but I make no formal recommendation to that effect.

7.69 Policy 9 dealing with the conservation and enhancement of cycling and walking routes is virtually the same as Policy 11 in the ‘made’ Plan. There are two matters however which in the interests of developing a clear and unambiguous policy need to be addressed. The original version of the policy (retained in Policy 9) has a reference number 1 at the start. This is confusing and unnecessary as there is no part 2. Secondly, the Policy in line 2 states that development will be permitted. This is inappropriate as this cannot be guaranteed. Consistent with the rest of the policies this should state ‘will be supported’.

7.70 In addition to these minor issues with the policies the supporting text needs some adjustments. In line with Recommendation 1 above and as the allotment site has not yet been developed, Policy 15 of the ‘made’ plan should be retained in the Review for the time being. I note that the Parish Council state some preparatory work has been carried out but at the time of my site visit on 21 March 2022 no substantive start had been made on site that would safeguard the planning permission. In order that the site is safeguarded and the development can be effectively managed I recommend that the Policy is retained. This could either be reinserted along with the other site allocations or inserted in section 16 of the plan dealing with community facilities as Policy 8a after Policy 8 as it is more specific. Either way, there will need to be a revision to paragraph 16.4 of the supporting text to reflect this. In reinstating Policy 15 from the ‘made’ plan the reference to development being permitted in line 2 needs to be changed to development being supported and the reference No 1 removed. Secondly the text at paragraph 16.9 for clarity should make it clear that Policy 8 in the Review is an amalgamation of Policies 8 and 17 of the ‘made’ CNHWP.

7.71 The improvement of community facilities and networks will contribute to the achievement of sustainable development and as a result the plan approach as modified below will meet the Basic Conditions a), d) and e).

Recommendation 9	
9A	Remove the reference number ‘1’ from the start of Policy 9 and in line 2 replace the word ‘permitted’ with the word “<i>supported</i>”
9B	Revise the wording at paragraph 16.4 of the supporting text according to whether ‘made’ Policy 15 is being reinstated as Policy 8a or reinstated together with the other site allocation policies. (See also Recommendations 1 and 11)
9C	Add to the end of paragraph 16.9 of the supporting text after the words ‘Lady Margaret Hall’ the words: “...formerly Policy 17 in the ‘made’ CNHWP”

Promoting Tourism – Policy 10

7.72 Section 17 of the Review seeks to promote appropriate levels of tourism to support the local economy in the neighbourhood area. Policy 10 is a reworking of Policy 10 in the 'made' CNHWNP and in particular introduces a new section focusing on tourism and visitor development in Welbeck village. Inasmuch as the NPPF at paragraph 84 requires planning policies to enable sustainable tourism and leisure developments which respect the character of the countryside the principle of Policy 10 continues to have regard to national policy.

7.73 However, I have two concerns regarding Policy 10. The first, as with other policies relates to being clear and unambiguous. Section 1 of the Policy clearly does relate to Welbeck. It is not clear however whether section 2 is intended to relate more widely to the plan area. I had assumed that this was the case as that was evidently the intention in Policy 10 of the 'made' plan. However, the Parish Council's response to my clarifying question regarding the reference to criteria 10(1) in Section 2 suggests that Section 2 is still aimed at development in Welbeck. Because of this lack of clarity I asked a supplementary clarifying question of the Parish Council. CNPC has indicated that section "10.2 refers to the possibility of changing existing buildings outside Welbeck village into tourism facilities". This being the case the reference back to the requirements of section 1 of the policy is confusing and inappropriate. In any event, section 3 of Policy 10 in respect of tourism development across the plan area already requires development to avoid harm to natural and historic assets and therefore the cross reference in section 2 to criteria in 10(1) is unnecessary.

7.74 In part, the failure of the Policy to be clear and unambiguous arises as a result of the second concern and that is that the supporting text does not provide evidence for what Policy 10 is seeking to do. The whole section is a factual recounting of recent tourism developments in the area. It does not provide the justification for the policy approach. In that respect it fails to have regard to the national guidance in the Planning Practice Guidance on neighbourhood plans which requires policies to be appropriately evidenced. This needs to be rectified in a paragraph or paragraphs before Policy 10 setting out the aspirations to control tourist and visitor development to ensure it remains at a sustainable level. BDC in its Reg 16 representation considers that what is meant by 'appropriate tourism development' should be clarified. The justifying text before Policy 10 would be the opportunity to do this.

7.75 With these changes made the policy will be in general conformity with BCSDMP Policy DM1 regarding economic development in the countryside and generally with the BCSDMP approach to promoting economic development. The Policy, as modified, will control tourism and visitor development to ensure it benefits the local economy and is at a sustainable level without impacting on the local environment or communities. As such the Policy will contribute to achieving sustainable development.

Recommendation 10	
10A	Amend the wording at the start of section 2 of Policy 10 to read: <i>“In Welbeck and elsewhere in the plan area new development,”</i>
10B	Delete the words ‘subject to criteria 10(1)’ in line 2 of section 2 to Policy 10.
10C	Add a new paragraph or paragraphs after paragraph 17.7 of the supporting text setting out the objectives and aspirations and justification for Policy 10 and what it seeks to achieve.

