

**Bassetlaw Local Plan 2020-2037: Publication Version  
Regulation 19 Consultation August 2021 – October 2021**

**REF Responses 011-020**

REFERENCE NUMBER	ORGANISATION	PARTICIPATING IN HEARING SESSIONS
<a href="#">REF011</a>	Lound Parish Council	No
<a href="#">REF012</a>	Gracemachin on behalf of land owners	Yes
<a href="#">REF013</a>	Rapleys on behalf of Dooba Developments Ltd (CEG)	No
<a href="#">REF014</a>	National Trust	Yes
<a href="#">REF015</a>	Resident	No
<a href="#">REF016</a>	Network Rail	Yes - if needed
<a href="#">REF017</a>	Resident	No
<a href="#">REF018</a>	Newark & Sherwood District Council	Not indicated
<a href="#">REF019</a>	Residents	No
<a href="#">REF020</a>	Town Planning.co.uk on behalf of client	Yes

# REF011



[REDACTED]

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**From:**

[REDACTED]  
13 October 2021 14:15

**To:**

The Bassetlaw Plan

**Subject:**

Response to the Draft Plan

**Attachments:**

Lound PC Comments on BDC Plan Oct21.docx

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Kind Regards

Parish Clerk & Responsible Finance Officer

[REDACTED]

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## Bassetlaw Local Plan 2020-2037

### Publication Version Representation Form September to October 2021

Please submit electronically if possible to [thebassetlawplan@bassetlaw.gov.uk](mailto:thebassetlawplan@bassetlaw.gov.uk)

**Please use this form** to provide representations on the Bassetlaw Local Plan. Bassetlaw District Council must receive representations by **5pm on 21st October 2021**. Only those representations received within this period have the statutory right to be considered by the inspector at the subsequent examination.

Responses can be submitted via the electronic version of the comment form which can be found on the Council's web site at: [www.bassetlaw.gov.uk/BassetlawPlan](http://www.bassetlaw.gov.uk/BassetlawPlan) Alternatively this form can be completed and returned as an e-mail attachment to [thebassetlawplan@bassetlaw.gov.uk](mailto:thebassetlawplan@bassetlaw.gov.uk) or by post to **Planning Policy, Queens Building, Potter Street, Worksop, Nottinghamshire, S80 2AH**

Please note:

- Representations must only be made on the basis of the legal compliance, compliance with the Duty to Co-operate and/or soundness of the Plan.

Please read the guidance note, available on the Council's webpage, before you make your representations. The Local Plan and the proposed submission documents, and the evidence base are also available to view and download from the Council's Local Plan webpage:

[www.bassetlaw.gov.uk/bassetlawplan](http://www.bassetlaw.gov.uk/bassetlawplan)

#### **Data Protection Notice:**

Under the General Data Protection Regulation 2016 (GDPR) and Data Protection Act 2018 (DPA) Bassetlaw District Council, Queen's Building, Potter Street, Worksop, Notts, S80 2AH is a Data Controller for the information it holds about you. The lawful basis under which the Council uses personal data for this purpose is consent.

All representations are required to be made public and will be published on the Council's website following this consultation. Your representations and name/name of your organisation will be published, but other personal information will remain confidential. Your data and comments will be shared with other relevant agencies involved in the preparation of the local plan, including the Planning Inspectorate. Anonymous responses will not be considered. Your personal data will be held and processed in accordance with the Council's Privacy Notice which can be viewed at: <https://www.bassetlaw.gov.uk/about-us/data-protection/departamental-privacy-notices/planning-policy-privacy-notice/>



Due to the Data Protection Act 2018, Bassetlaw District Council now needs your consent to hold your personal data for use within the Local Plan. If you would like the Council to keep you informed about the Bassetlaw Local Plan, we need to hold your data on file. Please tick the box below to confirm if you would like to 'opt in' to receive information about the Bassetlaw Local Plan. Note that choosing to 'opt in' will mean that the Council will hold your information for 2 years from the 'opt in' date. At this time we will contact you to review if you wish to 'opt in' again. You can opt-out at any time by emailing [thebassetlawplan@bassetlaw.gov.uk](mailto:thebassetlawplan@bassetlaw.gov.uk) or by calling 01909 533495.

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Please tick/ delete as appropriate:

Please confirm you have read and understood the terms and conditions relating to GDPR.

Yes ☒

No ☐

Please tick as appropriate to confirm your consent for Bassetlaw District Council to publish and share your name/ organisation and comments regarding the Bassetlaw Local Plan.

I confirm my consent for Bassetlaw District Council to share my name/ organisation and comments regarding the Bassetlaw Local Plan including with the Planning Inspectorate.

Yes ☒


No ☐

Please tick as appropriate below if you wish to 'opt in' and receive updates and information about the Bassetlaw Local Plan.

I would like to opt in to receive information about the Bassetlaw Local Plan.

Yes ☒

No ☐

Printed Name: 

Signature: 

Date: 5 October 2021

**This form has two parts:**

**Part A - Personal details – need only to complete once.**

**Part B - Your representation(s) - Please fill in a separate sheet for each representation you wish to make.**

## Part A- Personal Details

### 1. Personal Details

Name: 

Organisation (if applicable): Lound Parish Council

Address: 

Postcode: 

Tel: 

Fax: N/A

Email: 

### 2. Agent Details (if applicable)

Agent: N/A

Organisation (if applicable): N/A

Address: N/A

Postcode: N/A

Tel: N/A

Fax: N/A

Email: N/A

## Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: Lound Parish Council

### 3. To which part of the Local Plan does your representation relate?

Policy: ST2

Paragraph: 3

Policies Map: N/A

### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

#### 4.(1) Legally Compliant

Yes ☒

No ☐

#### 4.(2) Sound

Yes ☐

No ☒

#### 4.(3) Complies with the Duty to Cooperate

Yes ☒

No ☐

- 5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.** If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Lound Parish Council welcomes the Publication Version of the Bassetlaw Local Plan 2020-2037.

It is noted that the Housing Growth Requirement for Lound remains at 5%, which equates to 10 new dwellings. Consultation shows that the village overwhelmingly believes that this is a sustainable and proportionate contribution to the national housing shortage, given Lound's very limited facilities and narrow streets. This percentage number is subject to the correction of a mis-print of the table headings at the top of page 40 within Policy ST2, which appears to require 20% growth. This oversight has already been acknowledged in an email from Ms Karen Johnson, Bassetlaw District Council's Planning Policy Manager.

This representation, which falls within the "soundness" category, concerns Paragraph 3 of Policy ST2 of the Plan.

The previous version of the Bassetlaw Local Plan in November 2020 contained a Paragraph E in Policy ST2, which says "Where the percentage housing requirement for an eligible settlement has been achieved, additional housing development will only be supported where it can be demonstrated that it has the support of the community and Council through the preparation, or review, of a neighbourhood plan." This clear statement, in the spirit of Localism, means that additional development can still be achieved and, using the neighbourhood plan process in this way, must be the right way to demonstrate community support.

Unfortunately, now in the Publication Version of the Plan, the alternative of a developer-led pre-application community consultation has been added, instead of the route involving the revision of a neighbourhood plan. It is feared that this will weaken the neighbourhood plan or even be used to by-pass it. In the Draft Lound Neighbourhood Plan, which is currently at the Examination stage, developers are already being encouraged to participate in a pre-application community engagement process with the Parish Council, which is endorsed by the NPPF. The Steering Group believes that, where additional development above that which is required by the District is proposed, both processes should be used, but that the neighbourhood plan stage should remain as a mandatory gate to be passed.

**Continue on a separate sheet if necessary**

**6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in Question 5 above.**

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

In line with the reasoning above, it is suggested that the text shown below in red strikethrough should be removed from Paragraph 3 of Policy ST2 of the Plan as follows:

~~“3. Where the growth requirement for an eligible Large or Small Rural Settlement has been achieved, additional residential development will only be supported where it can be demonstrated that it has the support of the community through the preparation of a neighbourhood plan (including a review) where it is proposing:~~

- ~~a) the appropriate conversion of an existing building(s) within an eligible settlement;~~
- ~~b) to bring redundant, disused buildings and/or land into residential use and would enhance its immediate surroundings;~~
- ~~c) accommodation for forestry or agricultural workers in accordance with Policy ST34;~~
- ~~d) a design of exceptional quality, that is appropriate to its local context which would significantly enhance its immediate setting in accordance with Policy ST35;~~
- ~~e) an exceptions site or First Homes exception site in accordance with Policy ST29.”~~

**Continue on a separate sheet if necessary**

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

**7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**

Yes, I wish to participate in hearing session(s)

Yes ☐

No, I do not wish to participate in hearing session(s)

No ☒

**8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

N/A

**Please note** that the inspector will make the final decision as to who is necessary to participate in hearing sessions, and to which hearing session(s) they should attend, and they will determine the most appropriate procedure to adopt to hear those who wish to participate at the examination hearings.

# REF012



**From:** [REDACTED]  
**Sent:** 13 October 2021 14:31  
**To:** The Bassetlaw Plan  
**Subject:** Bassetlaw Local Plan 2020-2037 - Publication Version Representation / September to October 2021  
**Attachments:** Reg 19 Submission Land North of Gateford Rd.pdf; Reg 19 Land South of Gateford Rd Oct 21.pdf; Committee Report 3 June 2015.pdf

External Message - Be aware that the sender of this email originates from outside of the Council. Please be cautious when opening links or attachments in email

Date : 13 October 2021

**Bassetlaw Local Plan 2020-2037 - Publication Version Representation / September to October 2021 (Regulation 19)**

Please find attached representations on behalf of, [REDACTED].

These relate to landholdings to the North and South of Gateford Rd, Worksop.

The representations are duly submitted in advance of the deadline – 5pm on the 21<sup>st</sup> of October 2021.

Confirmation of receipt would be appreciated, and we look forward to hearing from you.

Regards, Nick.

[REDACTED]  
BA(Hons) Dip TP MRTPI • Partner



2 Hollowstone, The Lace Market,  
Nottingham NG1 1JH



**Granted** - Planning Appeal Won Enabling Economic Growth



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## Bassetlaw Local Plan 2020-2037

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Please tick/ delete as appropriate:

Please confirm you have read and understood the terms and conditions relating to GDPR.

Yes ☒ x

No ☐

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I confirm my consent for Bassetlaw District Council to share my name/ organisation and comments regarding the Bassetlaw Local Plan including with the Planning Inspectorate.

Yes ☒ x

No ☐

Please tick as appropriate below if you wish to 'opt in' and receive updates and information about the Bassetlaw Local Plan.

I would like to opt in to receive information about the Bassetlaw Local Plan.

Yes ☒ x

No ☐

Printed Name: [REDACTED]

Signature: [REDACTED]

Date: 10 October 2021

**This form has two parts:**

**Part A - Personal details – need only to complete once.**

**Part B - Your representation(s) - Please fill in a separate sheet for each representation you wish to make.**

## Part A- Personal Details

### 1. Personal Details

Name:

[REDACTED]

Organisation (if applicable):

Address:

VIA AGENT

Postcode:

Tel:

Fax:

Email:

### 2. Agent Details (if applicable)

Agent:

[REDACTED]

Organisation (if applicable):

GraceMachin Planning & Property

Address:

[REDACTED]

Postcode:

[REDACTED]

[REDACTED]

[REDACTED]

Fax:

Email:

[REDACTED]

## Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: GraceMachin Planning & Property

### 3. To which part of the Local Plan does your representation relate?

Policy:

Paragraph:

Policies Map: Worksop

### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

#### 4.(1) Legally Compliant

Yes x

No ☐

#### 4.(2) Sound

Yes ☐

No x

#### 4.(3) Complies with the Duty to Cooperate

Yes x

No ☐

5. **Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.** If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Representations were previously sent to Bassetlaw District Council, as Local Planning Authority (LPA) in February 2020 and January 2021 principally relating to Policy **ST 14**: Housing Distribution and Policy **ST 37**: Conservation and Enhancement of the Historic Environment.

These representations set out that my clients have worked with the Local Authority for many years to deliver new homes in the Worksop area (a key urban centre) ensuring that it remains the most sustainable place to live and work in the District. It also identified current land ownership and broad areas considered suitable for future development.

We continue to submit representations that the LPA have incorrectly identified our client's land as Gateford Park when it should be identified as mixed grass and arable farmland - Gateford Hall Farm. Our clients land are not 'formal parks and gardens'. However, the Local Plan does state that:

*5.1.43 Worksop is the principal town in the District, has a population of approximately 41,82015 , and enjoys relative ease of access to a range of higher order health, education, cultural, retail and employment opportunities.*

*5.1.44 It is the most sustainable location for significant growth*

*5.1.45 Over the past three years, Worksop has experienced high levels of housing growth, with areas such as Gateford Park seeing over 250 housing completions.*

Taking the above into account it is not considered a robust planning strategy to only seek one greenfield allocation on the edge of Worksop to 2037 (Peaks Hill Farm) and re-examination of the previous development areas submitted in Gateford on behalf of my clients, must be considered by the Inspector if he / she has any concerns over the 'deliverability' of units at Peaks Hill Farm. This is an important matter considering the size of the of the scheme (circa 1,000 new units). The impact of slow housing delivery would have a major impact on the housing trajectory. Homes are not projected to be delivered on site until 2026/27 – see Paragraph 7.2.4 of the Consultation Local Plan. Non delivery would be catastrophic.

My client's land holdings are of a comparable area with a woodland setting and new woodland could be delivered as part of a new scheme at Gateford. Peaks Hill requires more historical and archaeological assessment, and we are not aware of any clear 'benchmarking' against my clients proposed development areas on the edge of Gateford / Worksop. There are several heritage assets in the locality of Peaks Hill including the listed Broom Farm and Freshfields which have statutory protection. We are concerned about the impact of development on these assets.

The proposed allocation of a single large greenfield site on the edge of Worksop is a high-risk strategy in terms in housing delivery. We anticipate that the Inspector will want to question the logic of a single housing allocation on the edge of Worksop when other sites are suitable, available, and deliverable.

Peaks Hill will be a complex site to deliver, and we expect that a full debate on its suitability and deliverability will be heard by a Planning Inspector. On the basis that we represent a major landowner on the edge of Worksop who has consistently delivered housing sites to the Worksop market over many years we trust that we will have the opportunity to take part in the debate. To allocate a single complex greenfield site on the edge of Worksop is 'high risk'.

We strongly question that Peaks Hill is the most appropriate location for transport and communication. It is relatively remote from the A57 Trunk Road which provides the majority of communication east, west and south, as well as traffic north to the M1. The A57 is undoubtedly the main commuting route for the town. Peaks Hill is also remote from the railway stations at Worksop and Shireoaks. It should be noted that Shireoaks Station can be reached ON FOOT from Gateford.

The Council acknowledge at Paragraph 7.2.4 that the Peaks Hill site will be complex to deliver by virtue of its size. We feel it is critical that a robust justification is presented at the Hearings Sessions by the Peak Hill promoter and Council to justify why a mix of sites of differing sizes and locations have not been identified around Worksop. If the Inspector has any concerns about the strategy of allocating a single greenfield site on the edge of Worksop, he / she should be comforted by the fact that 'omission sites' do exist to meet the housing needs of the area.

**Continue on a separate sheet if necessary**

**6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in Question 5 above.**

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

We seek modifications to the Inset Map – **Worksop** - to make this plan 'sound'.

A 'sound' plan would identify more than a single large housing allocation to meet the housing needs of the local Worksop community over the next 15 years from 2022.

Peaks Hill should not be the sole greenfield housing allocation on the edge of Worksop\* when it will be difficult to deliver (cross reference Local Plan Consultation (Regulation 19) – Paragraph 7.2.4).

\*Worksop is the Main Town in the District (Paragraph 5.1.43) and planning to accommodate a third of all growth (Paragraph 5.1.35).

**Continue on a separate sheet if necessary**

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

**7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**

Yes, I wish to participate in hearing session(s)

Yes ☒ x

No, I do not wish to participate in hearing session(s)

No ☐

**8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

To discuss the broader strategic housing distributions in the district and those in the Workop area relating to Peaks Hill and my clients land ownerships around Gateford Hall Farm.

**Please note** that the inspector will make the final decision as to who is necessary to participate in hearing sessions, and to which hearing session(s) they should attend, and they will determine the most appropriate procedure to adopt to hear those who wish to participate at the examination hearings.





## Bassetlaw Local Plan 2020-2037

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**Part A - Personal details – need only to complete once.**

**Part B - Your representation(s) - Please fill in a separate sheet for each representation you wish to make.**

#### Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: Nick Grace of GraceMachin Planning & Property

#### 3. To which part of the Local Plan does your representation relate?

Policy: ST1 – Development Boundary

Paragraph:

Policies Map:

#### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

##### 4.(1) Legally Compliant

Yes x

No ☐

##### 4.(2) Sound

Yes ☐

No x

##### 4.(3) Complies with the Duty to Cooperate

Yes x

No ☐

**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.** If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

On behalf of our clients, [REDACTED], we consider that the extent of the Development Boundary around Worksop is unsound (Policy ST1 – Page 35).

We (GraceMachin Planning & Property) obtained planning permission (LPA Ref: 14/00213/OUT) for *Outline planning permission for mixed use development comprising of residential (upto 380 units) and commercial (upto 19,000 sq m) of B1(a) office space. Provision of open space and improved site landscaping, vehicular access from Gateford Rd, Gateford Toll Bar and Claylands Avenue.*

This area of land is identified on the Worksop Proposal Map as being a 'Committed Housing' site with circa 50% of the site WITHIN the **Development Boundary** and 50% OUTSIDE.

We consider this to be an unsound proposal and we have no explanation in the Local Plan as to why a Development Boundary should cut across a 'Committed Housing Site' which is currently under construction.

Furthermore, the reference on the Worksop Proposal Map Inset is that **The Development Boundary** relates to **Policy ST1**.

Within the Local Plan Document itself (Page 35) – **Policy ST1 – Bassetlaw's Spatial Strategy** makes no reference to a Development Boundary Policy. This is confusing and unsound. The Plan states that the ST1 Spatial Strategy will deliver:

*Managed sustainable development and growth, appropriate to the size of each settlement to meet the evidenced need for new homes and jobs, regenerate the District's town centres, and support necessary improvements to infrastructure, services and facilities...* (Page 36).

We can guess that the Development Boundary on the Proposal Map seeks to identify an area where most new development will be delivered but the mismatch of the Proposal Map Key and Local Plan Document is clearly confusing and unsound.

Furthermore, we are unclear of what the status of 'Committed Housing' sites is the Proposals Map as no direct reference is made to them in the Local Plan. No individual housing numbers are attributed to these 'Committed Sites' in the Local Plan. Such sites are not proposed allocations, but they do identify housing sites which will deliver new housing within the Plan Period. The land parcel linked to 14/00213/OUT was at the time of submission within the sole freehold ownership of my clients. Since obtaining planning permission, Savills have as agents sold part of the site and the construction of new homes has commenced. However, only a part freehold sale has taken place and the balance of the site remains at this time for sale and within the ownership of my clients. It anticipated that a further tranche of land will be sold imminently to another housebuilder.

Part of the site (although not identified as such on the Proposals Map) fronting onto Claylands Avenue has been marketed for more than 24 months by Savills for B1 (a) office space – as per the 2014 consent. However, no viable and proceedable offers have been made. There is today, simply no B1(a) office space demand of the size and scale obtained under the 2014 outline permission. Accordingly, we are supportive of the wider 'Committed Housing' status of the site but consider that the whole site should be identified within the Development Boundary of Worksop.

**Continue on a separate sheet if necessary**

**5. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in Question 5 above.**

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

We consider the Proposals Map Key relating to 'Development Boundary' and Policy ST1 – Bassetlaw's Spatial Strategy requires review.

We consider that committed housing sites on the edge of Worksop which are under construction should be within the Development Boundary.

Not crossing or splitting a site as is the case with my client's land to the South of Gateford Rd and North of Claylands Avenue. It is illogical and unclear to do so (i.e., unsound).

We consider that the Local Plan should reference committed housing sites in the main Local Plan document setting out the level of new housing to be delivered on each site.

We attach the 2014/00213/OUT Committee Report for reference and site identification purposes.

**Continue on a separate sheet if necessary**

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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**6. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**

Yes, I wish to participate in hearing session(s)

Yes ☒

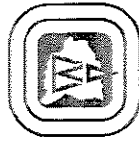
No, I do not wish to participate in hearing session(s)

No ☐

**7. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

To participate in a debate on Policy ST1 and the annotation and inclusion of Committed Housing Sites in the Local Plan / and their purpose of referencing within and outside of the Proposals Maps Development Boundary in Worksop.

**Please note** that the inspector will make the final decision as to who is necessary to participate in hearing sessions, and to which hearing session(s) they should attend, and they will determine the most appropriate procedure to adopt to hear those who wish to participate at the examination hearings.



**Bassetlaw**  
DISTRICT COUNCIL  
— North Nottinghamshire —

# **PLANNING COMMITTEE**

## **AGENDA**

Meeting to be held in  
The Ballroom,  
Retford Town Hall, DN22 6DB  
on Wednesday, 3<sup>rd</sup> June 2015  
at 6.30 p.m.

**(Please note time and venue)**

**Please turn mobile telephones to silent during meetings.  
In case of emergency, Members/officers can be contacted  
on the Council's mobile telephone: 07702 670209.**

**In accordance with the Openness of Local Government Bodies Regulations 2014,  
audio/visual recording and photography at Council meetings is permitted  
in accordance with the Council's protocol 'Filming of Public Meetings'.**

## **PLANNING COMMITTEE**

**Membership** 2015/16

**Councillors** H. Burton, S. Fielding, G. Freeman, K. H. Isard, G. A. N. Oxby,  
D. G. Pidwell, M. W. Quigley, H. M. Richards, M. Richardson,  
S. Scotthorne, A. K. Smith and T. Taylor.

**Substitute Members:** None

**Quorum:** 3 Members

### **Lead Officer for this Meeting**

Mr Paul Cooper - Ext. 3462

### **Administrator for this Meeting**

Cara Crossland - Ext. 3254

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### **NOTE FOR MEMBERS OF THE PUBLIC**

- (a) *Please do not take photographs or make any recordings during the meeting without the prior agreement of the Chairman.*
- (b) *Letters attached to Committee reports reflect the views of the authors and not necessarily the views of the District Council.*

## **PLANNING COMMITTEE**

**Wednesday, 3<sup>rd</sup> June 2015**

### **AGENDA**

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS \* (pages 5-6)  
(Members' and Officers' attention is drawn to the attached notes and form)
  - (a) Members
  - (b) Officers
3. MINUTES OF MEETING HELD ON 22<sup>nd</sup> APRIL 2015 \* (pages 7 - 10)
4. MINUTES OF PLANNING CONSULTATION GROUP MEETINGS HELD BETWEEN 13<sup>TH</sup> APRIL AND 5<sup>TH</sup> MAY 2015 \* (pages 11 - 20)
5. OUTSTANDING MINUTES LIST \* (page 21)

### **SECTION A – ITEMS FOR DISCUSSION IN PUBLIC**

#### **Key Decisions**

None

#### **Other Decisions**

6. REPORT(S) OF THE HEAD OF REGENERATION \*
  - (a) Public Interest Test:  
(Ms B Alderton-Sambrook, Interim Head of Regeneration, has deemed that all Items on the Agenda are not confidential)
  - (b) Development Management (Control) End of Year Performance 2014/15  
pages 23 – 32)
  - (c) Planning Applications and Associated Items (pages 33 - 72)

#### **Exempt Information Items**

*The press and public are likely to be excluded from the meeting during the consideration of the following items in accordance with Section 100A(4) of the Local Government Act 1972.*

### **SECTION B - ITEMS FOR DISCUSSION IN PRIVATE**

#### **Key Decisions**

None

#### **Other Decisions**

None.

7. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT



\* Report attached

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NOTES:

1. The papers enclosed with this Agenda are available in large print if required.
  2. Copies can be requested by contacting us on 01909 533254 or by e-mail:  
[cara.crossland@bassetlaw.gov.uk](mailto:cara.crossland@bassetlaw.gov.uk)
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## DECLARATION OF INTEREST

COMMITTEE .....

DATE .....

NAME OF MEMBER : .....

### Type of Interest

1. Disclosable Pecuniary
2. Non Pecuniary

<b>Agenda Item No.</b>	<b>REASON *</b>	<b>Type of Interest (1 or 2)</b>
Signed		
Dated		

**Note:**

- \* When declaring an interest you must also state the nature of your interest.

Completion of this form is to aid the accurate recording of your interest in the Minutes. The signed form should be provided to the Minuting Clerk at the end of the meeting.

A nil return is not required.

It is still your responsibility to disclose any interests which you may have at the commencement of the meeting and at the commencement of the appropriate Agenda item.

## **DECLARATION OF INTERESTS**

### ***HOW TO USE THIS FORM***

There are now only two types of Declaration of Interest:

Disclosable Pecuniary Interests	)	Details can be found in the Councillors
	)	Code of Conduct which is contained in
	)	the Council's Constitution (a summary is
Non Pecuniary Interests	)	printed below)

Upon receipt of the attached form you will need to enter the name and date of the Committee and your own name. By looking at the Agenda you will no doubt know immediately which Agenda Items will require you to make a Declaration of Interest.

Fill in the Agenda Item number in the first column of the form.

Enter the subject matter and any explanations you may wish to add in the second column.

In the third column you will need to enter **either** if you are declaring a disclosable pecuniary interest, **or** a non pecuniary interest.

The form must then be signed and dated. Please remember that if during the actual meeting you realise that you need to declare an interest on an additional Agenda Item number please simply amend the form during the meeting.

The form must be handed into the Committee Administrator at the end of the meeting.

NB. The following is a summary prepared to assist Members in deciding at the actual meetings their position on INTERESTS it is not a substitute for studying the full explanation regarding INTERESTS, which is contained in the Council's Constitution and the Code of Conduct for Councillors, which is legally binding.

Members and Officers are welcome to seek, **PREFERABLY WELL IN ADVANCE** of a meeting advice from the Council's Monitoring Officer on INTERESTS.

#### **Disclosable Pecuniary Interests**

May relate to employment, office, trade, profession or vocation carried on for profit or gain  
May relate to sponsorship  
May relate to contracts  
May relate to interests in land  
May relate to licences to occupy land  
May relate to corporate tenancies  
May relate to securities

#### **Action to be Taken**

Must disclose to the meeting  
- existence of the interest  
- the nature of the interest  
- withdraw from the room  
- not seek improperly to influence a decision on the matter

#### **Non Pecuniary Interests**

May relate to any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Council  
May relate to any person from whom you have received a gift or hospitality with an estimated value of at least £25  
A Member may also have a non pecuniary interest where a decision in relation to that business might reasonably be regarded as affecting wellbeing or the wellbeing of other council tax payers, or ratepayers or inhabitants in the electoral division or ward, as the case may be, affected by the decision.

#### **Action to be Taken**

Must disclose to the meeting  
- existence of the interest  
- the nature of the interest  
- not seek improperly to influence a decision on the matter.

(Note – there are special provisions relating to "Sensitive Interests" which may exclude the above provisions in certain circumstances.)

**DRAFT**

**PLANNING COMMITTEE**

**Minutes of the meeting held on Wednesday, 22<sup>nd</sup> April 2015 at Worksop Town Hall**

**Present:**

Councillor B Barker (Chair)  
Councillors H Burton, D Challinor, S Fielding, G Freeman, K H Isard, G A N Oxby, A Smith,  
M Richardson and K Sutton.

Officers in attendance: B Alderton-Sambrook, D Askwith, P Cooper, C Crossland, J Davies,  
R Theakstone and S Wormald.

Also present: K Hall.

(Meeting commenced at 6.30pm.)

(The Chairman welcomed all to the meeting, read out the Fire Evacuation Procedure, and also enquired as to whether any member of the public wished to film the meeting or any part thereof, however, there were no members of the public present.)

The Chairman introduced and welcomed Paul Cooper the new Interim Development Team Manager.

**84. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors G Jones and C Palmer.

**85. DECLARATIONS OF INTEREST**

**(a) Members**

Councillor D Challinor declared a non-pecuniary interest in application 15/00039/FUL as he is a ward Councillor for Harworth. He remained in the meeting.

Councillor A Smith declared a non-pecuniary interest in application 15/00039/FUL as she is a member of Harworth Town Council. She remained in the meeting.

**(b) Officers**

There were no declarations of interest by officers.

**86. MINUTES OF THE MEETING HELD ON 11<sup>TH</sup> MARCH 2015**

**RESOLVED** that the Minutes of the meeting held on 11<sup>th</sup> March 2015 be approved.

**87. MINUTES OF PLANNING CONSULTATION GROUP MEETINGS HELD BETWEEN 2<sup>ND</sup> MARCH AND 7<sup>TH</sup> APRIL 2015**

**RESOLVED** that the Minutes of the Planning Consultation Group meetings held between 2<sup>nd</sup> March and 7<sup>th</sup> April be received.

**88. OUTSTANDING MINUTES LIST**

**RESOLVED** that the Outstanding Minutes List be received.

## **SECTION A – ITEMS FOR DISCUSSION IN PUBLIC**

### **Key Decisions**

None.

### **Other Decisions**

#### **89. REPORT(S) OF THE HEAD OF REGENERATION**

##### **(a) Public Interest Test**

The Head of Regeneration had deemed that Agenda Item No. 7(a) was of a confidential nature.

##### **(b) Planning Applications and Associated Items**

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
15/00039/FUL	Mr Steve Howard	Residential development for 44 dwellings, site of former Harworth Miners Welfare, White House Road, Bircotes

The application had been the subject of a site visit prior to the meeting. The application sought permission for a residential development of up to 44 dwellings on the site of the former Harworth Miners Welfare social club. Slides were used to show the site location and proposed layout.

The former Harworth Miners Welfare social club has been demolished and the building has been cleared from the site. The site is within the development boundary located in a mixed residential area. Access to the site would be from White House Road.

The principle of residential development is considered acceptable in line with national and local planning policy. A summary of responses from statutory consultees was given. The proposed development is for 100% affordable housing for rent to be provided by a registered social landlord. Nottinghamshire County Council Education has commented that the development would result in an additional nine primary school places and would seek a contribution towards the additional places. However they acknowledge that the site would deliver 100% affordable housing and welcome the widening of the school access. Given that the scheme is publicly funded via the Homes and Communities Agency, any additional contribution would render the scheme unviable, a viability assessment has been submitted.

A letter of support has been received from Bircotes and Harworth Community Hall welcoming the development of the derelict site. Serlby Park Academy also welcome the development of the site. They have commented that they would like to see a fence erected.

The benefits of the proposal have been weighed against the requirements for S106 contributions. On balance officers consider that the delivery of an affordable housing scheme outweighs the need for an education contribution in this instance.

An elected Member welcomed the scheme and commented on the previous anti-social behaviour and fly tipping problems on the derelict site.

Observations of Nottinghamshire County Council Director of Environment and Resources (Highways), Nottinghamshire County Council Director of Environment and Resources (Education), The Council's Principal Environmental Health Manager, Nottinghamshire Wildlife Trust, the Council's Tree Officer and Severn Trent Water were taken into consideration. Also taken into account were a letter of support, comments from Serlby Park Academy, comments from the Homes and Communities Agency, and supporting information submitted by the applicant.

**RECOMMENDATION OF THE HEAD OF REGENERATION** – Grant planning permission subject to the conditions as circulated and the signing of a S106 agreement.

**COMMITTEE DECISION** – Grant planning permission subject to the conditions as circulated the signing of a S106 agreement.

## **SECTION B – ITEMS FOR DISCUSSION IN PRIVATE**

### **Key Decisions**

None.

### **Other Decisions**

#### **90. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**RESOLVED** that, in accordance with Part 1 of Schedule 12A of the Local Government Act 1972, and after considering the public interest test as set out by the officer in the body of the report, Members agreed that the following items of business involved the likely disclosure of exempt information as defined in Paragraphs 3, and therefore, in accordance with Section 100A of the Act, the press and public be excluded from the meeting:

Agenda Item No. 7(a) - Planning Applications and Associated Items - Paragraph 3

#### **91. REPORT(S) OF THE HEAD OF REGENERATION**

##### **(a) Planning Applications and Associated Items**

<u>Application No</u>	<u>Proposal</u>
14/00431/OUT	Outline application for residential led development comprising up to 750 dwellings, a one form entry primary school including a community hall and two junior playing pitches, landscaping, incidental formal and informal open space, highway and drainage works, associated earthworks and access from Churchill Way and Ashes Park Avenue, land at Gateford Park, Ashes Park Avenue, Worksop

Members were presented with an update on the legal agreement in relation to the above application. At Planning Committee in September 2014 Members resolved to conditionally grant outline planning permission subject to the signing of a legal agreement. Information including the triggers and details of each contribution was given.

The Major Projects Officer informed Members that since the original resolution the Council has agreed to maintain the drainage system on the site for an additional maintenance fee of £15,500. This will still be secured through the s106 agreement.

Officers have reviewed the delivery mechanism for the infrastructure required and in this specific circumstance, it is felt that the best way forward is to revise the mechanism by asking for the full CIL payment and spending some of this money on site specific infrastructure. Therefore officers will ring fence £433,000 for primary school provision, £706,436 for open space maintenance and allocate £195,000 for the play area from the local monies aspect of the CIL money.

Members were advised that the remaining CIL will be spent on the Regulation 123 infrastructure as originally intended. This is likely to be the A57 road improvements around Worksop and towards increasing secondary provision in Worksop.

**RESOLVED** that the revised mechanism for securing the required infrastructure through asking for the full CIL payment as identified above be approved. This will involve ring fencing £433,000

for primary school provision, £706,436 for open space maintenance and allocating £195,000 for the play area from the local monies aspect of the CIL money due to be collected.

92. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT

The Chairman wished everyone well for the future. He thanked officers and Members of the Committee for their support.

As there was no other urgent business to be considered, the Chairman closed the meeting.

(Meeting closed at 7.05 pm.)

## PLANNING CONSULTATION GROUP

### Minutes of the meeting held on Monday, 13<sup>th</sup> April 2015 at Worksop Town Hall

Present: Councillors B Barker (Chair), G Freeman and K Sutton.

Officers in attendance: P Cooper and C Crossland.

(Meeting opened at 4.00pm.)

#### 155. APOLOGIES

There were no apologies for absence received.

#### 156. PLANNING APPLICATIONS

<u>Application No</u>	<u>Proposal</u>
15/00133/FUL	New 1.92m high fence, raised patio area to front of property with central gate dividing garden area from parking area within courtyard, The Old Dairy, Church Hill, North Wheatley

Members were advised that the application sought to retain a timber fence and raised patio to the front of the converted building and central gate dividing the garden area from the courtyard. Site plans and photographs were tabled. Members were given an overview of the sites planning history.

English Heritage have commented that the fence has resulted in the subdivision of the historic farmyard which is within the curtilage of the Grade II\* listed Old Hall. English Heritage consider that the scheme is harmful to the significance of the listed building and feel that there is no clear justification for the proposal.

The Council's Conservation Officer has commented that the scheme divides the historic courtyard which is within the curtilage of the Grade II\* building. Courtyards are usually characterised by being an open space and if split is normally for animal pens. The scheme does not follow the local vernacular and is not sympathetic to its setting. The Office has recommended that the application be refused.

The Parish Council object to the application on the grounds that the proposal does not preserve or enhance the courtyard or heritage asset. The local ward Member has objected due to the use of unsuitable materials.

A letter of support has been received from the neighbouring property commenting that the new fence will improve the courtyard and will include the use of reclaimed materials.

Members were advised that the sub division of the courtyard is considered detrimental to the listed building and does not follow the local vernacular. The officer recommendation is to refuse the application and authorise enforcement action.

Initial officer recommendation – Refuse planning permission and authorise enforcement action.

PCG decision – Delegate for officer decision.



<u>Application No</u>	<u>Proposal</u>
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15/00229/HSE	Detached single storey garage at 36 Curzon Drive, Worksop
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Members were advised that the application sought to erect a brick and stone detached single storey garage. Site plans were tabled. At a previous meeting Members resolved to grant planning permission for an associated application to erect an extension which included the demolition of the existing garage to facilitate the extension.

The adjacent neighbour objects to the application on the ground that their garden is higher than the applicants and he has concerns about digging down for footings and disturbance to his established garden. In response to questions raised Members were advised that any damage would be a legal matter. Building Control would look at the foundations and footings.

Initial officer recommendation – Grant planning permission.

PCG decision – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
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15/00368/CDM	County matter – change of use of land to waste metal recycling facility with external storage for plant and machinery, storage bay, weighbridge, portakabin, temporary workshop and retrospective application for new estate road, land on east north east side of Snape Lane, Harworth
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Members were advised that the application is a Nottinghamshire County Council matter. The application sought change of use of the land to a waste metal recycling facility and associated works. The site forms part of a 17 hectare former glass factory site. Site plans were tabled.

Buildings C6 and C7 are outside of the development boundary. No hazardous waste will be brought in or out of the site.

35 percent of the Districts employment land is in Harowrth. The proposal is supported by Policy DM7. Local policy considers that the principle of development on brownfield former employment sites is acceptable. In terms of the visual impact the landscape areas provide screening and the land levels mitigate the impact of the buildings.

In relation to noise levels the information submitted indicates that acoustic fencing may be required if residential development is built on a nearby site.

Initial officer recommendation – Raise no objection.

PCG decision – Delegate for officer decision.

157. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT

As there was no other business, the Chairman closed the meeting.

(Meeting closed at 4.30 pm).

## **PLANNING CONSULTATION GROUP**

### **Minutes of the meeting held on Monday, 20<sup>th</sup> April 2015 at Worksop Town Hall**

Present: Councillors B Barker (Chair) and K Isard.

Officers in attendance: P Cooper and C Crossland.

(Meeting opened at 4.00pm.)

#### **158. APOLOGIES**

Apologies for absence were received from Councillor G Freeman.

#### **159. PLANNING APPLICATIONS**

<b><u>Application No</u></b>	<b><u>Proposal</u></b>
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14/01318/COU	Conversion of redundant agricultural barns to form three dwellings with demolition of gates and concrete framed building at St John's College Farm, Newcastle Street, Tuxford
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Members were advised that the application sought to convert redundant agricultural barns to form three dwellings. The proposal also includes the demolition of the gates and concrete framed building on site. The site is located within the Tuxford Conservation Area and the College Farmhouse itself is a listed building. Site plans, proposed elevations and photographs of the site were tabled.

The Parish Council have no objection to the application. The Council's Environmental Health Officer has commented that there have been no contaminative uses at the site; however, unknown contaminative uses could have occurred on or around that location. If land contamination is identified during the development precautions must be taken.

The Council's Conservation Officer has commented on the access and the demolition of the front gates and concrete barn. He has noted that the gates are currently in a poor state. Clarification had been sought on the description of the application and amended accordingly. The building is currently used for storage but not for daily agricultural purposes. He has no objection to the application providing the conversion is sensitive to the setting and adequate records of the rebuilding are kept.

Internally little of significance remains and there has been some fire damage. Pan tiles will be used and the number of roof lights has been reduced following discussion with the applicant to protect residential amenity. The use of the existing cart shed for parking is considered an appropriate use. The garden storage areas have been looked at and revised accordingly.

Highways have no objection subject to conditions. The Wildlife Trust raised initial concerns that they would like a full bat survey to be undertaken. Additional information has now been submitted and the Wildlife Trust are satisfied with the information. A condition would be imposed to require a bat specialist to be present when works are carried out to the roof structure of Building 1.

Two local residents have raised concerns in relation to vehicular access and highway safety. One resident has also raised concerns in relation to the boundary with his property and access for maintenance.

The principle of the development is considered acceptable. There is not considered to be an adverse impact on the listed building or residential amenity. Visually the overall appearance will be improved and a viable building will be brought into use.

Initial officer recommendation – Grant planning permission.