7.76 With these modifications, Policy 10 and supporting text will meet Basic Conditions a), d) and e).

Site Allocations – Policies 11, 12, 13 and 14.

7.77 The original ‘made’ CNHWNP allocated 5 sites as follows:

- Former Depot site Cuckney
- Land south of Cresswell Road Cuckney
- Redevelopment of land and buildings at Woodhouse Hall Barns
- Lady Margaret Crescent and Norton Grange Farm
- Development of the former allotments Cresswell Road Cuckney

7.78 Whilst the Review has taken the opportunity based on new evidence (principally the Design Code and the Housing Needs Assessment) to amend the criteria-based allocation policies, the allocations themselves have not changed with the exception of the last.

7.79 Because the last site obtained planning permission, the submission version of the review did not propose to retain the allocation policy. However, as recommended above (see Recommendations 1 and 9), it is suggested that the review is modified to retain this allocation as it has not yet been implemented. Recommendation 9 left it open as to whether this was reinstated with the other allocation policies or incorporated into section 16 of the Review. I note there has been an objection by a resident to the development of this site for housing, village hall and car park at the Regulation 16 stage principally on the grounds of loss of parkland and community amenity space in the form of the allotments as well as noise and air pollution from the development and parking. As these proposals were supported as part of the ‘made’ neighbourhood plan and permission has been granted and there is no evidence of any change in circumstances, there would be no justification to remove this proposal from the Review. However, the concern does underline the need for the proposal to remain a part of the Review to ensure the wider community’s aspirations for the site are delivered in a satisfactory way.

7.80 In respect of Policy 11 (the Depot Site) this draws on the original Policy 13 in the

'made' plan with some additions around design, tenure, affordability and parking. The Policy itself has regard to national policy and the allocation of the site is in general conformity with the BCSDMP. The only issue with the Policy is in respect of the references to off-street parking. Policy 6 of the 'made' plan sought to ensure appropriate off-street parking on developments fronting the A60 and A616. Although the submission plan argued that this Policy was no longer required, the conclusion at Recommendation 1 above was that the policy should be reinstated in the CNHWNPR. If this is done then the references in section 4 of Policy 11 and in the supporting text at paragraph 18.5 need to be revised to refer to the policy number given to the reinstated Policy and references to Appendix A(2) deleted.

7.81 Regarding Policy 12 (Cresswell Road) this draws on the original Policy 14 in the 'made' plan with some additions around design, affordability and drainage. The Policy itself has regard to national policy and the allocation of the site is in general conformity with the BCSDMP. The only issue with the Policy is that to be clear and unambiguous there should be reference to the map identifying the site at Map 18.

7.82 In respect of Policy 13 (Woodhouse Hall Barns) this draws on the original Policy 16 in the 'made' plan with some additions around design. The Policy itself has regard to national policy and the allocation of the site is in general conformity with the BCSDMP. The text supporting the Policy refers to a request from the water authority that surface water is disposed of sustainably but, whereas the authority's comments are acted on in respect of Policy 12, they have not been in respect of Policy 13 and this needs to be corrected.

7.83 Regarding Policy 14 (Lady Margaret Crescent and Norton Grange Farm this draws on the original Policy 18 in the 'made' plan with some changes around capacity and design. The Policy itself has regard to national policy and the allocation of the site is in general conformity with the BCSDMP. The text supporting the Policy refers to a request from the water authority to refer to the potential for infiltration drainage for disposal of surface water but, whereas the authority's comments are acted on in respect of Policy 12, they have not been in respect of Policy 13 and this needs to be corrected. The only other issue with the Policy is that to be clear and unambiguous there should be reference to the map identifying the site at Map 20.

7.84 BDC in its Reg 16 representation points out that the allocated site should not refer to Lady Margaret Crescent being land relating to Norton Grange Farm and as such in the interests of clear and unambiguous policies the reference to Lady Margaret Crescent should be deleted from the policy title, map 20 and the supporting text. However, from my observations on site, Lady Margaret Crescent is the name of the road heading NW from Main Street and not simply the actual crescent of bungalows. Therefore, the fact that the allocated site fronts onto the east side of this road means that it is factually correct to refer to Lady Margaret Crescent and no modification is necessary.

7.85 Natural England makes the point that in respect of all the allocated sites as well as the Hatfield Plantation that the policies should make explicit reference to the need to

secure Biodiversity Net Gain (BNG). Whilst the importance of this is acknowledged, Policy 2 at section 5 already expressly requires that there is BNG from all development. I therefore do not consider that it is necessary to repeat a requirement in the allocation policies and no modification is necessary. Similarly, the Coal Authority has proposed that developments on the allocated sites are assessed against coal mining risk but inasmuch as this would be a requirement anyway at the validation stage of the development management process I do not consider it is necessary to add a clause to the allocation policies.

7.86 BDC in its Reg 16 representations also question whether sites 11, 12 and 14 are deliverable. The CNPC makes it clear that there is nothing to suggest to the contrary and that the land owner Welbeck Estates has agreements in place to proceed. Moreover, as allocation policies in the ‘made’ plan these are simply being carried forward. In respect of the BDC point that development capacity on the Norton Grange Farm site could be increased, having viewed the context on the site visit and noted the proximity of the listed building and the location in the Conservation Area I am not persuaded that proposing an increase in density would be appropriate in this case.