PCG decision – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
15/00077/VOC	Vary condition 2 of application 13/00997/FUL – revised layout of panels, inverters, switchgear and transformer stations at land east of Tiln Farm, Tiln Lane, Retford

Members were advised that the application sought to vary a condition of previously approved planning permission to make layout changes. Site plans were tabled.

The changes are to the layout and associated infrastructure. The substation and switchgear housing would be repositioned and reduced in number from nine to eight. The panels would be realigned from two to three panels deep and set further apart.

A summary of response from statutory consultees was given, no objections have been made. A local resident has commented that the site is visible from the public highway contrary to the application form, the panels have already been installed and are visible from his drive and no wheel washing facilities have been provided.

The Development Control Manager commented that wheel washing facilities had been installed to the satisfaction of Nottinghamshire County Council Highways.

The principle of the development has already been established with the original application. Minor changes are proposed and there would be no change to the impact on residential amenity.

Initial officer recommendation – Grant planning permission.

PCG decision – Delegate for officer decision.

#### 160. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT

As there was no other business, the Chairman closed the meeting.

(Meeting closed at 4.35 pm).

## PLANNING CONSULTATION GROUP

### Minutes of the meeting held on Monday, 27<sup>th</sup> April 2015 at Worksop Town Hall

Present: Councillors B Barker (Chair) and G Freeman.

Officers in attendance: P Cooper and C Crossland.

(Meeting opened at 4.00pm.)

#### 161. APOLOGIES

There were no apologies for absence received.

#### 162. PLANNING APPLICATIONS

<u>Application No</u>	<u>Proposal</u>
15/00479/CDM	County matter – variation of conditions 24 & 70 of PA 32/05/00006 at Misson Sand Quarry, Bawtry Road, Misson

Members were advised that the application was a Nottinghamshire County Council matter. The application sought to vary conditions of previously approved planning permission. The variation of the conditions would enable continued excavation of the site. Site plans were tabled.

The site is outside of the development boundary in the open countryside. The site is a well-established quarry. The condition variation would allow for the continued use of the mineral storage and processing area. An overview of the sites planning history was given. In 2013 permission was granted for an additional four years excavation of the site until 2017. This application seeks to extend the use of the storage and processing area to 2017.

Initial officer recommendation – Raise no objection.

PCG decision – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
15/00088/FUL	Erect two storey extensions and single storey extensions at Brailsford House, Main Street, Harworth

Members were advised that the application sought to extend the existing care home. Site plans were tabled. An overview of the sites planning history was given. The site is within the development boundary within the setting of a non-designated heritage asset. There are tree preservation orders on site.

The application proposes new access from Main Street and to close the access from Church Lane. The proposal would increase the care home from 20 to 30 bedrooms and double the amount of parking spaces.

The Development Team Manager summarised the statutory consultee comments. Highways have no objection subject to conditions and the closure of access from Church Lane. English Heritage and Rights of Way have no objections.

The Council's Conservation Officer has commented that the people would result in no harm to heritage assets. The Tree Officer is content that work can be undertaken without damaging trees with tree preservation orders.

Three letters of objection have been received from local residents on the grounds of noise, overlooking, loss of privacy, highway safety, insufficient parking, increase in staff and visitors, loss of outlook and drainage and flooding issues.

The principal of the development has already been established with the existing care home.. The area is a mix of commercial and residential properties in a mix of styles. Officers feel that the design reflects the existing building and it is not considered that the proposal would be to the detriment of the building or wider area. Protected trees are to be retained and any trees that are removed will be replaced elsewhere on site.

It is not considered that there would be a demonstrable loss of residential amenity and the relocation of the access will result in fewer vehicular movements to the benefit of local residents.

Initial officer recommendation – Grant planning permission.

PCG decision – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
15/00092/FUL	Construction of a new multi-use building, car parking and hard and soft landscaping at Bassetlaw Hospital, Kilton Hill, Worksop

Members were advised that the application sought to construct a new multi-use building and car park opposite the existing hospital buildings. Site plans were tabled.

The Development Team Manager summarised the statutory consultee comments:

- Highways have no objection subject to conditions. A contribution was being sought towards bus stops however officers felt that the request was unreasonable in this instance.
- Nottinghamshire County Council Planning Policy have no objections.
- The Environment Agency have referred to standing advice
- Environmental health have no objections
- The Council's Conservation Officer has commented that there would be minimal impact on the Conservation Area and nearby non-designated heritage assets

Two letters of objection have been received on the grounds of loss of privacy, overshadowing, loss of light, construction noise, traffic noise and that the scale is out of keeping with the locality.

The site is within the development boundary for Worksop within the grounds of the hospital complex. The choice of materials and colour are considered to be sympathetic to the locality and Conservation Area.

Members were advised the site rises up from the southern to northern boundary and is prominent from Kilton Road. The proposed site is within the setting of non-designated heritage assets and the Conservation Area. Residential properties are to the west of the site.

A 2.5 storey multi-use building is proposed which would be modern in design and appearance with a flat green roof space. The development would be served by the existing access. The principle of the development is considered acceptable bringing together currently dispersed facilities.

In terms of residential amenity given the separation distance from the nearest residential dwellings it is not considered that there would be an adverse impact on amenity.

Initial officer recommendation – Grant planning permission.

PCG decision – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
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15/00022/RSB	Erect 4 no two bed townhouses (resubmission of 14/00875/FUL) at land forming former Walkers Car Park, Westgate, Worksop
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Members were advised that the application sought to erect four townhouses. Site plans were tabled. A summary of the sites planning history was given. The application is a resubmission of an application withdrawn in 2014.

The townhouses will not benefit from any off-street parking provision. Street parking in the area is managed by a Traffic Regulation Order. Nottinghamshire County Council Highways have no objection subject to conditions.

Environmental Health have recommended standard conditions regarding working hours and a study to identify any contamination at the site.

The Council's Conservation Officer has commented that the site is within the Conservation Area and the setting of Castle Hill, a Scheduled Ancient Monument. The previous application was withdrawn after discussion with the Conservation Officer and this application takes the officers comments into account. Overall it is considered that the proposal is well-designed with the front elevation replicating historical features. It is felt that the proposal would preserve and enhance the setting of the ancient monument.

Two letters of objection have been received on the grounds of loss of privacy; loss of sunlight; overshadowing; proximity of the properties to the residential boundary; disruption due to night time activity; and increase in parking. Non material planning considerations were also raised including devaluation of property and impact during the construction period.

One letter of support has been received commenting that the proposal would fill the gap in the street scene.

The site is within the development boundary and within the Conservation Area. Castle Hill, a scheduled ancient monument is located to the east. The area is not identified as an area at risk of flooding.

In terms of visual amenity the resubmission takes into account Conservation comments and has made amendments to the application. The drawings have been summarised to incorporate the minimal acceptable private amenity space of 50 square metres.

In relation to residential amenity it is not considered that the proposal would have an impact on privacy or result in overshadowing. Windows proposed in the north and south elevations would be conditioned to be obscure glazed. Given the length of the gardens to properties on Brook Terrace the separation distance is considered to be acceptable.

Initial officer recommendation – Grant planning permission.

PCG decision – Delegate for officer decision.

163. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT

As there was no other business, the Chairman closed the meeting.

(Meeting closed at 17.05 pm).

## PLANNING CONSULTATION GROUP

### Minutes of the meeting held on Monday, 5<sup>th</sup> May 2015 at Worksop Town Hall

Present: Councillors B Barker (Chair) and K H Isard.

Officers in attendance: P Cooper and C Crossland.

(Meeting opened at 4.00pm.)

#### 164. APOLOGIES

There were no apologies for absence received.

#### 165. PLANNING APPLICATIONS

<u>Application No</u>	<u>Proposal</u>
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15/00336/FUL	Retention of change of use of ground floor to HIMO and one three bedroom flat to second floor at Queens Hotel, Queen Street, Retford
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Members were advised that the application sought retrospective planning permission for change of use. Site plans, layouts and elevations were tabled. A summary of the sites planning history was given.

Highways have commented that some off-street parking will be provided and do not consider that the development would severely affect highway safety.

Nottinghamshire County Council Rights of Way have objected to the proposal. Public bridleway No. 63 is located adjacent to the site. The development would result in approximately 20 residents and only eight parking spaces. The Countryside Access Team needs details of how vehicles would be accommodated at the site to assess the impact on the bridleway.

Environmental Health have commented on the more intensive use of the property and the increased level of noise that might be expected above that of a normal family home. However they have commented that the increase is not significantly more than under the previous permission.

The Council's Conservation Officer has commented that Hotel is regarded as a non-designated heritage asset. The most significant aspects of the building would remain unchanged and the alterations are small in scale. The Officer feels that the proposal would have a negligible impact on the significance of the heritage asset.

Four letters of objection have been received on the following grounds:

- Parking and congestion
- Highways problems
- Intensification of use
- Loss of privacy
- Overlooking
- Noise and disturbance
- The bin storage area is likely to be an eyesore
- The fire escape is inadequate
- The property previously operated as a HIMO which created problems for residents

- Lack of outside amenity space

A petition containing 25 signatures has been received objecting to the development on the grounds of congestion, insufficient parking, substandard visibility at the junction, highway safety and a wall has been erected on the front of the property.

The applicant's agent has submitted a letter in support of the application commenting that:

- The proposal would result in fewer vehicular movements
- Parking problems are associated with rail users
- A way forward would be for a residents parking scheme to be introduced
- Off street parking is provided for eight cars
- Highways have no objection

Members were advised that the building is a non-designated heritage asset within the development boundary. The application seeks permission to create a seven bedroom house on the ground floor, a three bed and four bed flat on the first floor and two three bed flats on the second floor. The principle of the development is considered to be acceptable.

Minor changes to the exterior of the building are proposed. The Conservation Officer does not feel that there would be a significant adverse impact on the character and appearance of the building.

In terms of Highways they have indicated that there would be no adverse impact on highway safety. It is considered unreasonable to request parking provision for 20 vehicles on site.

Initial officer recommendation – Grant planning permission.

PCG decision – Delegate for officer decision subject to the following additional condition:

- A wheelie bin storage area be provided.

#### 166. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT

As there was no other business, the Chairman closed the meeting.

(Meeting closed at 16.40 pm).



**PLANNING COMMITTEE**

**3<sup>rd</sup> June 2015**

**OUTSTANDING MINUTES LIST**

**Members please note that the updated positions are shown in bold type following each item. (PSM= Planning Services Manager)**

<b><u>Min. No.</u></b>	<b><u>Date</u></b>	<b><u>Subject</u></b>	<b><u>Decision</u></b>	<b><u>Officer Responsible</u></b>
44(e)	22.10.14	Revised Scheme of Delegation for Determining Planning Applications	The report be deferred to a future meeting to give Members the opportunity to comment on the Scheme.	PSM
		<b>Report to be presented to a future meeting.</b>		
68(c)	28.01.15	Development Management (Control) Performance Report for 2014/15 Quarter 3	The Development Management (Control) Performance Report for 2014/15 Quarter 4 be submitted to the Committee approximately April 2015.	PSM
		<b>See Agenda Item No. 6(b)</b>		



**BASSETLAW DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**3 JUNE 2015**

**REPORT OF THE HEAD OF REGENERATION**

**DEVELOPMENT MANAGEMENT (CONTROL) END OF YEAR PERFORMANCE  
2014/2015**

Contact: Beverley Alderton-Sambrook  
Ext: 3228

Cabinet Member: Regeneration &  
Neighbourhoods

**1. Public Interest Test**

The author of this report Beverley Alderton-Sambrook has determined that the report is not confidential.

**2. Purpose of the Report**

To provide Members with an end of year performance report recorded for the Development Management (Development Control) function between 1<sup>st</sup> April 2014 and 31<sup>th</sup> March 2015. Figures for 2012/2013 and 2013/2014 are also provided for comparison with appropriate targets as established in the Corporate Indicators.

**3. Background and Discussion**

The Growth and Infrastructure Bill received Royal Assent on 25 April 2014. The Bill has amended existing legislation and introduces a number of reforms that will affect the planning application process and performance issues.

The Bill has put in place Performance Standard, known as the 'Planning Guarantee', which is the Government's current policy that no application should spend more than a year with decision-makers, including any appeal. In practice this means that planning applications should be decided in no more than 26 weeks, allowing a similar period for any appeal. The planning guarantee does not replace the statutory time limits for determining planning applications.

Once a planning application has been validated, the local planning authority should make a decision on the proposal as quickly as possible, and in any event within the statutory time limit unless a longer period is agreed in writing with the applicant (known as an extension of time).

The statutory time limits are usually 13 weeks for applications for major development and eight weeks for all other types of development (unless an application is subject to an Environmental Impact Assessment, in which case a 16 week limit applies).

Where a planning application takes longer than the statutory period to decide, and an extended period has not been agreed with the applicant, the Government's policy is that the decision should be made within 26 weeks at most in order to comply with the 'planning guarantee'.

Two criteria for measuring whether a Local Planning Authority is performing poorly have arisen out of the Planning Guarantee. These are:

- Timeliness - where Local Planning Authorities are deemed to be underperforming if they determine less than 40% (uplifted from previous threshold of 30% following consultation in 2014) of applications they receive for large scale, 'major' development within the statutory 13 or 16 weeks (or as formally agreed otherwise); **or**
- Quality - where more than 20% of the Authority's major application decisions are being overturned at appeal.

And should an application be delayed with no formalised extended period agreed with the applicant:

- Changes to the fee regulations came into force on 1st October 2013 which requires LPA's to refund fees in relation to planning applications not determined within 26 weeks.

**Failure to meet these standards will render the LPA designated by the Secretary of State as one that is 'performing poorly' and allows applications for major development, and other connected applications, to be made directly to the Secretary of State rather than to the Local Planning Authority.**

As a proactive Local Planning Authority, we also measure and monitor the delivery of all applications (other than major performance) for service delivery purposes and set ourselves a high standard of delivery target.

#### **4. Matters for Consideration**

##### **Measures of Performance Outcomes and Current Position**

'Major' applications are defined as those where 10 or more dwellings are to be constructed (or if the number is not given, the site area is more than 0.5 hectares), and, for all other uses, where the floorspace proposed is 1000 square metres or more or the site area is 1 hectare or more.

'Minor' applications are those developments which do not meet the criteria for 'Major' developments nor the definitions of Change of Use or Householder Development.

'Other' applications relate to those for Change of Use, Householder Developments, Advertisements, Listed Building Consents, Conservation Area Consents and various applications for Certificates of Lawfulness, etc.

'Appeals allowed' relates to where the Local Planning Authority has refused planning permission and the applicant has appealed the decision.

### **Performance Comparisons for 2012/13, 2013/14 and end of year for 2014/15**

<b>Category (all determined within prescribed timescales or as otherwise agreed)</b>	<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>
% Major applications (determined within 13 weeks) (CPI028)	53.85	49.01	93.18
% Minor applications (determined within 8 weeks) (CPI029)	76.82	68.35	87.7
% Other applications (determined within 8 weeks) (CPI030)	84.89	77.65	91.75
% Appeals allowed (CPI033)	27.59	45.16	45.8

#### **'Major' Application Performance CPI028**

When processing 'Major' applications in 2014/15 we determined 93.18% within 13 weeks (or other agreed timescale) against the 'local' target of 65% (and the Government's minimum standard of 40%). This is an upward trend given the previous year's performance and places the authority well away from the threat of being placed in special measures.

It is highlighted to Members that performance figures for this category can fluctuate significantly as they are based on only a relatively small number of applications. The Council has to avoid unreasonable behaviour in its decisions whether to allow more time for the securing of planning obligations (Section 106's) where a proposal is acceptable provided a planning obligation is secured, and in many, but not all, it is the need to do this which is the reason for the failure to determine the application within time. Various strategies and procedures are employed to reduce the risk of delays in the process, such as the protocol for instructing Legal to begin drafting s106 agreements upon receipt of the application and extensive pre-application discussions with applicants. This has evidently sped up the process. Furthermore, the Council's Legal Team have drafted numerous template S106 agreements which has also added to a swift performance delivery with a portfolio of standard information at hand. When large scale major applications are submitted, it is possible to procure funding from developers to fund a dedicated Planning solicitor to draft agreements. This is proving to be most useful in the effective and efficient processing of legal agreements.

**NATIONAL MINIMUM REQUIREMENT OF 40%**  
**LOCAL TARGET OF 65%**

**ACHIEVED**  
**ACHIEVED**

#### **Minor' Application Performance CPI029**

When processing 'Minor' applications in 2014/15 we determined 87.7% within 8 weeks (or other agreed timescale) against the 'local' target of 80%.

This is an upward trend from the previous year's performance.

**LOCAL TARGET FOR 2014/15 OF 75%**

**ACHIEVED**

#### **'Other' Application Performance CPI030**

When processing 'Other' applications in 2014/5 we determined 91.75% within 8 weeks (or other agreed timescale) against the 'local' target of 80%.

This is an upward trend from the previous year's performance.

**LOCAL TARGET FOR 2014/15 OF 85%**

**ACHIEVED**

### Appeals Allowed Performance CPI033

When processing appeals 2014/15 the Planning Inspectorate allowed 45.8% of those refused by the Local Planning Authority against a local target and national qualitative target of 20%. Looking at previous year's performance there appears to be an increasing trend occurring.

Appeal Data	2012/13	2013/14	2014/15
No. of Appeals Determined	28	34	24
No. of Applications Allowed on Appeal	8	15	11
Percentage Allowed	28.57	44.11	45.8
No. Allowed Following Overturn of Officer Recommendation at Committee	*	*	5
Costs Applications Awarded	*	*	1

\*Data unavailable at this time

This is constantly a priority area for the Development Team to focus upon given that the Growth and Infrastructure Act introduced an indicator monitoring whether more than 20% of appeals are being lost over a two year period. If applications over this threshold are being allowed by the Inspectorate on appeal within the assessment period (2 year period measured initially from April 2011 to April 2013 and to be reviewed annually on a rolling basis) then this would provide grounds for the authority to be placed in "special measures" in the same manner as the current major application poor performance protocol now in place and again give developers the option of going direct to the Planning Inspectorate to have their application considered – resulting in a loss of income for the Planning Authority.

As with major applications, performance figures for this category can fluctuate significantly as they are based on only a relatively small number of appeals, in the case of 2014/15 11 out of 24 being allowed.

Further scrutiny of how the refusals were administered in the first instance is made. It can be seen from the above table that in the year 2014/15, five applications were presented to Planning Committee with an Officer recommendation to approve and Members overturned that recommendation. 5 out of the 11 allowed on appeal is a significant percentage. Details of the allowed appeals overturned from Officers recommendations can be found in the appendix to this report.

The quality of decisions is always under review within the Development Team in order to both minimise the numbers of appeals allowed and to decrease the likelihood of a costs award against the Council. Further elaboration of the officer's recommendation is contained in the delegated reports whose format is digitised and scanned so the public can understand the rationale for our decision making.

It is noted that during 2014/2015, as a result of the allowed appeals, one full costs award was imposed upon the Council. This was as a result of an application with Officer recommendation to approve that was overturned at Planning Committee (see appendix). An initial costs claim for £23,400 has been negotiated down to £18,000. Members may be aware that whilst another costs application is presently under consideration, it is noted that this has not been determined at this point in time and will appear in the summary of the next financial year's output figures.

The percentage of appeals allowed represents an upward trend from the previous year's performance and requires constant attention.

**NATIONAL MAXIMUM REQUIREMENT OF 20%**  
**LOCAL MAXIMUM REQUIREMENT OF 20%**

**NOT ACHIEVED**  
**NOT ACHIEVED**

Rationale for application performance

1) Management Changes

Over the 2014/2015 period there has been a significant change to the management of the Planning Service which has undoubtedly had an impact upon performance monitoring. This has been the first full year of rigorous planning performance management and that has undoubtedly had an impact upon the achievements of the team. Performance along with Customer Service are considered to be the delivery priority and monitoring measures are now fully implemented to control this in an effective manner.