7.87 The allocation policies all have implicit within them criteria that will ensure the developments are sustainable and in that respect the developments will contribute to economic, social and environmental sustainability objectives in the plan area. As such the Policies as modified below would all meet the Basic Conditions.

Recommendation 11	
11A	In Section 4 of Policy 11 Line 1 delete the wording up to Appendix A(2). Start the clause at ‘The number...’.
11B	In paragraph 18.5 and 19.6 delete references to Appendix A(2) as it is recommended for deletion and if reinstating the parking policy refer instead to the reference number of that reinstated policy.
11C	In Section 1 of Policy 12 – line 1 add after the word ‘dwelling’ the words: “<i>on the site shown on Map 18</i>”
11D	In section 1 of Policy 13 add new clause f) to read “<i>discharges surface water by sustainable drainage systems</i>”.
11E	In Section 1 of Policy 14 – line 2 add after the word ‘buildings’ the words: “<i>on the site shown on Map 20.</i>”
11F	In section 1 of Policy 14 add new clause f) to read: “<i>infiltration drainage is considered prior to any surface water drainage connections being made to the sewerage system</i>”

Implementation and Monitoring and Review

7.88 Sections 20 and 21 of the Review set out simply the ways in which the review will be implemented and a commitment to monitor and review the plan over time.

7.89 These are largely factual statements and for the most part do not raise any issues in respect of the Basic Conditions. However, paragraph 21.2 states that future amendment will only be made following consultation and implies that nothing else would be involved. This may be the main procedural requirement in respect of minor amendments but, as is clear from this first review, if the changes alter the nature of the plan then other procedures must be observed. The text is therefore misleading and needs to be clarified.

Recommendation 12	
12	Delete the words ‘as required by legislation’ in paragraph 21.2 and replace with the following: <i>“...and in accordance with other procedures required of Neighbourhood Plan reviews as set out in legislation and regulation”.</i>

8. Other Matters

Typographical and formatting corrections

8.1 There are a large number of typographical/grammatical errors in the Plan which ought to be corrected. In addition to proposing modifications to ensure the Plan meets the Basic Conditions the only other area of amendment that is open to me as the examiner is to correct such errors. I have identified these in Appendix 4, and, in modifying the Plan as set out above and finalising it for the referendum, these typographical amendments should be made.

Recommendation 13	
13	Make typographical and grammatical corrections as set out in Appendix 4 at the end of this report.

9. Referendum

9.1 Subject to the recommended modifications set out above being completed, it is appropriate that the Cuckney, Norton, Holbeck and Welbeck Neighbourhood Plan Review should proceed to a referendum.

9.2 I am required to consider whether the Referendum Area should be synonymous with

the CNHW Neighbourhood Area or extended beyond it.

9.3 The neighbourhood area covers the administrative areas of Cuckney and Norton and Holbeck and Welbeck Parishes. The CNHWNPR policies and proposals themselves will not affect surrounding areas to any degree and therefore I do not consider that extension of the area would be warranted.

9.4 Accordingly, as was the case with the 'made' plan, I consider that it is unnecessary to recommend any other Referendum Area than the neighbourhood area and no representations have been submitted seeking an alternative approach.

Recommendation 14	
14	I recommend to Bassetlaw District Council that the Cuckney, Norton, Holbeck and Welbeck Neighbourhood Plan Review, modified as specified above, should proceed to a referendum based on the CNHW Neighbourhood Area as approved by the District Council in January 2014.

Peter D Biggers MRTPI AIHBC - Independent Examiner – 27 May 2022

Appendix 1 - Examiner's Clarifying Questions and Information Requests put to Bassetlaw District Council and Cuckney and Norton Parish Council as Qualifying Body

Questions and Information Requests to Bassetlaw District Council (March 2022)

BDC 1 What is the planning situation regarding Hatfield Plantation – are permissions in place? And if so - is the proposed NP policy compatible with the permissions?

BDC Response

Hybrid planning application 15/01037/FUL, which addresses the area covered by NP Policy 4b, in addition to the former Welbeck Colliery site to the south, was approved by BDC in August 2016. There has been subsequent discharge of some of the conditions (16/01171/COND, 17/01408/COND, 18/00798/COND), although a reserved matters application has yet to be submitted. Neighbourhood Plan Policy 4b addresses elements of the extant permission that have yet to be progressed / detailed, but is aligned with the indicative plans included in the initial application. In particular, both application and policy focus development in Hatfield Plantation on the 12 existing hard standings.

PC Response on same matter

Planning permission was granted on the 17th August 2016 and Reserved Matters need submitting within 7 years with development 3 years from approval of RM. An additional period of submission was allowed in recognition of the complicated and comprehensive nature of the wider colliery site redevelopment.

BDC 2 In respect of the Environment Agency's point at Reg 16 stage – is contamination of the Hatfield Plantation site likely to be an issue?