2) Officer/Member Training

It is noted that Officer training has been limited historically and whilst budgets are always tight, innovative methods of achieving continuing professional development are always researched to enable a skills uplift, these include shared service arrangements and course attendance. A Member training programme is now in operation whereby before each Planning Committee, topic specific information is disseminated which aims to assist in the decision making process. This programme will continue and any new members of Planning committee will be invited to suggest topics for further learning.

3) Staffing levels

The Planning Support Service is presently staffed by a total of 8.08 FTE Officers (comprising 1 no. Planning Support Manager, 1 no. Senior Administration Officer, 3.28 no. Planning Technicians, 2.8 no. Administration Assistants and 1.3 FTE vacant Administration Assistant posts). The vacancy in conjunction with increased workload is considered to have affected the time taken to validate incoming applications.

Planning Application Validation	2012/13	2013/14	2014/15
Average no. of days taken to validate applications	11	9	12

It is considered that the time taken to validate during 2013/2014 whilst improved on the previous year's performance remains inadequate. Whilst there is no national indicator for this performance, it is the aspiration of the Planning Service to improve on existing times and therefore create a more efficient Service. It is however important to stress that within this figure are applications that are submitted in an inadequate format and remain invalid due to numerous factors such as; lack of scaled plans, insufficient fee paid, lack of supporting documentation. The Service has been improved through the rigorous monitoring of these 'invalid' applications and applicants are pursued on three occasions prior to the application being returned to them..

Development Control is presently staffed by a total of 5.6 FTE Planning Officers (comprising of 3 no. Principal Planning Officers and 3 no. Planning Officers). Officers are also experiencing workloads too high for the numbers employed. As such a case has been made and accepted for a temporary planner post until a Service Review is

formalised. By the time this report is presented, advertisements should have been posted to fill both of the vacancies.

4) Workload

There has been a significant increase in the number of planning applications and pre-application enquiries over the last financial year.

Application Data	2012/13	2013/14	2014/15
No. of applications	1098	1144	1190
Determined applications <sup>1</sup>	1034	1011	1122
Approvals	835	799	838
Refusals	101	124	121
Pre-app enquiries	229	299	343
Determined pre-apps	229	237	261

We can analyse from this that the number of applications submitted in 2014/15 has increased by 4.02% (46 additional applications) which coincidentally was the same proportionate number increase as the previous year, so there is a year-on-year increasing trend.

It is also noted that the number of applications determined has increased by 111 applications.

In 2012/2013, 80.8% of applications were approved compared with 79% in 2013/2014. This last financial year saw 75% applications approved.

In 2012/2013 9.8% of applications were refused compared with 12.2% in 2013/2014. This last financial year saw 10.8% applications refused.

What is apparent is the increase in the number of paid pre-application enquiries. In total there is an increase of 14.8% (44 additional enquiries) in 2014/15 compared with the previous year and this is a continuing trend. The work involved in Officer's formulating pre-application advice is almost comparable with application determination and it is considered that the increasing quantity we are receiving is the root of good performance management. It is for this reason that the total monies procured for 2014/2015 at £79,000 inclusive of the increased numbers has supported the transition from a temporary Planners role to engagement as a permanent full time member of staff and this should continue the enhanced performance. The additionality of income is closely monitored in order to have a reserve to support the recruitment of further staff should workload pressures continue to increase.

#### Enforcement Performance

The Planning Enforcement Service is currently staffed by 1.8 FTE officers and performs a pro-active function within the Council. The table below shows a comparison between 2012/13, 2013/14 and 2014/15 for enquiries, resolutions, prosecutions, notices issued and take no action cases.

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<sup>1</sup> The number of approvals and refusals will not add up to the number of applications determined as this number also includes invalidated applications, those withdrawn, county matters, in addition to scoping and screening requests.



<b>Enforcement Data</b>	<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>
Enforcement Enquiries	239	256	258
Enforcement Cases Resolved	191	219	183
Prosecutions	5	10	14
Enforcement Notices Issued	26	27	7
Take No Action Cases	14	12	15

The most common form of enforcement actions at Bassetlaw during 2014/15 are reports of unauthorised developments.

We can analyse from the information in the table that there has been an increase of 1% in 2014/15 compared with the previous year for enquiries, whilst 19.7% less cases were resolved there was a 40% increase in the number of prosecutions taken to court and all being successful. There was a decrease of 20 enforcement notices issued and an increase of 12.5% of take no action cases where it was considered not expedient to pursue enforcement action. It is noted that we will always try to negotiate with landowners/applicants wherever possible to reach an amicable solution with regard to unauthorised development and thereby the figures quoted in the narrative are not target driven, but do reflect the large amount of work for a small enforcement team that for a short period lost one of its officers during the measured period.

## **5. Implications**

- a) For service users  
There are no service user implications arising from this report.
- b) Strategic & Policy  
There are no strategic and policy implications arising from this report.
- c) Financial - Ref: 16/406  
There are no financial implications from this report, however, if we persistently fail to reach government targets there could be the repercussions of applicants able to submit their applications to the Planning Inspectorate rather than to us as the Local Planning Authority, this could have the consequential loss of application fees. This would be submitted in a future report.
- d) Legal – Ref: 179/06/15  
There are no legal implications arising from this report.
- e) Human Resources  
There are no human resources implications arising from this report.
- f) Community Safety, Equalities, Environmental  
There are no Community Safety, Equalities or Environmental implications arising from this report.
- g) Whether this is a key decision, and if so the reference number.  
No.

**6. Options, Risks and Reasons for Recommendations**

To ensure that appropriate monitoring and performance management procedures are in place and that the Council continues with its focus on improving performance, facilitating development and providing good service to all who use the Planning Service.

**7. Recommendations**

7.1.1 That the report be received.

7.1.2 That the Head of Regeneration delegates responsibility to the Development Team Manager to operate mechanisms to improve the existing performance levels and the service provided for those procedures where our level of performance still needs to be addressed

7.1.3 That the next 'Development Management Performance Report' be submitted to Committee approximately August 2015 where a quarterly review will be reported.

**Background Papers**

**Location**

General Development Management Returns to DCLG  
PS1 and PS2 for 2014/2015, 2013/14 and 2012/2013

Planning Services

## APPENDIX

Applications allowed on appeal during 2014/15 following member overturn at Planning Committee

App Ref	Proposal	Location	Decision Date
12/01268/COU	Change Of Use Of Land To Use As A Residential Caravan Site For Two Gypsy Families Each With Two Caravans. Formation of Hardstanding Area and New Access	Land South Of Cleveland Farm, Cleveland Hill, East Markham	30/01/2015
13/00078/FUL*	Installation of a 500kW Wind Turbine, (Tip Height 77 mtr), Transformer Station New Access Track and Ancillary Works	Land North Of Ollerton Road	30/10/2014
13/00442/FUL	Erect 61m High (To Tip) Wind Turbine, Accompanying Access Track, Widening Of Existing Farm Entrance, Crane Hardstanding, Electrical Switchgear House, Underground Cabling And Temporary Construction Compound	South of Ollerton Road, Westwood Farm, Tuxford	03/10/2014
30/11/00005	Proposed biomass combined heat and power plant, auxiliary boilers, silos, new offices, revised trailer/car parking and other associated works	J G Pears (Newark) Ltd, Marnham Road, Low Marnham	22/10/2014
27/12/00005	Erect 40.00m High Wind Turbine	Land North East Of Mill Hill Off, Lady Well Lane, Headon	02/02/2015

\*Full costs award of £18,000



BASSETLAW DISTRICT COUNCIL  
INDEX FOR PLANNING COMMITTEE 3<sup>rd</sup> June 2015

Sheet No.	Ref No.	Applicant	Location	Recom. Decision
a1	14/00213/OUT	JV, HV, GGV & RGV Machin	Land South Of Gateford Road, Worksop Nottinghamshire	GTD
(pages 35-54)			Outline Planning Application for Mixed Use Development comprising of Residential (up to 380 units) and Commercial (up to 19,000 sq m) of B1 (a) Office. Provision of Open Space and Improved Site Landscaping. Vehicular Access from Gateford Road, Gateford Toll Bar & Claylands Avenue	
a2	14/01622/FUL	Lauro Developments	Former Langold Hotel, Doncaster Road, Langold,	GTD
(pages 55-64)			Residential Development of 14 two storey Properties	
a3	15/00103/COU	Sutherland Investment Property Ltd	29 Park Street, Worksop,  Change of Use From Hotel to an Eleven Bedroomed House of Multiple Occupation	GTD
(pages 65-72)				



## **ITEM SUBJECT OF A SITE VISIT**

**Item No:** a1

**Application No:** 14/00213/OUT **Application Type:** Outline Planning Application

**Proposal** Outline Planning Application for Mixed Use Development Comprising of Residential (up to 380 units) and Commercial (up to 19,000 sq m) of B1 (a) Office.

Provision of Open Space and Improved Site Landscaping. Vehicular Access from Gateford Road, Gateford Toll Bar & Claylands Avenue

**Location** Land South Of Gateford Road Worksop Nottinghamshire

**Recommendation:** Grant subject to Conditions and Signing of a S106 Agreement

**Case Officer:** Jamie Elliott

**Tel No:** 01909 533227

**Web Link:** <http://publicaccess.bassetlaw.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=N1LTJHCSIXT00>

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## **THE APPLICATION**

The application seeks outline planning permission to erect a mixed use development of up to 380 dwellings and 19,000sq metres of B1 (a) offices.

The site would be accessed from three points, at Gateford Road, Gateford Toll Bar and from Claylands Avenue.

The application site consists of two agricultural fields of approximately 18.14ha in area in total.

The site is bounded by Gateford Road to the North, the A57 to the west, Claylands Avenue and an industrial unit to the south and an existing residential estate to the east.

The Old Gateford Conservation Area is located to the north of the site on the opposite side of Gateford Road.

The application site is currently located outside the Worksop development boundary as defined in the Bassetlaw Local Development Framework.

The site was previously identified in the Bassetlaw Site Allocations Preferred Options Consultation Paper 2014 (now withdrawn) as a mixed use site, MU2 Gateford Common.

The applicant's agents have submitted a number of supporting documents which include:

- Design and Access Statement;
- Planning Policy Statement
- Statement of Community Involvement;
- Transport Assessment;
- Flood Risk Assessment;
- Landscape and Visual Appraisal;
- Arboriculture Report;
- Ecological Appraisal and Protected Species Assessment;
- Archaeological Assessment;

- Noise Assessment;
- Heritage Appraisal;
- Financial Viability Assessment

All these documents are available for inspection within the Council's offices, with the exception of the viability assessment which is commercially sensitive.

## **DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS**

Part 1 of the National Planning Policy Framework states that the Government is committed to securing sustainable economic growth in order to create jobs and prosperity. It also reinforces the position that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Of particular relevance are paragraphs, 14, 47 and 49 which set out if the approach local authorities should adopt in the absence of a 5 year supply of land for housing.

Policy CS1 of the Bassetlaw Local Development Framework states that until the adoption of the site allocations DPD, development in the settlements identified in the hierarchy will be restricted to the area inside defined settlement boundaries. In addition, it states that over the plan period, additional permission may be granted where the development proposal would benefit in addressing a shortfall in the District's five-year housing supply or its employment land supply.

Policy CS2 of the Bassetlaw Local Development Framework states that all housing development, will be required to contribute towards the achievement of an affordable housing target of at least 15% for Worksop

In addition this policy states that at least 45% of the District's employment land needs will be delivered at Worksop through existing permissions and allocations in the Site Allocations DPD, for the plan period 2010-2028.

Policy DM4 of the Bassetlaw Local Development Framework states that all major development proposals will need to demonstrate that they make clear functional and physical links with the existing settlement and surrounding area; complement and enhance the character of the built, historic and natural environment; are of a scale appropriate to the existing settlement and surrounding area and provide a qualitative improvement to the existing range of houses, services, facilities, open space and economic development opportunities.

The Bassetlaw Local Development Framework contains policy DM7, which states that support will be given for economic development proposals that bring inward investment opportunities to the district and that deliver or contribute to opportunities for the growth of indigenous businesses. In addition it indicated that new employment allocations will be expected to deliver or provide opportunities for the development of starter units and grow on space for small and medium sized enterprises.

Policy DM8 of the Bassetlaw Local Development Framework states that the historic environment shall be protected and enhanced to secure its long term future and that any development that would be detrimental to the significance of the heritage asset or its setting, will not be supported. This is reiterated in paragraph 132 of Part 12 of the National Planning Policy Framework, which states that any harm or loss to heritage assets should require clear and convincing justification



The Bassetlaw Local Development Framework contains policy DM9, which states that new development proposals will be expected to provide functional on-site open space and/or sports facilities, or to provide contributions towards new or improved facilities elsewhere locally, protect green infrastructure assets and demonstrate that they will not adversely affect or result in the loss of features of recognised importance.

Policy DM11 of the Bassetlaw Local Development Frameworks states that all applications will be expected to demonstrate that the necessary infrastructure (social, physical and green) will be in place in advance of, or can be provided in tandem with, new development and, where appropriate, that arrangements are in place for its subsequent maintenance.

In addition it states that arrangements for the provision or improvement of infrastructure required by the proposed development and/or to mitigate the impact of that development will, in line with national guidance and legislation, be secured by Community Infrastructure Levy (CIL) charge, planning obligation or, where appropriate, via conditions attached to a planning permission.

Policy DM12 of the Bassetlaw Core Strategy and Development Management Policies DPD indicates that all new development will be required to incorporate Sustainable Urban Drainage Systems (SuDS) and provide details of adoption, ongoing maintenance and management unless other key factors show them not to be technically feasible.

Policy DM13 of the Bassetlaw Local Development Framework states that development proposals will be expected to, minimise the need to travel by car, provide linkages or develop new footways, cycle paths and bridleways giving access to key local facilities and provide appropriate facilities to support access to high quality public transport.

## **RELEVANT PLANNING HISTORY**

The site was previously identified in the Bassetlaw Site Allocations Preferred Options Consultation Paper 2014 (now withdrawn) as MU2 Gateford Common, a mixed use site of 330 dwellings and 6.5ha of employment land.

A screening opinion was issued in relation to residential development on this site application on 8th April 2014. This concluded that an Environmental Impact Assessment will not be required to accompany any planning application.

## **RESPONSES FROM STATUTORY BODIES**

### **NOTTINGHAMSHIRE COUNTY COUNCIL**

#### **Waste**

The County Council would wish to see the best practice of waste management for the proposed development in line with Policy WCS2 of the Waste Core Strategy.

#### **Minerals**

There are no objections to the proposal from a mineral perspective.

#### **Planning Policy**

There are no strategic planning policy objections in principle to the proposed development.

### Nature Conservation

Whilst the submitted information indicates that biodiversity value of the site appears to be low, given that it is dominated by arable farmland and that existing woodland/hedgerows are largely being retained, a number of issues need to be flagged up, which should be addressed prior to the determination of this application:

- Although the site has been subject to a walk-over survey, no description of the habitats present on the site is provided (as would be expected for an Extended Phase 1 Habitat Survey). It is therefore difficult to assess their quality or value, and it is recommended that Bassetlaw DC seeks further information in this respect.
- No breeding bird survey has been carried out; it can be assumed that the site is used by a range of common and widespread species. However, it is unclear if the site is used by red-listed farmland specialists.
- Whilst two nocturnal bats surveys were carried out, these do not appear to have been done in accordance with current guidelines produced by the Bat Conservation Trust, which recommend (for a site of this nature), that one transect should be carried out each season (spring, summer and autumn), with automated surveys carried out over three consecutive nights each season. In addition, no plan is provided showing the transect route(s) that was walked. It is therefore recommended that Bassetlaw DC seeks further information/comment on this matter.
- It is not clear why surveys for reptiles have been scoped out of the surveys/consideration (as appears to have been the case), nor whether the site is considered to provide suitable terrestrial habitat for great crested newts and whether the presence/absence of ponds in the surrounding area has been considered.
- Consideration should be given to potential impacts on hedgehogs, along with measures for avoidance/mitigation.

Notwithstanding the comments made above, and in the event that Bassetlaw DC is minded to grant planning permission at this stage, the following matters should be secured through appropriate planning conditions:

- i. No vegetation clearance should take place during the bird nesting season, unless otherwise approved.
- ii. Retained vegetation should be protected during development, in accordance with relevant standards, with details submitted prior to the commencement of development.
- iii. Bird and bat boxes should be incorporated within the fabric of a proportion of the proposed buildings, with details submitted prior to the commencement of development. Bird boxes should focus on species such as house sparrow, starling and swift.
- iv. Bird and bat boxes should also be installed within tree belts around the site.
- v. Areas of green infrastructure, especially around the site perimeter and in association with SUDS/swales and along 'green corridors', should be designed such that their biodiversity value is maximised;
- vi. A landscape management plan should be produced, to guide the ongoing management of green infrastructure and to ensure that its biodiversity value is maximised.
- vii. Other conditions as necessary, pending the results of the additional information/clarification recommended above, but to potentially include the design of hedgehog-friendly gardens (i.e. ensuring that fencing contains small gaps to allow hedgehogs to enter and exit new gardens) and other mitigation measures.

### Public Transport

The County Council will seek a Section 106 contribution towards improving public transport to serve the site, including bus service support and bus stop infrastructure.

### Land Contamination

The site, in terms of the current state of knowledge does not present a significant risk from contaminative use. This should be verified during the intrusive ground investigations.

### Noise

The noise assessment report submitted with the application appears to sufficiently address the impacts from both nearby road traffic and industrial noise sources through the careful consideration of the site layout. The District Council should be aware however of the proposals for the nearby waste transfer station on Claylands Avenue.

### Developer Contributions

Developer contributions will be required towards libraries, education and public transport provision. It is likely that developer contributions or CIL payments or S278 agreements will be sought towards highway improvements.

Highways - No objections subject to conditions, including but not exclusively requiring:

- i. Phasing and completion of highway and private street works;
- ii.) Permanent closure of the existing Claylands Avenue site access;
- iii.) Conversion of Gateford Road to a single carriageway with right turn lanes serving the site access and Toll Bar and associated refuges.

### Rights of Way

It is intended to retain the existing north - south line of FP 13 through the development. The last 2 thirds is shown on an estate road (The Greenway) which is also the primary access road in to the residential part of the development. If the estate roads are to be adopted by the Highway Authority this section of footpath will be surplus and could be extinguished while retaining the last third through the green corridor to connect with the rest of the footpath to the south.

I also note that the designers have acknowledged the desire lines around the site which currently exist. Whilst these paths are not currently recorded on the Definitive Map of Public Rights of Way, it is possible that claims from local users to add the paths could be triggered by the development. I would ask that consideration is given to how these paths will be designated legally and who will be responsible for the ongoing maintenance. I realise this is an outline application but these issues need to be considered at an early stage.

On Masterplan 2 at the north western corner the estate road links to Gateford Toll Bar and there is an NMU link through to the footway on the A57. There is provision 85m north to cross the A57 through a gap in the safety fence to reach Footpath 14, Shireoaks. I have also recently commented on a planning application for land to the north of Shireoaks Common in respect of FP14. If planners have a desire to encourage non-motorised movement between these 2 proposals it would make sense to improve the crossing for pedestrians at this location or improve footway provision on the west side of the A57 to connect FP14 to a crossing in a different location.

The COUNTY ARCHAEOLOGICAL OFFICER - While no archaeological features exist within the site, the Historic Environment Records (HER) has a record of Roman coins being recovered at Gateford Hall. Gateford Hall was a moated medieval manor house and it is possible that deposits associated with the medieval origins of the site may be present within the proposed development.

However, because of the site's topographic location I think it is likely that the significance of the site's archaeological resource is likely to be relatively low. Accordingly, I am content to suggest that the archaeological issues can be addressed post determination and before development commences, assuming consent is granted. This can be achieved through a condition requiring a programme of archaeological mitigation, the details of which need to be agreed with the local planning authority.

It would possibly be in the applicants' best interests to fulfil this condition in two phases; firstly to undertake archaeological evaluation- geophysical investigation may be a sensible first step, possibly leading to trial trenching, then depending on the results of the first phase a second phase involving archaeological mitigation - the excavation and recording of any archaeological features in a manner appropriate to their significance.