BDC Response

The submission underpinning the extant planning permission for the site (15/01037/FUL) included a thorough [Geotechnical and Geo-Environmental Site Investigation](#). This did identify potential sources of contamination on site, but it is likely that these relate more to the parts of the site related to former Welbeck Colliery - to the south of the area bounded in red on Map 13 in the NP. That said, in response to the potential for contamination, Condition 17 of the approved permission requires that, prior to commencement of development of each phase of the proposal, a remediation strategy is submitted and approved by the local planning authority. Alongside, Condition 20 of the permission details how any newly-discovered contamination should be addressed as part of the implementation of the permission.

PC Response on same matter

Development is proposed to be on the existing concrete pads within the woodland and not intrusive into the ground therefore contamination is not expected to be an issue. Please note this is a policy from the made CNHW NP (see policy 19 at <https://www.bassetlaw.gov.uk/media/3337/cuckney-neighbourhood-plan.pdf>). The QB draw the examiner to para 12.1 of the submission NP which explains that this policy has only been altered to reflect the changes to the use classes order and the addition of i and J criteria which updates the policy due to the progress of the Welbeck colliery application since 2017.

BDC 3 What is current position with village hall site on former allotments? – Despite text ref at paragraph 2.11 no clearance or start on site was evident. How much longer has the permission to run before it expires?

BDC Response

Planning permission for this development, reference 19/00690/FUL, was granted by BDC on 2 December 2020, and will expire on 2 December 2023.

PC Response on Same Matter

Planning permission was granted in December 2020 with development to commence with 3 years i.e., December 2023. Site clearance of the allotments has been completed.

BDC 4 Is Sherwood Forest now a Special Area for Conservation or still a potential prospective SAC?

BDC Response

Sherwood Forest continues to be identified as a prospective potential Special Protection Area (ppSPA)

BDC 5 Is the Bassetlaw Community Infrastructure Levy now in place for BDC?

BDC Response

Yes, CIL came into force in Bassetlaw in 2014. A review of the CIL Charging Schedule is currently under way, and is due to be submitted to the Planning Inspectorate for independent examination alongside the emerging Bassetlaw Local Plan later this year.

Questions and Information Requests to Cuckney and Norton Parish Council (as qualifying Body) (March 2022)

QB1 There are a number of references to 2037 as the end date of the Review in the text but the title indicates 2038. Which is correct?

PC Response

BDC extended the Local Plan to 2038 so it was agreed that the review NP would be extended to the same time frame so all references should be to 2038. (References to 2037 are in error)

QB2 BDC ask for clarification regarding Policy 1 (3) c that the figure of two dwellings is on each site – I presume that is the case - please confirm?

PC Response

Yes for sites in Holbeck Parish this is limited to two dwellings but this excludes Woodhouse Hall and Barns site.

This also relates to a query from BDC which the QB would like to address here.

BDC policy query 'We note that the Plan is promoting development on land outside of the identified development boundaries in Part 3 of Policy 1, which introduces a level of contradiction within a number of the proposed policies through the Plan.' QB response - The reason why Holbeck does not have a Development Boundary (DB) is explained at para 8.7 of the submission NP. Policy 1 part 3 relates to Holbeck because it does not have a DB. The QB do not think this is inconsistent, rather it reflects the difference in form and

function between Cuckney, Norton and Holbeck. It was not considered necessary to have a DB for Holbeck because of the nature of the settlement (very low density interspersed with gaps that are part of the character) this is distinct from the intent to allow some development on the land adjacent to Woodhouse Hall barns which was approved in the made NP.

QB3 Policy 2 - for this Policy to work successfully and for views to be protected a developer needs to understand what is important about each view. At present we only have a photograph and location of each. Can the QB please provide a short summary of why each view is important to sit alongside each photo and provide that to me to be used as a replacement for current Appendix C

PC Response

This has been provided please see attached as a separate file to this email as a pdf. It can also be provided as a word document if required.

QB4 What is intent in Policy 7a(2) and to a lesser extent 7a(3)? 7a(2) is not clear what the intention is and Policy 7a(3) appears to duplicate Policy 7a part 1..

PC Response

7a(2) – Cuckney is a special case in that it is the same landowner for all the site allocations. Welbeck Estates has provided in excess of the AH requirement on the Allotment Site on Creswell Road and they are seeking a policy that provides consideration of this in any assessment of the requirement on a subsequent site within the same parish. (This relates specifically to the Depot Site where they are not minded to deliver the full AH because they have over provided at the Allotment site.) Welbeck Estates adds ‘The principle of the previous NP was that the AH requirement generated by Creswell Road (15% of 10 houses = 1.5) and Depot Site (15% of 17 houses = 2.55) would be cumulatively offset and accommodated on the allotment site (4 houses). As the allotment site has come forward early we could end up with 4 houses on the allotment site plus individual allowances on the other two sites totalling 9 AH, which wasn’t the intention and isn’t viable for 33 houses (5 houses)’. Para 15.30 and policy 7a(2) and policy 7b(1) seek to provide this flexibility.

7a3 – relates to house types and bedrooms rather than tenure agree that it is covered in policy 7a part 1

QB5 In Policy 10(2) – where does the plan user find criteria 10(i) – Is this a typo?

PC Response

Policy 10 (1) sets out the need to balance promoting the role of Welbeck village for tourism with the need to take into account the heritage significance of the listed buildings. The ref in part 2 to 10 (1) is an attempt to say that where this balance has been seen to be achieved new development will be supported. The use of the word ‘criteria’ is causing confusion and could be removed.

QB6 Please can I have a revised version of the consultation statement with all pre submission stage consultees listed in an appendix? Currently the statement appears to only list those consultees actually making representations at the pre-submission stage. Therefore, it is not entirely in line with Regulation 15 of the Neighbourhood Planning Regulations. Once prepared this version of the consultation statement should be

substituted for the version currently on the websites.

PC Response

This list has been provided and added to the consultation statement an amended version is attached to this email and has been added to the websites.

QB7 Has the Review been carried out in accordance with the advice in Paragraph 009 of the Planning Practice Guidance as quoted in the Basic Conditions Statement?

PC Response

Yes the NP Review has been cognisant of the emerging LP and used the evidence base for the emerging LP where necessary. No HRF request was made by the QB because the Review did not seek to amend the growth aspirations set out in the made NP. The reason for the Review of the NP was to bring it up to date with the emerging LP approach and to commission a Design Code and HNA studies (not available when the previous NP was prepared) to get better local evidence to support the delivery of the sites allocated in the made NP. There was no intent to rethink the site allocations or to materially alter the scale of growth supported in the made NP.

QB8 The Parish Council may wish to respond to issues raised in the Regulation 16 representations e.g. in respect of the deliverability of allocated sites raised by BDC Planning Policy.

PC Response

Clarification about housing to be delivered on Welbeck Colliery.

When the made NP was being prepared the NPPF did not encourage LPAs to provide a housing requirement figure for the Plan area. The community were keen to allocate some sites for development in their area as there had been almost no new development for 40 years due to a restrictive approach taken by BDC due to the heritage of the area. The proposals to develop Welbeck Colliery for housing did not address this matter as the Welbeck Colliery site is located adjoining another settlement. The made NP was pro-growth in accordance with NP Regulations. (This is explained in the submission plan at footnote 8). The QB contend that the development at Welbeck Colliery is quite separate – it will serve a different housing market – whereas the growth pursuant from the site allocations in the made NP was to revitalise the Plan area providing more houses for sale, more affordable houses and to attract younger families to support Cuckney village school.

Format of the Review NP with made policies in the appendix Comment on para 3.1 'In general, the annexation of extant / unaltered policies is not consistent with existing neighbourhood plans adopted by Bassetlaw District Council, including others that have recently been reviewed. It is considered that the arrangement is not user-friendly, and liable to cause confusion'.

The removal of the extant NP policies to appendix A was considered to be a clearer way of showing that not all the made NP policies had been amended. Previous Reg 16 comments on a different Review NP in BDC sought to challenge made NP policies so it was suggested that the made policies be move to an appendix. The NP Review process does not provide as much funding for a review NP because a review implies that elements of the made NP (here it is the site allocations) still have community support and remain. The scope of the Review NP is to provide more detail about how 4 these sites can be delivered (because the QB now has bespoke design guide and HNA analysis) and to provide a greater focus on the economic regeneration potential of Welbeck village.

Relationship between the made CNHW NP policies and Review policies.

Policy 11 in the review NP does not seek to alter the principle of development at the Depot Site that was established in the made NP, however Policy 11 in the Review NP benefits from a stronger more locally specific evidence base provided by the Design Code and HNA. Policy 11 should be read alongside the made policy on the Depot. The QB do not think that the two policies are in conflict. The same applies to policy 12 Land South of Creswell Village and Policy 13 Redevelopment and land and Buildings Woodhouse Hall Barns. Policy 11, 12 and 13 use the same site map as in the made NP. The site areas are the same but the additional evidence base provided for the Review NP affords a more specific policy framework.

Policy 6 does the community wish to manage new standalone renewable energy developments?

In view of the time frame of the Neighbourhood Plan, and the speed of change occurring in the development of renewable energy schemes, it seemed reasonable that the community might wish to develop a project in the future. Taking into consideration that most of the land is owned by Welbeck Estates, any potential scheme would likely be a joint venture. It could be envisaged that grant-funded community owned stand-alone renewable development could be undertaken in the plan period, as could site-specific renewable development owned and managed by the householders which it serves.

Policy 7(b) BDC Planning Policy Team refer to % for AH, the QB query which version of the NP BDC planning policy reviewed as references to % were in the Reg 14 plan version and were removed based on their previous comments.

Policy 11 – BDC Planning Policy Team query whether the site is deliverable but the QB contend that there is no evidence to suggest it is undeliverable. It was allocated in the made NP and NCC Highways didn't object to access. Welbeck Estates now have Harper Crewe Development Agreement in place for the delivery of the site over the next 5 years.

Policy 12 – Land South of Creswell Road - BDC Planning Policy Team query whether the site is deliverable but the QB contend that there is no evidence to suggest it is undeliverable. The site was allocated in the made NP. Welbeck Estates now have Harper Crewe Development Agreement for the delivery of the site over the next 5 years.

Policy 13 – This site (the land adjacent to Woodhouse Hall Barns) was allocated in the made CNHW NP see policy 16. This is explained at para 23.18 of the submission NP. The inclusion of Development Boundaries in the Review NP doesn't conflict with this allocation and the DB policy does not remove this separate policy provision. The DB provides further clarification for the community that no additional sites may be considered for development by Welbeck Estates. See also response to question 2 above which addresses the matter of the DB and this site allocation.