ENVIRONMENT AGENCY - No objections subject to a condition ensuring the implementation of an acceptable scheme for surface water drainage.

HIGHWAYS AGENCY has no objections.

NOTTINGHAMSHIRE WILDLIFE TRUST -- We wish to be assured that the provision of natural and semi-natural green space proposed by the scheme is in line with local and national policies.

We would suggest that gains could be made if green links are strengthened along the northern and southern boundaries of the Toll Bar quarter.

Whilst this is an outline planning application there is a lack of detail with respect to the extent and proposed management of retained and created habitats.

Biodiversity enhancement measures should be provided in relation to both the residential and office development.

A Biodiversity Management Plan and a Construction Environmental Management Plan should be secured through conditions.

In addition to the above, concerns have been raised by local residents about the impact of the development on hedgehogs. It is recommended therefore that a survey be undertaken and a mitigation strategy be agreed prior to determination.

SEVERN TRENT WATER - No objections subject to a condition requiring details of surface water and foul sewage.

ENGLISH HERITAGE - We are concerned by the lack of information and assessment of the impact of this proposal on designated heritage assets. We recommend this application is determined with relevant policy guidance contained in the NPPF including paragraphs 131, 132, 134 and 137 and with reference to you specialist archaeological and conservation advice.

The DISTRICT CONSERVATION OFFICER - The proposed development would be located in close proximity to Gateford Hall, a Grade II\* listed building and the Old Gateford Conservation Area. Nonetheless, provided that the existing tree screen to Gateford Road is sustained / improved in the long term, conservation has no objection to the proposals and perceives no significant impacts on the setting of the designated heritage assets.

The DISTRICT ENVIRONMENTAL HEALTH OFFICER -

1. As no details of extract ventilation systems have been submitted with the application, a condition may be required to ensure that any systems installed in the commercial units have prior approval;
2. The measures detailed in the noise report, outlining noise attenuation should be required by suitable planning conditions;
3. On the basis of the submitted noise report it is considered that the operation of the nearby, and recently granted Waste Transfer station, would have no adverse impact on the proposed development;
4. Whilst the noise report has established that the adjacent Scania bus depot is unlikely to give rise to excessive noise for the occupiers of the new dwellings, it is important to note that occupier of the commercial site may change in the future. Accordingly, it is recommended that more significant acoustic screening be installed;

5. The proposed commercial element of the proposal (Class B1 - Offices) would be unlikely to have a significant adverse effect on the proposed dwellings. The impact if the development in terms of noise from service areas, overlooking and light pollution should be given careful consideration;
6. It is recommended that noise attenuation measures should be required to safeguard the amenities of the occupiers of the proposed dwellings from the adjacent A57;
7. Construction work should be limited to 7.00am-7.00pm Mon-Fri, 9.00am-1.00pm Saturdays and no working on Sundays and Bank holidays;
8. Whilst the information currently available suggests that there have been no contaminative uses at the site, it is recommended a condition be imposed on the permission requiring the investigation into potential contamination and if required the implementation of a scheme of mitigation.

### **OTHER COMMENTS RECEIVED**

65 Letters have been received from LOCAL RESIDENTS, objecting to the development on the following grounds:

1. Gateford Toll Bar is a minor road servicing the residential properties on Gateford Toll Bar, Thorlby Drive and Gledhill Drive;
2. The increase in use of the Gateford Toll Bar access would have a detrimental impact on the community and character of the Toll Bar by reason of noise, disturbance, loss of privacy;
3. The increase in traffic using the Toll Bar would have a negative impact on highway and pedestrian safety;
4. The development would have a devastating impact on hedgerows and wildlife;
5. The increase in use of the Toll Bar access onto Gateford Road would be likely to increase the likelihood of road traffic accidents;
6. The Gateford Toll Bar access and footway is not suitable to accommodate a significant increase in traffic movements;
7. Congestion would occur at the Toll Bar junction with Gateford Road at peak times ;
8. A more appropriate means of access to the site should be considered;
9. A ransom strip runs the length of Claylands Avenue;
10. The route to the commercial element of the site should be from Claylands Avenue;
11. Siting the proposed play area next to the A57 would be wholly inappropriate and dangerous for children;
12. A previous application which proposed access onto Gateford Common was blocked by the Secretary of State.;
13. The creation of a further access onto Gateford Road would have implications for highway safety;
14. What kind of access link is proposed for Kirkpatrick Drive?
15. The public open space would generate noise, disturbance and anti-social behaviour;
16. The area already experiences power outages and sewage problems;
17. The commercial element of the proposal would be likely to generate pollution;
18. The development would result in the loss of trees and wildlife habitats;
19. The development would result in the loss of arable farm land;
20. The proposal would result in overlooking and loss of privacy;
21. There is a lack of facilities in the area to sustain a further 380 dwellings;
22. The site is liable to flooding and the development may exacerbate this;
23. The development would result in the reduction in neighbouring house prices;
24. Gateford Toll Bar is of historic importance;
25. The last few fields in this area are worth protecting;
26. The proposed play area should be re-sited;
27. The Increase in traffic would be dangerous for children playing in the area;

28. The application is being fast tracked at a speed that proper consideration may not be given to the implications of the development;
29. Turning right from the Toll Bar access would involve crossing four lanes of traffic travelling at 70mph;
30. The creation of ponds would be a hazard to children;
31. A full environmental impact survey should be undertaken;
32. No mention was made of an access via Gateford Toll Bar in the Strategic Land Availability Assessment;
33. A less intensive form of residential development should be considered on the site;
34. The application site is located in close proximity to a recently proposed Waste Transfer station;
35. The Council's Core Strategy states that new development should not have a detrimental effect on the amenity of local residents;
36. Upon confirmation that a colony of hedgehogs is present will a mitigation strategy be drawn up?
37. The development would generate unacceptable levels of noise and disturbance;
38. The development would be contrary to policies DM1, DM4, DM12 of the Bassetlaw Local Development Framework;
39. Technology industries would be unlikely to be attracted to the new units;
40. There is no demand for office units and if built would stand empty and be open to vandalism;
41. The recently granted waste transfer site on Claylands Avenue will have a significant impact on the amenity of the new residents in terms of noise, odours, dust and visual appearance;
42. The submitted noise assessment, environmental assessment and travel plan report will not have taken into consideration the existence of the waste transfer station;
43. The application would not provide the 6.5ha of employment land required by the Bassetlaw Preferred Options Consultation Paper;
44. The developers have reduced the extent of employment land and increased the number of dwellings by 50, for the financial benefits;
45. A ransom strip on Claylands Avenue is owned by Bassetlaw District Council, which will have major implications for the proposed access and the finances of the scheme;
46. Further information is required by the Environment Agency, Highways Agency and Nottinghamshire Wildlife Trust in order to address their concerns;
47. A previous scheme for developing the site was prevented by the existence of a ransom strip;
48. Worksop does not need more housing;
49. What will happen to the natural grassland bordering Gateford Toll Bar

TWO LETTERS have been received from DISTRICT COUNCILLORS objecting to the development on the following grounds:

1. In the Site Allocations document, and the Land Availability Assessment carried out by the District Council, no access to the site was proposed via Gateford Toll Bar;
2. The use of Gateford Toll Bar as an access to the site would have a serious detrimental effect on the quality of life for residents;
3. The development would be contrary to policy DM4 of the Bassetlaw Local Development Framework, which require that developments make clear physical links with existing settlements and surrounding areas, enhance the built and natural environment; are of a scale which is appropriate to the surrounding area and provide improvements to the range of houses, services and economic development opportunities;
4. The Toll Bar is only 40 metres away from Old Gateford Conservation Area;
5. Negotiations should be undertaken with the developer to provide an alternative means of access to the site.

Copies of all the responses and comments are available for inspection either on the Council's web page or in the Council Offices.

## **CONSIDERATION OF PLANNING ISSUES**

The main issues to be taken into consideration in the determination of this application are an assessment of the proposal against the policies of the Bassetlaw Local Development Framework and the National Planning Policy Framework (NPPF)

### **Principal**

With regard to Housing Land policy issues, the key planning policies in relation to this application are contained within the adopted Core Strategy Policy CS2 and National Planning Policy Framework, along with the latest housing land supply information contained within the Strategic Housing Land Availability Assessment (SHLAA).

The Core Strategy sets out the housing requirements for Worksop in Policy CS2. At least 32% of the District's housing will be delivered in Worksop, which equates to around 2000 houses to be planned for through the Site Allocations process (including the houses planned for in the five year supply, as well as new land allocated for housing).

The NPPF sets out the requirements for Local Authorities to identify a supply of deliverable sites, sufficient to provide five years' worth of housing against their housing requirements, with an additional buffer of 5% (or 20% where there is a persistent under delivery) (paragraph 47). The NPPF also states that if Local Planning Authorities cannot demonstrate a five-year supply of deliverable sites, then their relevant policies for the supply of housing will not be considered up-to-date. Therefore, it is important that the Council keeps a constant supply of deliverable sites, either by allocating land through the Site Allocation process or through granting permission for windfall developments (such as this one).

The latest SHLAA (published in the five year supply statement in August 2014) shows that the Council cannot demonstrate a five-year supply of deliverable land (plus a 20% surplus).

Taking into account the housing land supply issues, it is considered that this site could help ensure that the Council has a supply of deliverable sites for the next five years (as well as the 20% surplus) required by the National Planning Policy Framework.

With respect to the Employment Land issues, the key planning policies in relation to this application is contained within the adopted Core Strategy policies CS1 and CS2.

Policy CS1 states that until the adoption of the Site Allocations DPD, development in the settlements will be restricted to the area inside defined Development Boundaries. However additional permissions may be granted for development where it is demonstrated to the Council's satisfaction that a development proposal will be of benefit in addressing a shortfall in the District's five-year employment land supply.

Policy CS2 states that at least 45% (48ha) of the District's employment land needs will be delivered in Worksop. It is considered therefore that the delivery of 5 ha of employment land in this sustainable location adjacent to the long established Claylands Industrial Estate would be consistent with the exceptions listed in the Core Strategy policies outlined above.

### **Visual Amenity**

Whilst the application proposes a mix of residential and commercial units on a 18 hectare greenfield site, the subsequent development would be viewed in the context of both the

existing residential development to immediately to the east and the industrial estate to the south and would not therefore appear unduly discordant in terms of landscape character.

In addition it is considered that the imposition of conditions requiring planting and landscaping would ensure the satisfactory overall appearance of the completed development and would help assimilate the new development into its surroundings.

### Heritage Assets

Although the development would be located within the setting of Gateford Hall a Grade II\* listed building and the Old Gateford Conservation Area, the site is largely hidden by a dense screen of trees on the site boundary. Provided that this tree screen is retained, it is considered that the development would have no significant impact on the setting of the designated heritage assets.

The County Archaeologist has indicated that although there are no archaeological features within the site, roman coins have been recovered at Gateford Hall, just beyond the north eastern limit of the site. Accordingly, he has requested that further a condition be imposed on the any subsequent permission requiring archaeological field evaluation and mitigation prior to development commencing.

### Residential Amenity

Whilst there are a number of dwellings that directly bound the site, it is considered that the development would not result in significant impacts in terms of overlooking and loss of privacy or be significantly overbearing or oppressive. However further consideration would need to be given to such issues at the reserved matters stage when details of layout, scale and landscaping are being considered.

As a mixed development, the current proposal would result in the new dwellings being sited adjacent to commercial office buildings. It is considered however, that with careful consideration to the layout and adequate buffering and planting between the two elements, the commercial part of the proposal would have no adverse impact on the residential amenity of the occupiers of the new dwellings.

In addition it is considered that conditions requiring the implementation of sound attenuation measures to mitigate against the impact of noise from the A57 and the adjacent commercial units, would safeguard the amenities of the new residents.

The District Environmental Health Officer has indicated that recently granted Waste Transfer Station to be sited on Claylands Avenue would have no adverse impact on the amenity of the occupiers of the new dwellings in terms of noise and disturbance.

### Highways Matters

The County Director of Environment and Resources (Highways) has indicated that the proposed development would require alterations to Gateford Road and the access arrangements. This would principally require, the reduction of Gateford Road to a single carriageway from the A57 roundabout and providing right turn lanes serving the site access and Gateford Toll Bar.

Subject to ensuring the implementation of the above off-site highway works and conditions requiring the phasing and completion of the road network within the application site, there would be no objections to the development on highway safety grounds. These works to facilitate the improvements would be through a Section 278 Agreement.



Whilst objections have been received from local residents to the use of Toll Bar as a means of access to the site, Nottinghamshire County Council (Highways) have indicated that such development would promote connectivity and sustainable travel by providing links between the existing and proposed residential areas and thereby avoiding isolated communities. The County Council have also indicated that the cumulative impact of the current application and the recently permitted Waste Transfer Station to be sited on Claylands Avenue would be of no detriment to highway safety.

The Highways Agency have also indicated that the development would not be expected to have a material impact on the closest strategic routes of the M1 and A1.

#### Rights of Way

The application site has a public footpath bridleway that runs north to south through the eastern half of the site.

The proposed development seeks to retain this right of way in its existing position and would connect to the proposed greenways and street network, also providing connections into the existing residential estate to the east. This would be addressed through the imposition of conditions and subsequent application for reserved matters.

#### Ecology/Nature Conservation

Nottinghamshire County Council have indicated that whilst the submitted information indicates that biodiversity value of the site appears to be low, a number of issues need to be addressed prior to the determination of this application. These principally relate to surveys of hedgerows and trees, breeding birds, bats and reptiles.

It is considered however that these matters can be adequately addressed through the conditions such as those requested by the Nottinghamshire Wildlife Trust, relating to a Biodiversity Management Plan and a Construction Environmental Management Plan.

Nottinghamshire County Council have raised the issue of the potential impact of the development on the prospective classification of parts of Sherwood Forest as a Special Protection Area (SPA) for its breeding bird (Nightjar and Woodlark).

It is considered however that the distance separating the application site from the prospective SPA is sufficient to mitigate against the impact of air pollution, noise and disturbance, pet predation and light pollution. In addition it is considered that the enhancement of rights of way within the site and the provision of open space would make a positive contribution to reducing the recreational pressures on these more sensitive sites.

#### Drainage

Both the Environment Agency and Severn Trent Water have indicated that there would be no objection in principle to the development subject to conditions requiring details of how surface water and foul sewage is to be disposed of from the site. The above matters will be addressed through the imposition of conditions and through the requirements of the Section 106 Legal Agreement.

#### Open Space

The development proposes to provide land for a Multi-Use Games Area (MUGA), a Play Area and informal football field along with the adequate buffer zones.

Whilst the application is in outline form, the illustrative drawings show the play space and multi-use games area being sited adjacent to, and on the boundary with the A57. It is considered however that the proposed play facilities should be sited within a more central and accessible location within the site. This matter can be addressed at the reserved matters stage.

The provision (through a financial contribution to provide the play equipment on site) of this open space infrastructure and the maintenance of the land for a 12 year period (the open space land will transferred to the District Council) will be secured through a S106 planning obligation. The total cost of providing a MUGA and 8 pieces of play equipment would be £170,000 and is expected that the cost of maintaining these open spaces areas for 12 years will be £30,469.

### Affordable Housing

Policy CS2 of the Bassetlaw Local Development Framework states that housing development, will be required to contribute towards the achievement of an affordable housing target of at least 15% for Worksop. This will be either through on-site provision or through a financial contribution to the delivery or improvement of affordable housing elsewhere. The Affordable Housing Supplementary planning document also states that the Council will normally expect development to deliver affordable housing on-site unless there are demonstrable viability reasons.

The Strategic Housing Market Area Assessment (SHMA) states that at last 70% of on-site affordable housing should be social/affordable rent units. Furthermore, feedback from the Strategic Housing Manager indicates that there is now more demand for smaller properties (2 and 3 bedroomed houses) than the larger properties. This is largely down to the changes brought in with the recent Welfare Reform.

### Education

The development is of a scale (380 dwellings) that generates the need for additional 80 primary classroom places, which cannot currently be accommodated within existing schools. Consequently the development would be required to contribute towards providing additional school places to accommodate the pupils generated from the development. The County Council have indicated that they would prefer the 1 form entry (c210 place) primary school provided on the Gateford Park site to be extended to allow the further expansion to a 1.5 form entry (c315 place) primary school. It is requested that a financial contribution besought to cover the cost of building the entire extension (estimated at £1.6m) and purchasing the additional land set aside for the Gateford Park development (fixed fee of £40,000).

Should the school site at Gateford Park not come forward the above monies would be directed to existing schools to provide new school places for north Worksop.

### Public Transport and Infrastructure

The Highways Authority have requested that a contribution is made towards part of the costs of providing two new buses, which will serve the wider Worksop area. This contribution is calculated on the number of houses on the site and equates to £412,500 for this site.

The Highways Authority has also requested money to upgrade existing bus stops on Gateford Road and Claylands and to provide a new bus stop on the site. This could include a shelter and real time displays. The total amount for these works is estimated at £54,120.

In addition to the above a contribution of £12,500 would be required to facilitate a Travel Plan and monitoring fee.

### Library Book Provision

Nottinghamshire County Council (Libraries) have requested a sum of £14,712 towards the provision of additional books for Worksop Library.

### Other Matters

Although this is not a planning consideration, the issue has been raised that a ransom strip exists between the application site and the highway boundary on Claylands Avenue. However, if true, this could have impacted on how the site was to be accessed (which could have affected the deliverability of the employment element of the proposal). There has been extensive research done on this matter and the Nottinghamshire County Council have written and confirmed that in their opinion the land falls within the defined Highway boundary. After consideration, the District Council is not disputing this and therefore the applicants have a right to access their land from Claylands Avenue.

### Viability

Policy DM11 states that where development proposals cannot meet their necessary Planning Obligations/CIL requirements due to issues of viability, applications will need to be accompanied by a detailed viability assessment. The applicant submitted a detailed Viability Assessment, which under the policy requirements, was independently assessed by an external consultant.

After a robust appraisal process and acknowledging that in accordance with para 173 of the NPPF which states; "To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable".

Through detailed discussions with the applicants, their viability consultant and the independent assessor, the total amount of available money to be sent on s106 contributions was agreed by officers and the applicant. Officers, along with feedback from the local ward Councillors, residents and key consultees, determined how the available monies were prioritised.

A summary of the contributions that will be included within the s106 agreement are as follows:

i. Education

In line with the County Education team request, a financial contribution (£1.6m) to ensure the extension to form a 1.5 form entry (315 place) primary school (of the 1 form entry school secured on the Gateford Park site) and a further contribution of £40,000 to purchase the land required for this extension. This will ensure that there are sufficient places to cover the pupils generated from this development and will have an element of spare capacity as requested by the County Council. Should the school site at Gateford Park not come forward the above monies would be directed to existing schools to provide new school places for north Worksop.

ii. Public Open Space/Play Equipment

With regard to provision and maintenance of open space to be transferred and adopted by the council, a sum of £30,469 would be required based on the Council's Parks and Open Space team's calculations for a maintenance period of 12 years. In addition to the above, a sum of £40,000 would be secured to provide play equipment on land that is to be transferred to the District Council (this has been reduced from the £170,000 requested).

iii. Public Transport Provision

County Highways have indicated that a sum of £227,060 would be required towards the provision of new bus stop infrastructure to improve the existing stops on Gateford Road and Claylands Avenue and towards the bus service improvements. As there is a bus route in close proximity to the site, it is possible for the residents on the majority of the development to still be largely within 400m of the existing bus stops (which would be improved with the contribution being sought).