Policy 14 – There is a specific limitation on the amount of development on this site because the site is within the Norton Conservation Area, includes a listed building (Norton Grange Farm) and buildings identified by BDC as being positive buildings in the CA. The Review NP policy 14 requires development to keep the density and character in keeping with Norton (based on the Design Code analysis). The site boundary includes the open area allocated in the made NP but the site has been extended to reflect the changed circumstances with regard to the farmstead which is no longer used. This provides an opportunity to deliver a more coherent scheme for the whole site but given the constraints

it is not appropriate to increase density and a higher density scheme would not be supported by the QB or BDC.

The QB would also like to respond to the resident's comments regarding the village hall which is as follows 'I am very against a village hall being built as it is a long way away from the church for them to use. It will remove much of the park which is regularly used by not only school but many families and local people. The school have it marked out for all sports and particularly sports day which will be very dangerous when lots of cars are in the park!!!! It will need to be fenced off from the sports field for safety and a path to the school to avoid lots of muddy, boggy areas.'

QB response - The existing village hall near the Church is owned by Welbeck Estates Company and managed by an independent group. It is now defunct as the heating is irreparable, it doesn't meet the needs of all users and closes permanently on August 31st 2022. Given its sensitive location in the setting of the Grade 1 Listed Church, and the motte and bailey the NPG are also aware (based on previous discussions) that Historic England would require very careful and specific design which would likely constrain the size and function of the hall. There have also been difficulties with the car park area at the site. The playing field is leased by the Parish Council and the school are able to use the field during school hours. The plans for a community building and car park on the playing field and allotment site include a footpath from the proposed car park to the footbridge over the river. The car parking area will be separated from the field by a bund and fencing. The playing field already has a football pitch, separate play area and additional space, that won't be affected by the proposed development.

Appendix 2 Formal Statement on Status of Review and Procedural steps

Argyle Planning Consultancy LTD

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Dear Mr Wilson

Re: Cuckney Norton Holbeck and Welbeck Neighbourhood Plan Review Examination

I am writing following completion of the reading stage in respect of the above examination (and as required by legislation, regulation and Planning Practice Guidance (PPG)) I wish to provide the District Council and Qualifying Body with a statement with regard to the status of the Review and confirmation of the procedural steps the Council must take to progress it .

As you will be aware the PPG, regarding alteration and modification of neighbourhood plans, sets out that there are 3 levels of amendment and review with differing procedures relating to each.

Whilst there are included in the Review of this Plan a number of minor non-material modifications and some material modifications that do not change the nature of the plan, such as the introduction of the Design Code, the procedures relating to progressing these types of review are not appropriate in this case because the Review also includes significant or substantial changes as follows:

- The introduction of development boundaries for Cuckney and Norton;
- The introduction of new policies 2, 4a, 5 and 8;
- Substantial revision to existing policies.

These changes, in combination, will affect the nature of the neighbourhood plan, its objectives and the implementation of the policies and proposals and the way the plan is expected to function.

Accordingly, both independent examination of the Review is required (as now underway) and the Council must act on the outcome of that examination and must publicise and consider the examiner's report in line with the procedure for making a new neighbourhood plan. If deciding to proceed with the Review, it will be necessary for the Council to hold a further local referendum on the reviewed Plan. Only if the result of that referendum is that the majority of those voting support the Neighbourhood Plan Review can it be formally 'made'.

Whilst writing with regard to the status of the Review I can confirm that, having read the representations received at the Regulation 16 stage of the Review, the examination will

proceed on the basis of written representations and a public hearing will not be necessary.

If you require any further clarification on this matter and the status of the Review and the procedure to be followed please do not hesitate to come back to me.

Yours sincerely

Peter Biggers BSc Hons MRTPI AIHBC

Independent Examiner - Argyle Planning Consultancy Ltd



Appendix 3 - Amended Appendix C: Description and Photos of Key Views from Map 9a, b and c

Key Views Cuckney



View number 1 view looking south west across open fields to the grade 1 listed church, open aspect rural scene, traditional boundary treatment. In the foreground of the church is the scheduled ancient monument denoting the presence of a 12th Century motte and bailey.



View number 2 looking north west across an open field to the Grade 1 listed St Marys church. View reinforces the heritage and rural character of the village.



View number 3 looking north east across the 18th Century Cuckney Mill Dam. (Dam is grade 2 listed). Important view looking out of the village encompassing the heritage and rural character of the parish with glimpses to the undeveloped fields beyond.



View number 4 looking south east along Creswell Road demonstrates the close relationship with the landscape with open fields interspersed with ribbon development along the through road



View number 5 looking south west across Cuckney Dam through the railings (both listed). Important view looking out of the village encompassing the heritage and rural character of the parish with glimpses to the undeveloped fields beyond.



View number 6 looking north from the high point across the Dam and to the settlement with longview across the Parish. The view is important to the village setting.

Holbeck



View number 1 looking north west from the PRow at the high point across the conservation area. The view is important to the village setting.



View number 2 looking north east to the Grade 11 listed Church of St Winifred. The view is important to the setting of the church.



View number 3 looking east across the fields in the conservation area Holbeck Woodhouse in the distance. The view is important to the village setting.

Norton



View number 1 looking north east from the ProW across the open countryside to Norton shows the landscape relationship with the built form with long views to the woods beyond



View number 2 looking north east from the same ProW. The views of open countryside are important to the landscape character around the settlement.



View number 3 looking south within the conservation area along Main Street showing the key design features of the village, the boundary treatment, low stone walls and hedges, traditionally built cottages (which are defined as positive buildings in the CA by BDC)



View number 4 junction of Main Street and Lime Street Avenue looking west within the Conservation Area, captures the traditional heritage features, boundary treatment, use of local stone.



View number 5 looking north along Main Street within the Conservation Area, mature trees boundary walls and gates contribute to historic rural character. The view is important to the village character.

Appendix 4 - Recommendation 13 - Typographical Corrections		
Page	Location	Correction
3	Table of contents	For clarity include the relevant policy numbers and their page number in each topic section or a separate Table of Policies with page references.
7	Para 1.7 Line 6	After the word 'likely' insert the word 'to'. Reason – to make grammatical sense.
10	Para 2.10 Line 4	Delete reference to Appendix A. Reason the Appendix will be deleted.
10	Para 2.13 Line 6	Policy 15 is the incorrect policy reference given should be Policy 14.
11	Para 2.16 Line 5	Incorrect policy reference given should be Policy 8.
12	Para 2.19 Lines 1 and 2	Incorrect policy references given
15	Para 3.5 Line 5 on page 15	Insert apostrophe in the word 'areas'. Reason – to make grammatical sense.
15	Para 3.8 Line 1	Replace the reference '5 2, 3 and 4' with the words "five 2, 3 and 4 bed". Reason – to provide clarity in the sentence.
15	Para 3.8 Line 2	Insert the footnote reference following the word 'register' as superscript numbers. Reason - to avoid confusion.
17	Table 3 Last row entry / middle column / line 2	The idiomatic reference here should be "frozen in aspic" rather than 'frozen in aspect' or reword the reference. Reason – to make grammatical sense.
20	Community Objective 2 – line 2	Insert apostrophe in the word 'areas'. Reason – to make grammatical sense.
20	Community Objective 7 – line 2	Insert letter 's' at the end of the word 'remain'. Reason – to make grammatical sense.
21	Key Principle – Community Engagement 2c – line 2	Insert the full title of the Design Code rather than referring to it as the 'Welbeck Design Code'. Reason – to avoid confusion.
21	Para 7.1 line 2	Change '2037' to "2038". Reason – incorrect date remains from earlier version of the NP Review.

22	Para 8.1 Line 1	Change '2037' to "2038". Reason – incorrect date remains from earlier version of the NP Review.
22	Para 8.2 Line 3	After the word 'approach' delete the duplicate full stop. Reason – to correct punctuation.
22	Para 8.4 – bullet point 3 – line 2.	Insert the word "the" before the word settlement. Reason – to make grammatical sense.
23	Bullet point 2 – line 3	Change '2037' to "2038". Reason – incorrect date remains from earlier version of the NP Review.
26	Para 8.8 - Line 3	Insert letter 's' at the end of the word 'site'. Reason – to make grammatical sense.
26	Para 8.9 - Line 1	Insert capital "T" at start of second sentence of paragraph. Reason – to make grammatical sense.
26	Para 8.9 Line 1-2	Removed bracketed reference to Policy 12 unless this remains the policy number for LGS when it is relocated back from the Appendix into the main body of the plan.
27	Policy 1 Part 1 f) Policy 1 Part 1 h) Policy 1 Part 3 a) Policy 1 Part 3 b) Policy 1 Part 3 c)	Delete the word 'and' at the end of the line. Insert full stop at end of line. Insert comma after the word 'scale' and delete the word 'and' at the end of the clause. Insert the word "and" at the end of the line Change the word 'is' to the word "are" Reason - to correct punctuation and tense errors.
26	Para 8.11 - Line 2	Delete the word 'for' and replace with the words "of accommodating". Reason – to make grammatical sense.
28	Para 9.2 – Line 1	Delete the word 'with'. Reason – to make grammatical sense.
28	Para 9.5 – line 1 Line 3	Insert the words "potential prospective" in front of the words 'Special Area of Conservation'. Reason - to correctly identify the current status of the site. Insert the footnote reference following the word 'weight' as superscript numbers. Reason - to avoid confusion.