In addition to the above a contribution of £12,500 would be required to facilitate a Travel Plan and monitoring fee.

iv. Affordable Housing

Due to viability constraints and how the contributions were prioritised, the remaining available monies were put towards provision of affordable housing (£630,029). This equates to 2.6% affordable housing (or 10 units) over the entirety of the scheme. It is proposed that these units, in line with the advice from the SHMA and housing providers, are to be smaller units for social/affordable rent. Therefore, the Council will be securing 9 x 2bed and 1 x 3bed units.

v. Admin fees

A fee of £5000 (capped) will be paid to the Council to cover the admin costs of processing and monitoring the s106 agreement and payments.

vi. CIL Contributions

In addition to the financial requirements above, the development would attract the Community Infrastructure Levy (CIL). Due to the viability constraints on this site and with the infrastructure that is being provided, it is felt that there is a strong case to accept that exceptional relief is applicable in part. The Council would be seeking a CIL payment of £ 314,943 (which is the money that would have been spent on increasing the bus provision for the site or on more affordable housing). This money could earmarked be spent on improving the strategic road network around Worksop and help to provide additional secondary school places (as indicated in the consultation on the CIL 123 list). This would be in compliance with the Council's policy.

As the proposal will not be meeting the Council's full policy requirements when it comes to affordable housing, public transport contributions and the CIL levy, it is recommended, therefore, that a review mechanism is incorporated into the S106 agreements. This will ensure that in the event of changing circumstances that may affect the development finances, half of any net profit increase would be recovered by the Council to go towards the provision of affordable housing in the district.

Conclusion

Given that Bassetlaw District is unable to demonstrate a 5 year supply of land for housing, the application would help significantly to address this shortfall and would also contribute 19,000sq m of office space, the provision of a primary school on the Gateford Park site, open space and affordable housing.

The application site would be located in a sustainable location on the northern edge of Worksop and is considered not to have a significant detrimental impact on the character and appearance of the area, residential amenity, highway safety, heritage/conservation issues, biodiversity or flood risk.

**RECOMMENDATION:** Grant with the following conditions and the Signing of S106 Agreement

- 1 The first application for approval of reserved matters shall be made not later than the expiration of three years beginning with the date of this permission and the development shall be begun not later than:
  - a) the expiration of two years from the final approval of the reserved matters or;
  - b) in the case of approval of the reserved matters on different dates, the final approval of the last such matter to be approved.

Reason: To comply with section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 The scale and appearance of the building(s), the layout and the landscaping of the site shall be only as may be approved in writing by the Local Planning Authority before any development commences.

Reason: This permission is granted in respect of an outline application which did not contain details of the matters hereby reserved for approval.

- 3 Development shall not commence until a scheme for the phasing of the development hereby permitted has been submitted to and agreed in writing by the Local Planning Authority. The development shall only be carried out in accordance with the agreed scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is developed in an appropriate manner and as envisaged by the Local Planning Authority.

- 4 No development shall take place until a phasing and completion programme for the highway and private street works covering the whole of the development has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved phasing and completion programme or revised phasing and completion programme that may be agreed by the Local Planning Authority from time to time.

Reason: In the interest of highway safety

- 5 In accordance with details submitted in accordance with the phasing and completion programme the existing Claylands Avenue site access shall be permanently closed to all traffic and shall be removed and replaced with full height kerbs, footway, and verge to satisfaction of the Local Planning Authority.

Reason: In the interest of highway safety

- 6 The development shall not exceed 19,000sqm B1 office and 380 dwellings

Reason: In the interest of highway network capacity

- 7 No one phase of development shall be commenced until details of the proposed arrangements and plan for future management and maintenance of the proposed streets including associated drainage contained within that phase of development have been submitted to and approved by the Local Planning Authority. The streets and drainage shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established.

Reason: To ensure that the road infrastructure is maintained to an appropriate standard

- 8 No dwellings or employment units within each phase of the development shall be occupied until the roads affording access to those dwellings or employment units have been completed in accordance with the phasing and completion programme.

Reasons: To ensure that the roads serving the development are completed and are available for use by the occupants and other users of the development in the interest of highway safety

- 9 Prior to commencement of each phase of the development hereby permitted detailed plans and particulars relating to the following items appropriate for that phase shall be submitted to and be approved by the Local Planning Authority and which shall be implemented in accordance with the phasing and completion programme:

- a) A detailed layout plan of the phase in context with the whole site (for the avoidance of doubt the submitted Master Plan and Design & Access Statement shall be considered to be for indicative purposes only) which shall be accompanied by a swept path analysis of a 11.7m refuse vehicle and a maximum size bus/coach on the bus route;
- b) Pedestrian and cycle facilities on the south side of Gateford Road from Lady Walk on to the A57, a route through the site between Gateford Road and Claylands Avenue, and connections between the site and existing facilities which shall be available for public use on completion of the said phase;
- c) The layout and marking of car parking, servicing and manoeuvring areas;
- d) Details of the means of foul and surface water drainage together with a programme of implementation;
- e) Cycle and bin storage facilities;
- f) The provision of bus stops through the site, Gateford Road, and Claylands Avenue serving both directions including, bus stop poles, timetable cases, dropped kerb wheelchair and pushchair access, lit bus shelters with real time displays, and the provision of footway connections/hard standings;
- g) Flood lighting/exterior lighting including lux plots that include spillage onto the highway;
- h) Provision for lorry manoeuvring and routeing;
- i) The means of access and highway route for demolition and construction traffic;
- j) Wheel washing facilities and street cleansing (including full details of its specification and siting) that maybe varied from time to time with the approval of the Local Planning Authority I and as made necessary by the works or ground conditions in any phase;

Reason: In the interest of highway safety

- 10 No dwelling shall be occupied on any part of the application site unless or until Gateford Road has been converted to a single carriageway with right turn lanes serving the site access and Gateford Toll Bar and associated refuges have been provided as shown for indicative purposes only on plan reference no. 5973-002 Rev F to the satisfaction of the Local Planning Authority.

Reason: In the interest of highway safety, sustainable transport, and highway network capacity

- 11 Prior to the commencement of each phase of the development, details of the footpaths, greenways and cycle routes within the site, including the timetable for provision of such works, shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out only in accordance with the agreed details and timetable, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the footpaths and pedestrian links within the site are laid out in a satisfactory manner.

- 12 Prior to the commencement of development a scheme for the manner in which foul sewage and surface water are to be disposed of from the site, shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the phase to which it relates is completed.

Reason: To ensure that the development is drained in a satisfactory manner.

- 13 Development shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented in accordance with the approved details before the development is completed.

The scheme to be submitted shall demonstrate:

- i. The utilisation of holding sustainable drainage techniques which incorporate at least two differing forms of SuDs treatment in accordance with table 3.3 of the CIRIA C697 'The SuDs Manual' prior to discharging from the site;
- ii. The limitation of surface water run-off to the equivalent Greenfield run-off rate;
- iii. The ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations;
- iv. That infiltration into the ground is not a viable means of disposing surface water from the site by undertaking further infiltration testing in accordance with the BRE 365 Guidance;
- v. That there will be no cross catchment discharge to receiving water bodies;
- vi. The responsibility for the future maintenance of the drainage features.

Reason: To prevent the increased risk of flooding and to improving and protect water quality, habitat and amenity, given the site is approximately 24ha and just 4 infiltration tests were undertaken, further infiltration testing will be required to ascertain whether or not infiltration into the ground is a viable means of disposing of surface water from the site. To prevent an increased risk of flooding elsewhere, to ensure the future maintenance of the sustainable drainage structures

- 14 Prior to the commencement of development, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The construction Environmental Management Plan shall include;
- Measures to minimize the creation and impact of noise, dust and artificial lighting.
  - Mitigation for, bats, birds newts, slow worms and hedgehogs;
  - The implementation of suitable stand-offs with appropriate protection measures for all retained hedgerows, trees and woodland.
  - Once approved, the Construction Environmental Management Plan shall be adhered to at all times unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development is carried out in a way which safeguards protected species, hedgerows and trees.

- 15 Prior to the commencement of development, a Biodiversity Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall span a minimum of 5 years for each phase of the development and include details for appropriate management of semi-natural habitats eg. Hedgerows, retained grassland and trees.

The Management Plan shall include a scheme for the provision of bird and bat boxes within the development. The Management Plan shall also include a scheme for hedgehog mitigation measures, in the form of hedgehog friendly boundary treatments and fences. The boxes and hedgehog mitigation measures so approved within each phase shall be completed and available for use before the last dwelling or office within that phase is completed.

Reason: To ensure that the optimal benefits of biodiversity are achieved.

- 16 All site clearance work shall be undertaken outside the bird-breeding season (March - September inclusive). If clearance works are to be carried out during this time, a suitably qualified ecologist shall be on site to survey for nesting birds in such manner and to such specification as may have been previously agreed in writing by the Local Planning Authority.

Reason: To ensure that birds' nests are protected from disturbance and destruction.

- 17 No development on the residential areas of the site shall commence until a noise assessment has been conducted and the results submitted to and agreed in writing by the Local Planning Authority. Any sound attenuation measures required to address the noise nuisance identified in the assessment shall be fully implemented before the occupation of the dwellings affected.

Reason: To ensure that the residential amenity of the occupiers of the new dwellings are not affected by the adjoining commercial units and the A57.



- 18 A scheme to provide a buffer/ acoustic screening between the residential elements of the application site and the existing and proposed commercial/employment land to the south shall be submitted to and agreed in writing by the Local Planning Authority before development commences. The agreed scheme shall be fully implemented before the occupation of any houses within 50 metres of the existing and proposed commercial site boundaries.

Reason: To reduce the impact of the adjoining industrial uses on the dwellings to be erected within the application site.

- 19 Should during the development, land contamination not previously considered be identified, then the Local Planning Authority shall be notified immediately and no further works shall be carried out until a method statement detailing a scheme and timetable for dealing with suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. The mitigation measures identified by the investigation shall be carried out in full and in accordance with the previously agreed timetable.

Reason: To ensure that the site, when developed is free from contamination in the interests of safety.

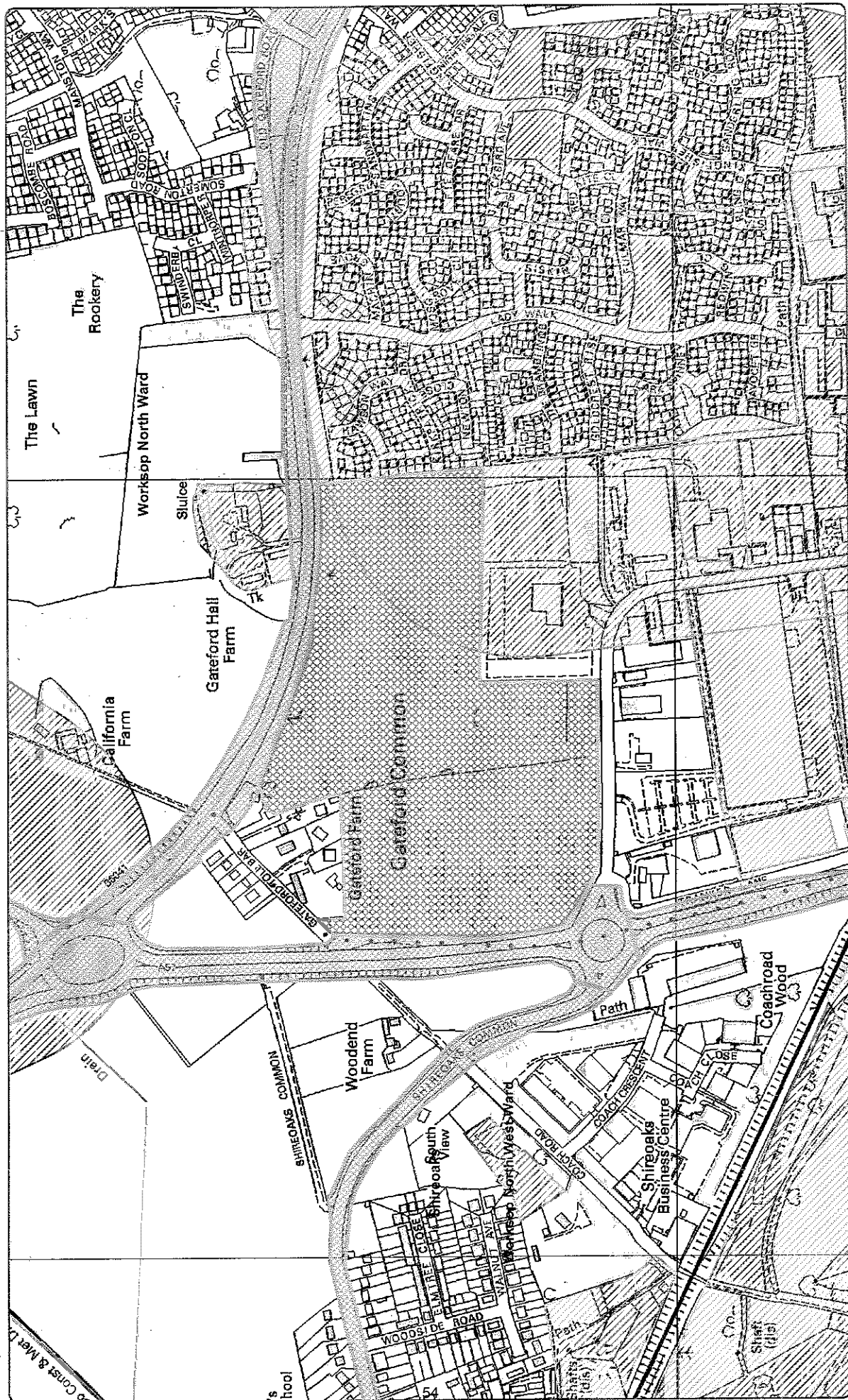
- 20 No works relating to site preparation or construction shall take place outside 8:00am - 6:00pm Monday to Friday, 8:00am - 1:00pm on Saturday and not at all on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the dwellings located in the vicinity of the application site.

- 21 No development shall take place within the application site until the details of a scheme for a programme of archaeological investigation and mitigation have been submitted to and approved in writing by the LPA thereafter, the scheme shall be implemented in full accordance with the approved details.

Reason: To ensure that any features of archaeological interest are protected and recorded.

# Bassetlaw District Council



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Date: 26/05/2015



**BASSETLAW**  
DISTRICT COUNCIL  
NORTH NOTTINGHAMSHIRE

## **ITEM SUBJECT OF A SITE VISIT**

**Item No:** a2

**Application No:** 14/01622/FUL **Application Type:** Full Planning Permission

**Proposal** Residential Development of 14 two storey Properties

**Location** Former Langold Hotel Doncaster Road Langold Nottinghamshire

**Recommendation:** Grant subject to Conditions

**Case Officer:** Jamie Elliott

**Tel No:** 01909 533227

**Web Link:** <http://publicaccess.bassetlaw.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NGU4JYCSM4D00>

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## **THE APPLICATION**

The application seeks full planning permission for the erection of 14 two storey dwellings, consisting of 2, three bed semi-detached dwellings, 4, 3 bed terraces and 8 two bed apartments.

The site was previously occupied by the Langold Hotel, which has since been demolished.

The site is bounded by residential properties to the north and south and industrial units to the west.

The application site is located in the Langold Development boundary, identified in the Bassetlaw Local Development Framework.

The two mature trees located on the southern boundary of the site are the subject of tree preservation orders.

As the site is under 0.5 hectares in area the proposal does not fall under the thresholds of development contained in Schedules 1, 2 or 3 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and does not therefore require EIA Screening.

## **DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS**

The National Planning Policy Framework (NPPF) sets out the governments planning policies for England and how these are expected to be applied, with particular emphasis on the overarching approach to delivering sustainable development through the planning system. The NPPF states that proposals that accord with the development plan (Core Strategy) should be approved without delay.

Part 1 of the National Planning Policy Framework states that the Government is committed to securing sustainable economic growth in order to create jobs and prosperity. It also reinforces the position that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Of particular relevance are paragraphs, 14, 47 and 49 which set out if the approach local authorities should adopt in the absence of a 5 year supply of land for housing.

Policy CS1 of the Bassetlaw Local Development Framework states that until the adoption of the site allocations DPD, development in the settlements identified in the hierarchy will be restricted to the area inside defined settlement boundaries. In addition over the plan period, additional permission may be granted where the development proposal would address a shortfall in the District's five-year housing supply or its employment land supply.

Policy CS5 'Carlton-in-Lindrick and Langold' of the Bassetlaw Core Strategy and Development Management Policies DPD states that housing development will be required to contribute towards the achievement of an affordable housing target of at least 15%.

Policy DM4 of the Bassetlaw Local Development Framework states that permission will only be granted for development that respects the character of the area, does not have a detrimental effect on the residential amenity of nearby residents and is of no detriment to highway safety.

The Bassetlaw Local Development Framework contains policy DM9, which states that new development proposals will be expected to provide functional on-site open space and/or sports facilities, or to provide contributions towards new or improved facilities elsewhere locally, protect green infrastructure assets and demonstrate that they will not adversely affect or result in the loss of features of recognised importance.

Policy DM11 of the Bassetlaw Local Development Frameworks states that all applications will be expected to demonstrate that the necessary infrastructure (social, physical and green) will be in place in advance of, or can be provided in tandem with, new development and, where appropriate, that arrangements are in place for its subsequent maintenance.

Policy DM12 of the Bassetlaw Local Development Frameworks states that all new development will be required to incorporate Sustainable Drainage Systems (SuDS) and provide details of ongoing and maintenance and management.

In addition it states that arrangements for the provision or improvement of infrastructure required by the proposed development and/or to mitigate the impact of that development will, in line with national guidance and legislation, be secured by Community Infrastructure Levy (CIL) charge, planning obligation or, where appropriate, via conditions attached to a planning permission.

## **RELEVANT PLANNING HISTORY**

November 2010	Full planning permission granted to erect 6 two storey three bed dwellings and 8 two storey flats. 62/10/00019R.
April 2010	Full planning permission refused to erect 14 two and two and a half storey, three bed dwellings. 62/09/00032.

## **RESPONSES FROM STATURORY BODIES**

The COUNTY DIRECTOR of ENVIRONMENT and RESOURCES (Highways) - This application is effectively a renewal of a previous now lapsed consent reference 62/10/00019/R. The Highway Authority has no objection to this proposal subject to similarly worded notes and highway conditions as imposed previously.

## NOTTINGHAMSHIRE COUNTY COUNCIL -

### Waste

In terms of the Nottinghamshire Waste Core Strategy (December 2013), there are no existing waste sites within the vicinity of the site whereby the proposed development could cause an issue in terms of safeguarding the existing waste management facilities

### Minerals

The site does not lie within close proximity to any existing or proposed mineral site, or within a Mineral Safeguarding and Consultation Area.

### Planning Policy

The proposal is consistent with the NPPF in terms of boosting the supply of housing and ensuring that the housing needs of the area are met. Although the site is not identified for housing development in the Bassetlaw Site Allocations Preferred Options, it is within the development boundary. As Bassetlaw District Council cannot demonstrate a 5 year housing land supply, its policies regarding housing supply can be considered out of date (in line with NPPF paragraph 49) and the policies of the NPPF can take preference. As such, there are no strategic planning policy objections in principle to the proposed development.

### Rights of Way

Despite the close proximity of Hodsock public footpath 15 (30m from the site), the proposed development should not have any impact upon it.

### Travel and Transport

The Council request Section 106 funding in the amount of £5,000 (plus any potential real time provision) to be spent exclusively on bus stop infrastructure within a short distance of the development.

### Ecology

The application is not supported by any ecological survey work. However, aerial photos indicate that the site was until recently a hotel (now demolished) with areas of hardstanding and a garden, and it appears that since the demolition works, limited vegetation is present on the site. It is our view that this is unlikely to have significant nature conservation value, and that opportunities for protected species are limited. Nevertheless, we would recommend that a standard condition is attached to any permission granted to control vegetation clearance during the bird nesting season.

In addition, the "Full Site and Site Location Plan" indicates proposed planting to the north and west of the site, and we would therefore advise the planting of native species (or ornamental species of wildlife value) in these areas to maximise the biodiversity value of the proposed development, and we would welcome a condition to this effect.

### Landscape

The Landscape and Reclamation Team are unable to support the submitted application as it stands and recommend that the applicant further considers the following key points:

1. Site layout - building line along Doncaster Road and the potential to re-orientate the flats so they face out onto Harrison Drive.
2. Existing vegetation - verification of which elements are to be retained and confirmation that BS5837 will be adhered to.
3. Proposed vegetation - Enhancement of the proposals by additional proposed planting, notably tree planting to the frontage of the site along Doncaster Road.