29	Para 9.9 - line 1	Delete the apostrophe in the word 'watercourses'. Reason – to make grammatical sense.
29	Para 9.11 – line 2	Correct spelling of the word 'action'. Reason typographical error in spelling.
35	Para 9.20 Last sentence	Change the reference to Appendix E to "Appendix C". Reason – incorrect referencing.
37	Para 9.22 – Line 1	Policy 3 is the incorrect policy reference given - should be Policy 2.
38	Policy 2 Section 1 line 1 Policy 2 Section 6 line 2	Insert the word "proposals" after the word 'development' Delete the words 'the scheme' replace with the words "development proposals" Reason (for both) - to make grammatical sense
39	Para 10.2 – line 2	Insert a comma after the word 'lakes'. Reason to correct punctuation.
40	Para 10.5 - Line 1 Line 3	Insert full stop after '10b'. Reason to correct punctuation. Delete footnote ref and associated footnote as LGS are to be part of CNHWNPR. Reason - Appendix A will no longer exist.
42	Table 5 Woodhouse Hall and Barns entry	Policy reference should be Policy 13 not Policy 16. Reason - incorrect policy reference given.
43	Para 10.15 Line 6	Policy reference should be Policy 3 not Policy 4. Reason - incorrect policy reference given.
44	Policy 3 Part1 - line 7	Add the letter 'd' to the word 'Schedule' Reason – To correct the title reference.
45	Para 11.3 - line 3	Insert the word 'which' after the word village' Reason – to make grammatical sense.
46	Policy 4a – Section 1 line 1 and section 2 - line 1	Map reference should be "12" not '19'. Reason - to avoid confusion.
47	Para 12.4	Improve punctuation and phrasing to clarify e.g. "On North side – countryside...outbuildings; on east side – vehicular access....etc

48	Policy 4b	Delete the numerical reference 1 at the start of the policy. Reason – to avoid confusion as there is no second clause to the policy.
49	Para 13.1 Line 1	Delete full stop at the start of sentence. Reason - to correct punctuation.
50	Para 13.8 section a) Line 3	Insert comma before the word 'alternating' Reason - to make grammatical sense.
50	Para 13.8 section c) Line 3	Delete the word 'is' after the word 'farmstead'. Reason – to make grammatical sense.
52	Table 8 Farm storage buildings Welbeck – Line 5	Insert the word “which” before the word 'supports' and replace policy 5a with Policy 4a. Reason – to make grammatical sense and to correct incorrect policy reference.
52	Table 8 Woodhouse Hall Barns - last line	Reference to Policy 15 in the last line should read “Policy 13”. Reason- incorrect policy reference.
52	Table 8 Norton Grange Farm – last line	Reference to Policy 16 in the last line should read “Policy 14”. Reason- incorrect policy reference.
53	Para 13.15 Line 2	Delete the word 'outlines' and replace with the word 'is outlined'. Reason – to make grammatical sense.
55	Para 14.12 line 4	Delete the letter 's' from the word 'provides'. Reason – to make grammatical sense.
55	Para 14.14 last line	Add full stop at end of paragraph. Reason – to make grammatical sense.
56	Policy 6 Part 3 – Line 1 Policy 6 Part 4 Line 2 Policy 6 Part 4 – Line 5	Insert letter 's' at the end of the word 'extension'. Reason - to make grammatical sense. Replace the word 'permitted with the word 'supported'. Reason – to bring wording in line with other policies. Insert letter 's' at the end of the word 'area'. Reason - to make grammatical sense.
57	Tenure and Affordability box – last bullet on page 57	Insert the word “who” between the words 'people' and 'are'. Reason – to make grammatical sense.
58	Tenure and Affordability box – penultimate bullet on page 58 – lines 2-3	Replace the words 'for was' with the words 'was for'. Reason - to make grammatical sense.

59	Para 15.5 – Line 3	Delete the words '19 years to 2037'. Replace with "the period to 2038". Reason – years calculation and end date is incorrect.
59	Para 15.9 - Line 3	Insert the word 'with' after the word 'people'. Reason - to make grammatical sense.
60	Para 15.11- Line 4 Para 5.13 – Line 4	Replace 'M42' with 'M4(2)' Replace 'Category 2 with 'Category M4(2)' Reason – incorrect references given
60	Para 15.14	Replace reference to Table 8 with the words 'Table 9'. Reason – incorrect reference given.
61	Policy 7a Part 4 – Line 3	Put the words'M4(2) of Approved Document M Volume 1 Building Regulations (or equivalent) in brackets. Reason – for clarity.
64	Policy 7c – Line 1	Delete the numerical reference 1 at the start of the policy. Reason – to avoid confusion as there is no second clause to the policy.
67	Policy 8(4) – Line 3	Map reference should be "14" not '12'. Reason - to avoid confusion.
67	Policy 8(4)(b) – Line 1	Delete the word 'the' before the words 'its setting'. Reason - to make grammatical sense.
67	Policy 8(4)(g) – Line 1	Delete the duplicated word 'that'. Reason - to make grammatical sense.
72	Policy 10 Part 3(a) - Line 1	Insert a comma after the word 'location'. Reason - to make grammatical sense.
72	Footnote 65	Reference to Policy 11 should read "Policy 10". Reason- incorrect policy reference.
75	Policy 11 Part 1 – line 2	Map reference should be "17" not '15'. Reason - to avoid confusion.
78	Paragraph 19.10 – Line 3	Reference to Policy 4 should read "Policy 3". Reason- incorrect policy reference.
79	Policy 13 Section 1 line 1	Map reference should be "19" not '17'. Reason - to avoid confusion.
79	Policy 13 Section 1 line 2	Delete the words 'is permitted'. Replace with the words will be permitted. Reason – to bring wording in line with other allocation policies.

79	Policy 13 Section 2 – Line 5	Delete the words 'and still' – replace with the words "sills and". Reason -Typo – it is clear from the Design Code Page 34 that this refers to sills.