### Education

A proposed development of 14 dwellings would yield an additional 3 primary and 2 secondary places. Based on current pupil projections, the additional places can be

accommodated in existing schools. We would therefore not be seeking an education contribution on the proposed development

The DISTRICT ENVIRONMENTAL HEALTH OFFICER - The above planning application may have been previously used for potentially contaminative uses. Therefore, if planning permission is to be granted, I would request that a condition be imposed requiring an investigation into the history and current condition of the site to determine the likelihood of the existence of contamination and the subsequent implementation of suitable mitigation measures.

The DISTRICT PARKS DEVELOPMENT OFFICER - A contribution of £8,120 towards the provision of play equipment for the play area at Langold Country Park should be secured, in preference to provision of on- site open space.

NOTTINGHAMSHIRE WILDLIFE TRUST - A protected species survey should be carried out before determining the application as bats may be present within the building to be demolished.

SEVERN TRENT WATER No objections subject to conditions requiring details of the disposal of surface water and foul sewage.

### **OTHER COMMENTS RECEIVED**

ONE LETTER OF OBJECTION has been received from a LOCAL RESIDENT objecting to the development on the following grounds:

1. Parking provision only allows for one vehicle per residence and does not allow for visitor parking;
2. Harrison Drive is suffers from congestion at the weekend by users of the adjacent football field;
3. Parking on the A60 would be detrimental to highway safety.

### **CONSIDERATION OF PLANNING ISSUES**

The main issues to be considered when determining this applications are the requirements of national and local planning policies, the impact on the character and appearance of the area, the impact on the residential amenity of adjacent residents, the impact on highway safety and the delivery of infrastructure provision through planning obligations.

#### **Site**

The site lies within the Langold development boundary defined in the Bassetlaw Local Development Framework.

The site was formerly occupied by the Langold Hotel, which was demolished in 2010.

The two lime trees located on the southern boundary adjacent to Harrison Drive are the subject of a Tree Preservation Order.

#### **Proposal**

The application seeks permission to erect 14 two storey properties, consisting of 8, two bedroom apartments and 6, three bedroom houses. The current proposal is almost identical to that which was previously granted planning permission in 2010.

### Visual Amenity

The development in question would be viewed in the context of the existing residential development to the north and south and industrial units to the west and would not therefore appear unduly discordant or out of character with the mixed use nature of the area.

### Residential Amenity

Whilst there are a number of dwellings that directly bound the site to the north, it is considered that the development would not result in significant impacts in terms of overlooking and loss of privacy or be significantly overbearing or oppressive.

The District Council's 'Successful Places' SPD, indicates that a minimum outdoor amenity space requirement for 3 bed dwellings is 70 square metres and 25 square metres per flat. The originally submitted scheme fell significantly short of providing these minimum standards.

The scheme was subsequently amended in order to increase the size of the private rear garden areas available for the occupiers of the dwellings/apartments. Whilst a number of the garden areas do not fully achieve the minimum standards, the shortfall is considered to be marginal and therefore acceptable.

It is also important to note that the new dwellings would be sited within close proximity to the existing playing field/open space on Harrison Drive.

### Highways Matters

This application is effectively a renewal of a previous now lapsed consent (ref: 62/10/00019R) The Highway Authority has no objection to the proposal subject to similarly worded conditions and notes imposed previously.

### Trees

It is considered that the Protected Trees on the southern boundary of the site will be safeguarded by the imposition of conditions requiring protection measures to be agreed and implemented prior to development commencing.

### Viability

Paragraph 173 of the NPPF states that to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable

In addition the Planning Practice Guidance states that in making decisions, the local planning authority will need to understand the impact of planning obligations on the proposal. Where an applicant is able to demonstrate to the satisfaction of the local planning authority that the planning obligation would cause the development to be unviable, the local planning authority should be flexible in seeking planning obligations.

In the case of development proposals that cannot meet their necessary Planning Obligations due to issues of viability, Policy DM11 of the LDF requires that applications be accompanied by a detailed viability assessment.

An assessment has been submitted by the applicants, providing details of the financial viability of the development. The information provided has been assessed within the Planning Service and has established that the development would not generate sufficient profit to provide for any additional developer contributions. Accordingly, affordable housing, and monies in lieu of open space provision and bus stop infrastructure could not be required in this instance, individually or in total.

### Recommendation

For the reasons outlined above, it is considered that the proposed development would be in accordance with the provisions of policies CS1, CS5, DM4, DM9, DM11 and DM12 of the Core Strategy of the Bassetlaw Local Development Framework and Part 6 of the National Planning Policy Framework.

### **RECOMMENDATION:** Grant subject to the following conditions

- 1 The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out only in accordance with the details and specifications included on the submitted application form and shown on the submitted drawings.

Reason: To ensure that the development takes the agreed form envisaged by the Local Planning Authority when determining the application.

- 3 Development shall not commence until such time as the facing and roofing materials to be used in the development hereby permitted have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure the satisfactory appearance of the completed development.

- 4 A scheme for the treatment of all boundaries of the site and boundary treatments between individual plots shall be submitted to and agreed in writing by the district Planning Authority before development commences. The agreed scheme shall be fully implemented before the occupation of the dwellings hereby permitted.

Reason: To ensure the satisfactory, overall appearance of the completed development.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), no building, extension or structure shall be erected or placed within the curtilage of any dwellings hereby permitted.



Reason: The erection of extensions etc as "permitted development" may create difficulties both in terms of the overall appearance of the extended dwelling and the relationship with its neighbours.

- 6 No development shall commence until details of the construction of the new road has been submitted to and agreed in writing with the Local Planning Authority. These details shall, include longitudinal and cross sectional gradients, street lightning, drainage and outfall proposals, construction specification, provision of and diversion of utilities services and any proposed structural works. The development shall be carried out only in accordance with the agreed details.

Reason: In the interest of highway safety.

- 7 The roads and footways hereby permitted shall be constructed prior to or concurrently with the erection of the dwellings and no dwelling shall be occupied until the road and footway has been constructed to at least binder course level from Harrison Drive/Doncaster Road to that dwelling.

Reason: To ensure the satisfactory construction of the roadways, in the interest of highway safety.

- 8 No part of the development hereby permitted shall be brought into use until the footways along Doncaster Road and Harrison Drive have been constructed to an adoptable standard.

Reason: To ensure adequate pedestrian facilities, in the interest of highway safety

- 9 No development shall commences, until details of the visibility splays to be safeguarded across the site frontage have been submitted to and agreed in writing with the Local Planning Authority. Within the visibility splays there shall be no obstruction to vision above 1.05m in height, taken from the channel level of the adjacent carriageway.

Reason: In the interests of highway safety.

- 10 All on-site vehicular areas shall be hard surfaced and drained in an approved manner prior to the development being brought into use.

Reason: To prevent mud/debris from being deposited on the public highway to the detriment of road safety.

- 11 The parking/manoeuvring facilities, indicate on the submitted plan, shall be provided prior to the development being brought into use, and retained for that sole purpose at all times.

Reason: To ensure adequate off-street car parking, in the interests of road safety.

- 12 The gradient of the access road shall not exceed 1 in 20 for the first 10m from the rear of the highway boundary and shall not exceed 1 in 12 beyond this point.

Reason: To ensure the access does not have an excessive gradient.

- 13 No development shall commence until such time as the tree(s) covered by the Tree Preservation Order on the application site have been protected, in a manner to be agreed in writing with the Local Planning Authority. The trees shall be protected in the agreed manner for the duration of building operations.

Reason: The tree(s) in question are considered to be features of significance. This condition is imposed to ensure that they are satisfactorily protected during the period when construction works take place on the site.

- 14 The burning of materials on site shall not take place within seven metres of the furthest extent of the canopy of any tree or tree group to be retained on the site or on adjoining land.

Reason: To ensure the protection of the existing tree(s) from any damage due to smoke or fire, in the interests of the health and amenity of the tree(s).

- 15 No development shall commence until details of the root protection measures employed during the construction of the roadway and footways adjacent to the protected trees, has been submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out only in accordance with the agreed details.

Reason: To ensure that the development is carried out in a way which safeguards the health and amenity of the trees.

- 16 A scheme for tree planting on and landscape treatment of the site shall be submitted to and agreed in writing by the Local Planning Authority before development commences. The agreed scheme shall be fully implemented within nine months of the date when the last dwelling on the site is first occupied. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a size and species similar to those originally required to be planted.

Reason: To ensure the satisfactory overall appearance of the completed development and to help assimilate the new development into its surroundings.

- 17 Development shall not commence until such time as full details of the manner in which foul sewage and surface water are to be disposed of from the site have been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure that the site is drained in a satisfactory manner.

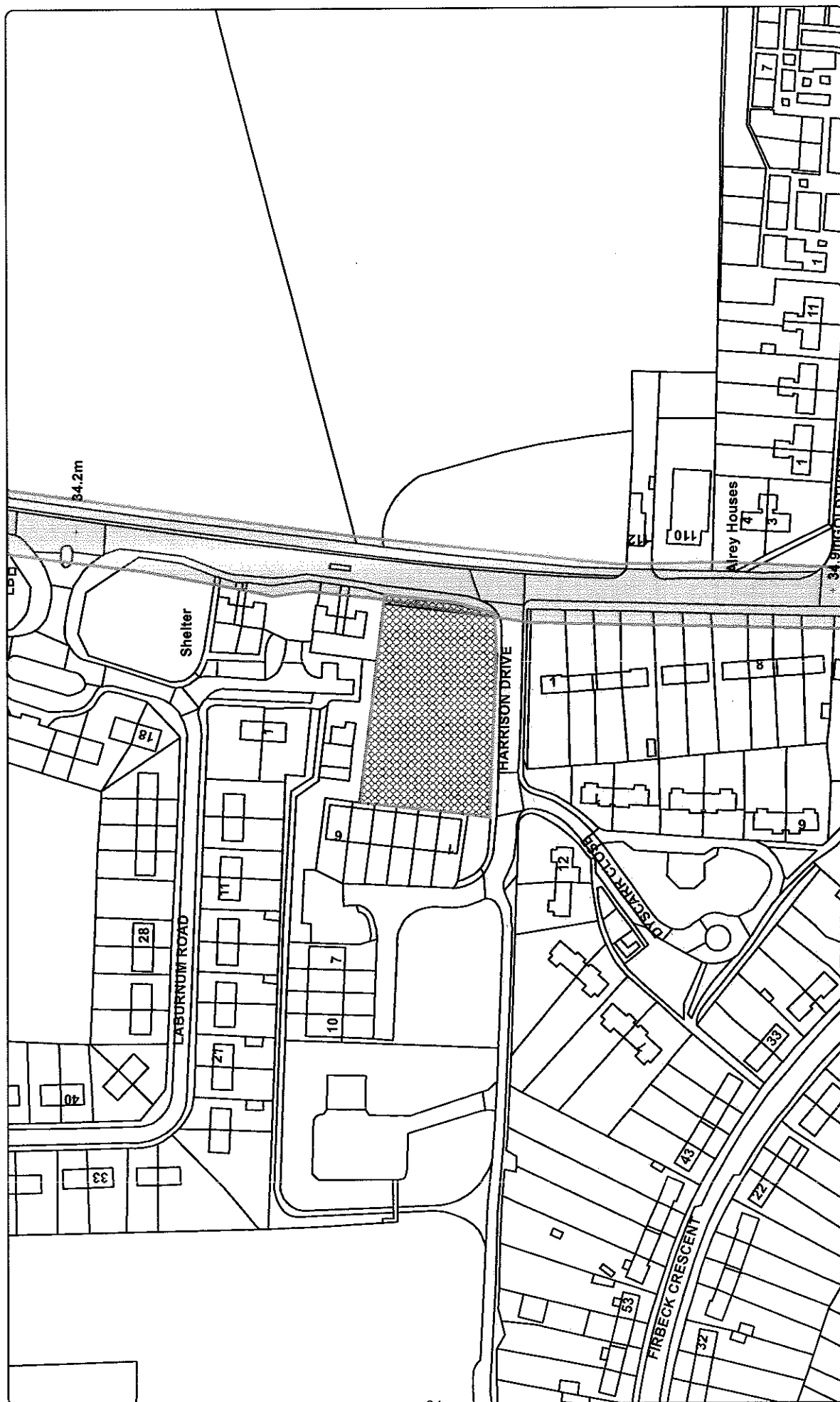
- 18 Development shall not commence until detailed investigation has been carried out, in such manner as may be agreed in writing by the Local Planning Authority, of the areas of the site which may be contaminated, and the findings of the investigation reported to and agreed in writing by the Local Planning Authority. Any necessary remedial measures identified by the investigation shall be carried out in full before the use of the site / the occupation of the buildings(s), hereby permitted, commences.

Reason: To ensure that the site, when developed, is free from contamination, in the interests of safety.

- 19 No construction work shall take place outside 8:00am - 6:00pm Monday to Friday, 9:00am - 1:00pm on Saturday and not at all on Sundays or Bank Holidays.

Reason: To safeguard the amenities of dwellings located in the vicinity of the application site.

# Bassetlaw District Council



## **ITEM SUBJECT OF A SITE VISIT**

**Item No:** a3

**Application No:** 15/00103/COU

**Application Type:** Change of Use

**Proposal** Change of Use From Hotel to an Eleven Bedroomed House of Multiple Occupation

**Location** 29 Park Street Worksop Nottinghamshire S80 1HW

**Recommendation:** Grant

**Case Officer:** Jamie Elliott

**Tel No** 01909 533227

**Web Link:** <http://publicaccess.bassetlaw.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NITSXMCSM8Q00>

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## **THE APPLICATION**

The application seeks permission to change the use of an existing guest house to an 11 bedroom house in multiple occupation (HIMO).

The building is located within the Worksop development boundary as defined in the Bassetlaw Local Development Framework.

The building is within the Worksop Conservation Area and is identified as a positive building in approved Worksop Conservation Area Appraisal (April 2011).

The adjacent property 29 Park Street is a Grade II listed building.

## **DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS**

The National Planning Policy Framework sets out the Government's overarching approach for the planning system and states that the purpose of the planning system is to contribute to the achievement of sustainable development. In addition the framework provides policy guidance on delivering a wide choice of high quality homes, requiring good design and conserving an enhancing the historic environment.

The Bassetlaw Local Development Framework contains policy DM4, which states that permission will only be granted for development that, respects the character of the area, does not have a detrimental effect on the residential amenity of nearby residents and is of no detriment to highway safety.

Policy DM8 of the Bassetlaw Local Development Framework states that the historic environment shall be protected and enhanced to secure its long term future and that any development that would be detrimental to the significance of the heritage asset or its setting, will not be supported.

The proposal does not fall under the thresholds of development contained in Schedules 1, 2 or 3 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 defined as requiring formalised EIA Screening.

## **RELEVANT PLANNING HISTORY**

02/80/00225 - Planning permission granted to change the use of a dwelling house to Guest House. September 1980.

### **RESPONSES FROM STATUTORY BODIES**

The COUNTY DIRECTOR of ENVIRONMENT and RESOURCES (Highways) - This application seeks to change the use of a hotel to an eleven bedroom house of multiple occupations. The site is located in close proximity to Worksop Town Centre and on-street parking restrictions are in place in the locality.

No alterations are proposed to the existing access and off street parking arrangements.

The proposal will not adversely affect safety on the highway network.

The Highway Authority has no objections to the application.

The DISTRICT CONSERVATION OFFICER - The above building is within the Worksop Conservation Area and is identified as a positive building in the approved Worksop Conservation Area Appraisal (April 2011). The building is also within the setting of various listed buildings along Park Street.

As the proposal is for the change of use of the guest house into an 11 bedroom house of multiple occupation and no external changes are proposed, there would be no impact on the character and appearance of the Conservation Area and on the setting of nearby listed buildings. It follows that there are no Conservation concerns.

The DISTRICT ENVIRONMENTAL HEALTH OFFICER has no objections to the development but has made the following comments.

The development should ensure that the property complies with current Building Regulations and the applicant will need to contact Environmental Health to licence the HIMO. The development should also comply with current fire safety regulations.

### **OTHER COMMENTS RECEIVED**

14 Letters have been received from LOCAL RESIDENTS, objecting to the development on the following grounds:

1. The current hotel is only run from Monday - Friday and has posed no threat to safety or security;
2. The change of use would lead to an over intensive use of the property;
3. The development would result in the overlooking of the neighbouring properties;
4. Such development would adversely affect the character of this part of town and the conservation area;
5. Would increase littering;
6. Would devalue house prices;
7. Cheap rental bed sits would lower the general status of the area;
8. The change of use would be likely to increase the levels of noise and disturbance;
9. The property is unsuitable for a HIMO;
10. The property lacks suitable parking;
11. The development would lead to nuisance parking;
12. An existing restaurant already experiences problems with the existing bedsits located behind the Friar Tuck (parking, anti- social activities, Noise from late night parties etc..)
13. Such development would attract younger social groups;
14. The occupiers would not function as a single household, therefore the coming and goings would occur independently of each other;
15. The layout of the proposed HIMO would be a fire hazard;

16. Government studies show that HIMO's lead to anti social behaviour, drug alcohol and waste issues;
17. As the applicant is not a local business, the occupiers of the HIMO would not be controlled or monitored;
18. The development would negatively impact on vulnerable children and teenagers;
19. The development would have an adverse impact on existing businesses on Park Street;
20. The development would create a 'bad side of town'
21. An unsafe and degenerated Park Street will be likely to discourage tourists;
22. The planning officer and Planning Committee have a duty of care towards children that live in the area;
23. HIMO's lead to problems of rubbish, vermin and unkempt gardens, fly posting;
24. Would lead to an increase in anti social behaviour, late night parties;
25. Such development would have a corrosive effect on neighbourhood stability;
26. The development would be contrary to policy DM4 of the LDF, through loss of residential amenity, highway safety;
27. Such uses can create areas in which families don't want to live or invest;
28. Planning permission has been refused previously for change of use to a HIMO at 37 & 39 Park Street in 1991 and 1993;
29. A precedent has therefore been set for refusals of HIMO's;
30. The operation of a HIMO would be contrary to the human rights act;
31. The development would be contrary to the council's strategic and management policies for regeneration;
32. There are already 2 similar residences within 100 yards of this building;
33. Rented accommodation is generally poorly maintained;
34. The development would set an undesirable precedent;
35. HIMO's are generally occupied by transient populations;
36. Anti-social activities will take place adjacent to the boundary of the neighbouring property (noise disturbance, loss of privacy etc..)
37. Use of the rear parking area as an amenity area would result in noise and nuisance for neighbours;
38. There is already significant amount of social and short term housing;
39. Examples of have been provided where councils have refused permission for HIMO's in conservation areas.

Copies of these comments are available for inspection either on the Council's web page or in the Council Offices.

A PETITION containing 62 SIGNATURES, objecting to the development has been received. A copy is available for inspection on the Council's web page or in the Council Offices.

A letter has been received from a DISTRICT COUNCILLOR, requesting that the application be taken before the Planning Committee, due to the following concerns:

- It would not appear to be an appropriate use of a building which is in the conservation area and an area that is being developed as a family friendly visitor/tourist attraction.
- Insufficient information has been provided on the numbers of residents in order to make an informed judgement;
- Environmental Health should be involved at an early stage;
- Absentee landlords can show little regard to the standards of the properties they rent out.

## **CONSIDERATION OF PLANNING ISSUES**

The main issues to consider are those of national and local planning policies relating to residential development and heritage assets.

#### Principle

The site is located in the Worksop development boundary as defined in the Bassetlaw Local Development Framework.

Policy CS1 of the Bassetlaw Local Development Framework states that development will be restricted to areas within defined Development Boundaries. The development would therefore comply with the provisions of this policy.

#### Residential Amenity

The premises in question are located on a busy thoroughfare in a predominantly residential area and on one of the principle routes into Worksop town centre. As such, Park Street currently experiences high vehicular and pedestrian movements.

The permitted use of the property is that of a Guest House/Hotel, which in itself has the potential to generate significant pedestrian and vehicular movements.

It is considered therefore that the creation of an 11 bedroom HIMO, whilst operating at a more intensive level than a single dwelling house, would be comparable to that of a functioning guest house.

It is considered therefore that the pedestrian and vehicular movements generated by the proposed HIMO would be of such a level as to have no significant detrimental impact on the neighbouring properties in terms of noise disturbance and loss of privacy.

As there are no proposed changes to the off street parking arrangements, and the number of parking spaces within the site, it is considered that the proposed use would not result in any significant increase in vehicular movements. Accordingly it is considered that the use of rear car park would not lead to any significant increase in noise and disturbance for the adjacent properties.

As the development would not create any new window openings the change of use would not lead to any significant increase in overlooking or loss of privacy for neighbouring properties.

#### Conservation and Heritage Assets

As the proposal is for the change of use of an existing guest house into house of multiple occupation and no external changes are proposed, the development would be no impact on the character of the existing building the appearance of the Conservation Area or the setting of nearby listed buildings

#### Highways

NCC Highways have indicated that as the application proposes to make no changes to the parking layout, the development would have no adverse impact on highway safety.

#### Other Matters

Reference has been made to planning permissions which were previously refused to change the use of 37 and 39 Park Street to HIMO's in 1991 and 1992. The reasons for refusal were as follows:-



*"The house in question forms part of a terrace. Its use for multiple occupation is likely to result in an intensive use of the property to the detriment of the amenities of adjoining dwellings. The use may result in an increase in traffic generation. As the property has no off-street parking provision, this may cause nuisance to the occupiers of nearby dwellings.*

*The proposal would detract from the character of the area, which falls within Worksop Conservation Area, and make it a less pleasant place in which to live. The grant of planning permission in this case may result in further proposals of this type in this part of the Conservation Area."*

As the current application has attracted no objections from NCC highways or the District Conservation Officer, it is considered the grounds for refusal based on highway and conservation concerns could not be applied in this instance.

With respect to the intensification of use and loss of amenity for adjoining properties, the previous refusals related to the change of use of single terraced dwelling houses to HMOs.

It is considered therefore as the current application proposes to change the use of an existing semi-detached hotel, the previous refusals are not wholly comparable in this instance.

The issues of the anti- social behaviour generated by the HMO have been raised by local residents. This is difficult to accurately predict as it would depend on the individuals occupying the building. However, should anti- social activities such as noise and disturbance occur, then the matter could be addressed through Environmental Health Legislation, enforced by the District Council's Environmental Health Department.

### Conclusion

For the reasons outlined above, it is considered that the proposed development would comply with the provisions of the Policies CS1, DM4 and DM8 of the Bassetlaw Local Development Framework, and parts 6, 7 and 12 of the NPPF.

### **RECOMMENDATION:** Grant with the following conditions

- 1 The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out only in accordance with the details and specifications included on the submitted application form and shown on the submitted drawings.

Reason: To ensure that the development takes the agreed form envisaged by the Local Planning Authority when determining the application.

- 3 No development shall commence until details of the bin storage areas have been submitted to and agreed in writing with the Local Planning Authority. The agreed storage areas shall be implemented before the occupation of the House in Multiple Occupation and used solely for those purposes.

Reason: To ensure satisfactory appearance of the completed development.

# Bassetlaw District Council



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Scale: 1:785

Date: 26/05/2015



**BASSETLAW**  
DISTRICT COUNCIL  
NORTH NOTTINGHAMSHIRE

# REF013



**From:** [REDACTED]  
**Sent:** 14 October 2021 16:40  
**To:** The Bassetlaw Plan  
**Subject:** Bassetlaw Local Plan Submission Version Regulation 19 Consultation  
**Attachments:** Bassetlaw Local Plan Regulation 19 Consultation September 2021 - Representations o.b.o Dooba Developments Ltd - signed.pdf

External Message - Be aware that the sender of this email originates from outside of the Council. Please be cautious when opening links or attachments in email

To whom it may concern

Please find attached our representations on behalf of [REDACTED] in respect of policy ST10 of the Bassetlaw Local Plan Submission Version.

I would be grateful for acknowledgement of receipt and that these area duly made.

Kind regards

[REDACTED]  
BA (Hons) MRTPI  
Partner  
Town Planning



RAPLEYS LLP  
126 Colmore Row Birmingham B3 3AP  
0370 777 6292 | [www.rapleys.com](http://www.rapleys.com)  
London | Birmingham | Bristol | Cambridge | Edinburgh | Huntingdon | Manchester



## TOWN PLANNING CONSULTANCY

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Planning Policy  
Queens Building  
Potter Street  
Worksop  
Nottinghamshire  
S80 2AH

By email: [thebassetlawplan@bassetlaw.gov.uk](mailto:thebassetlawplan@bassetlaw.gov.uk)

14 October 2021

Dear Sir / Madam,

126 Colmore Row  
Birmingham  
B3 3AP

0370 777 6292  
[info@rapleys.com](mailto:info@rapleys.com)  
[rapleys.com](http://rapleys.com)

LONDON  
BIRMINGHAM  
BRISTOL  
CAMBRIDGE  
EDINBURGH  
HUNTINGDON  
MANCHESTER

**Bassetlaw Local Plan Submission Version Regulation 19 Consultation (September 2021) - Representations on behalf of [REDACTED]**

On behalf of our client, [REDACTED] please find enclosed representations to the Bassetlaw Local Plan Submission Version Regulation 19 Consultation.

These representations are submitted specifically in respect of our client's interest as developer and asset manager of the 18-hectare Vesuvius site, which is located off Sandy Lane, Worksop. Outline planning permission for employment development and an Asda foodstore was granted for the site in 2014, and subsequent reserved matters and a full application were approved more recently in order to bring forward the first phase of the site's development, which comprises approximately 4,000 sqm of employment floorspace and 400 sqm of retail floorspace. Both the Asda and the first phase of development have been constructed and operational.

Vesuvius is the largest speculative scheme of such scale and quality in Worksop and demonstrates our client's commitment to delivering inward investment to the town. Further phases of major development are anticipated for the remainder of the site and it is in this context that we wish to ensure that the Bassetlaw Local Plan is responsive to the economic impact of the Covid-19 pandemic, as well as other unprecedented economics shocks that may occur over the plan period.

**Policy ST10: Existing Employment Sites**

Policy ST10 proposes to allocate the Sandy Lane Industrial Estate - within which the Vesuvius site is located - as an Existing Employment Site (Ref. EES002), whereby land is to be safeguarded for development that either falls within Use Classes E(g), B2 and B8, or is small-scale and ancillary in supporting such development. While it is encouraging that Policy ST10 does seek to allow non-conforming small-scale ancillary development on Existing Employment Sites, the policy in more general terms is considered to be too restrictive and in conflict with the Government's intention of amending the Use Classes Order. This concern is elaborated on below.

As Officers will be aware, the Government introduced the new 'Commercial, Business and Service' Use Class E in September 2020 in order to simplify the system of Use Classes in England. The intention behind this was to provide businesses with the additional flexibility to enable them to adapt and diversify, in order to meet changing demands. The amendment to the Use Classes Order was, however, brought forward at great pace more directly as a result of the Covid-19 pandemic and the consequent need to support businesses and stimulate economic activity. Despite this, and prior to the pandemic, the principle of Use Class reform was

mooted for many years, as it was evident that the established Order was both incapable of capturing current and future retail models, and inadequate in allowing businesses to diversify and incorporate ancillary uses.

Whilst wider in scope than anticipated, the new Class E has provided businesses (which includes, as in the case of our client, the owners and managers of commercial property) the opportunity to adapt to changing market conditions, with the benefit of greater planning certainty, helping them to remain viable against a number of challenges that include the growth of online shopping and the consequent impact on footfall and trading. Therefore, by embracing the flexibility that Class E offers, especially by embedding its principles in planning policy, it is possible to add to the vitality of an existing business or property asset, thus improving on its overall viability in the long term.

While high streets and town centres are likely to benefit the most from the changes to the Use Classes Order, the potential opportunities for edge of centre and out of centre locations should not go unrecognised. Rather, there should be provision within policy to enable opportunities in these locations where appropriate. It is with this premise in mind that the proposed Policy ST10 is not supported as it seeks to sustain an age-old approach to employment land, that can no longer be considered relevant in the context of the new Use Classes Order. In its current wording, the policy makes the outdated assumption that only uses falling within the former Class B (B1/B2/B8) are employment generating and are thus 'employment' uses, which is plainly not the case in an economy that is so heavily reliant on the commercial, business and service sectors.

In addition to this, the policy neglects the fact that there are many uses that fall within Class E (beyond Class E(g) which the policy allows, consistent with the former B1/B2/B8 grouping) that are complementary to, and more typical of - in terms of their space and access requirements - the former B Class uses. Such uses include the public sale of niche bulky goods, for which specific access and parking arrangements are required to allow for unincumbered trade and delivery; and sports and fitness facilities, for which often modern premises with generous ceiling heights and a continuous floorspace are sought over premises within the town centre. Notwithstanding the provisions set out at part C of the policy, under the current wording, the principle of these uses would not be accepted on Existing Employment Sites, despite them likely being the most appropriate sites on which to be located. This is the inherent flaw of the policy that our client wishes to emphasise. Contrary to what is suggested at paragraph 6.4.5, the policy could therefore potentially hinder the long-term viability of Existing Employment Sites if such a rigid approach is applied in terms of the Use Classes permitted (together with the use of conditions to restrict the proliferation of other E class uses), meaning flexibility is not afforded against unprecedented economic events that dictate market conditions.

The amendment to the Order coinciding with the preparation of the new Local Plan presents an opportune period following which the Plan's approach to Existing Employment Sites can be reviewed. It is recommended that the policy is reworded in such a way that the extent of permitted uses falling with Class E is expanded, save for where there are obvious and reasonable concerns surrounding principle and the harm to the District's town centres. In doing so, this builds in flexibility for Existing Employment Sites against fluctuating and challenging market conditions over the 15-year plan period to 2037. This approach would still accord with paragraph 20 of the NPPF (which requires strategic policies to make sufficient provision for employment development), as well as the spirit of the Government's intentions in amending the Use Class Order, to introduce the new Class E.

## **Summary**

On behalf of Dooba Developments Limited, we thank you for this opportunity to comment on the Bassetlaw Local Plan Submitted Version Regulation 19 Consultation.

We respectfully request that our representations are fully taken into account in order to ensure that the Bassetlaw Local Plan is responsive to the economic impact of the Covid-19 pandemic, as well as other

unprecedented economics shocks that may occur over the plan period. At present, there is a significant concern that the prescriptive nature of Policy ST10 does not achieve this.

We would also welcome the opportunity to engage in further positive and proactive discussions in respect of the future of the Vesuvius site.

Please contact me without hesitation should you require any further information or clarification.

Yours faithfully,

[Redacted signature]

[Redacted]  
BA (Hons) MRTPI  
Planning Partner

[Redacted]





## Bassetlaw Local Plan 2020-2037

### Publication Version Representation Form September to October 2021

Please submit electronically if possible to [thebassetlawplan@bassetlaw.gov.uk](mailto:thebassetlawplan@bassetlaw.gov.uk)

**Please use this form** to provide representations on the Bassetlaw Local Plan. Bassetlaw District Council must receive representations by **5pm on 21st October 2021**. Only those representations received within this period have the statutory right to be considered by the inspector at the subsequent examination.

Responses can be submitted via the electronic version of the comment form which can be found on the Council's web site at: [www.bassetlaw.gov.uk/BassetlawPlan](http://www.bassetlaw.gov.uk/BassetlawPlan) Alternatively this form can be completed and returned as an e-mail attachment to [thebassetlawplan@bassetlaw.gov.uk](mailto:thebassetlawplan@bassetlaw.gov.uk) or by post to **Planning Policy, Queens Building, Potter Street, Worksop, Nottinghamshire, S80 2AH**

Please note:

- Representations must only be made on the basis of the legal compliance, compliance with the Duty to Co-operate and/or soundness of the Plan.

Please read the guidance note, available on the Council's webpage, before you make your representations. The Local Plan and the proposed submission documents, and the evidence base are also available to view and download from the Council's Local Plan webpage:

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All representations are required to be made public and will be published on the Council's website following this consultation. Your representations and name/name of your organisation will be published, but other personal information will remain confidential. Your data and comments will be shared with other relevant agencies involved in the preparation of the local plan, including the Planning Inspectorate. Anonymous responses will not be considered. Your personal data will be held and processed in accordance with the Council's Privacy Notice which can be viewed at: <https://www.bassetlaw.gov.uk/about-us/data-protection/departmental-privacy-notices/planning-policy-privacy-notice/>

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For more information on how Bassetlaw District Council's Planning Policy department processes personal information about you, please see our main privacy notice at <https://www.bassetlaw.gov.uk/about-us/data-protection/departmental-privacy-notices/planning-policy-privacy-notice/>

Please tick/ delete as appropriate:

Please confirm you have read and understood the terms and conditions relating to GDPR.

Yes x ☐

No ☐

Please tick as appropriate to confirm your consent for Bassetlaw District Council to publish and share your name/ organisation and comments regarding the Bassetlaw Local Plan.

I confirm my consent for Bassetlaw District Council to share my name/ organisation and comments regarding the Bassetlaw Local Plan including with the Planning Inspectorate.

Yes x ☐

No ☐

Please tick as appropriate below if you wish to 'opt in' and receive updates and information about the Bassetlaw Local Plan.

I would like to opt in to receive information about the Bassetlaw Local Plan.

Yes x ☐

No ☐

Printed Name:

[REDACTED]

[REDACTED]

[REDACTED]

Date:

14 October 2021

**This form has two parts:**

**Part A - Personal details – need only to complete once.**

**Part B - Your representation(s) - Please fill in a separate sheet for each representation you wish to make.**

## Part A- Personal Details

### 1. Personal Details

Name: [REDACTED]

Organisation (if applicable): Rapleys LLP obo Dooba Developments Ltd

Address: 126 Colmore Row, Birmingham

Postcode: B3 3AP

Tel: 07787527109

Fax:

Email: [REDACTED]

### 2. Agent Details (if applicable)

Agent: as above

Organisation (if applicable):

Address:

Postcode:

Tel:

Fax:

Email:

## Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: Rapleys LLP obo Dooba Developments Ltd

### 3. To which part of the Local Plan does your representation relate?

Policy: ST10

Paragraph:

Policies Map:

### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

#### 4.(1) Legally Compliant

Yes ☒

No ☐

#### 4.(2) Sound

Yes ☐

No ☒

#### 4.(3) Complies with the Duty to Cooperate

Yes ☒

No ☐

- 5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.** If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please see attached representation. The policy (ST10) is not sufficiently flexible to enable the Plan to be as responsive as it should or could be to the economic impact of Covid-19 or any other unprecedented economic shocks that may occur over the plan period. It does not reflect the flexibility or purpose of the changes to the use class order introduced in 2020 with particular regard to E class uses.

**Continue on a separate sheet if necessary**

**6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in Question 5 above.**

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

Please see attached representation.

**Continue on a separate sheet if necessary**

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

**7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**

Yes, I wish to participate in hearing session(s)

Yes ☐

No, I do not wish to participate in hearing session(s)

No ☒

**8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

**Please note** that the inspector will make the final decision as to who is necessary to participate in hearing sessions, and to which hearing session(s) they should attend, and they will determine the most appropriate procedure to adopt to hear those who wish to participate at the examination hearings.

# Bassetlaw Local Plan Regulation 19 Consultation September 2021 - Representations o.b.o Dooba Developments Ltd

Final Audit Report

2021-10-14

Created: 2021-10-14

By: [REDACTED]

Stat [REDACTED]

## "Bassetlaw Local Plan Regulation 19 Consultation September 2021 - Representations o.b.o Dooba Developments Ltd" History

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Adobe Sign



# REF014



**From:** [REDACTED]  
**Sent:** 15 October 2021 13:06  
**To:** The Bassetlaw Plan  
**Subject:** National Trust response to Bassetlaw Local Plan Regulation 19  
**Attachments:** National Trust Bassetlaw LP Regulation 19 Full Response 10-2021.pdf

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Please find attached a response from the National Trust to the Bassetlaw Local Plan Regulation 19 consultation.

Many thanks,



[REDACTED]  
**Planning Adviser**

National Trust  
Hardwick Consultancy Office  
[REDACTED]

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## Bassetlaw Local Plan 2020-2037

### Publication Version Representation Form September to October 2021

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Please tick/ delete as appropriate:

Please confirm you have read and understood the terms and conditions relating to GDPR.

Yes Y

No ☐

Please tick as appropriate to confirm your consent for Bassetlaw District Council to publish and share your name/ organisation and comments regarding the Bassetlaw Local Plan.

I confirm my consent for Bassetlaw District Council to share my name/ organisation and comments regarding the Bassetlaw Local Plan including with the Planning Inspectorate.

Yes Y


No ☐

Please tick as appropriate below if you wish to 'opt in' and receive updates and information about the Bassetlaw Local Plan.

I would like to opt in to receive information about the Bassetlaw Local Plan.

Yes Y

No ☐

Printed Name: 

Signature: 

Date: 15/10/2021


**This form has two parts:**

**Part A - Personal details – need only to complete once.**

**Part B - Your representation(s) - Please fill in a separate sheet for each representation you wish to make.**

## Part A- Personal Details


### 1. Personal Details

Name: 


Organisation (if applicable): National Trust

Address: Hardwick Consultancy Office, Doe Lea, Derbyshire

Postcode: S44 5QJ

Tel: 

Fax:

Email: 

### 2. Agent Details (if applicable)

Agent:

Organisation (if applicable):

Address:

Postcode:

Tel:

Fax:

Email:

## Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: National Trust

### 3. To which part of the Local Plan does your representation relate?

Policy: ST1

Paragraph:

Policies Map:

### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

**4.(1) Legally Compliant**

Yes ☐

No ☐

**4.(2) Sound**

Yes ☐

No ☐

**4.(3) Complies with the Duty to Cooperate**

Yes ☐

No ☐

- 5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.** If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

## Policy ST1: Bassetlaw's Spatial Strategy

National Trust believes that this policy is unsound because it is not justified and not consistent with national policy.

National Trust supports the aspiration of Part 1(a) of Policy ST1 to promote 'the efficient and effective use of land and the re-use of previously developed land in sustainable locations' and to 'minimise the use of the most versatile Grade 1-3 agricultural land'. This conforms to Chapter 11 of the NPPF (effective use of land) which states that 'Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land' (paragraph 119). The NPPF goes on to state that planning policies should 'c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land' (paragraph 120c). However, we believe that Parts 2 and 5 of Policy ST1 undermine this aspiration.

National Trust considers that Part 2 of this policy – enabling the provision of housing land for a minimum of 10,047 dwellings (591 dwellings per annum) is unsound. The key driver for this inflated housing growth, which is more than double the need calculated using the Standard Methodology, is the 'supply' of employment land, including a proposed Strategic Employment Allocation for logistics development on greenfield land at Apleyhead. It should furthermore be noted that the stated housing supply of 12,198 dwellings is well in excess of the stated 'objectively assessed need' figure of 10,047. This overall approach necessitates the large-scale release of greenfield land, which we do not think is justified or sustainable.

National Trust considers that Part 5 of this policy – enabling the provision of around 9,735 additional jobs on around 169 hectares of land within General Employment Sites and an additional 118 hectares at Apleyhead Strategic Employment Site – is unsound. The proposed allocations are excessive having regard to evidenced employment need (HEDNA 2020), may impact on regeneration of other sites in Bassetlaw and further afield, and may generate unsustainable transport patterns bearing in mind the district's current high dependency on car-based travel (see Transport Report Update 2019, 2.3.1 and 2.4.6).

The Local Plan proposals as a whole will also render several highway links and junctions (including A57 east of Worksop and A57/A1 junction adjacent to Clumber Park) over capacity, necessitating mitigation measures whose cost, feasibility and environmental impacts have not been fully established (see Transport Study Update 2021). The cumulative air quality impacts of increased car and HGV movements are also unknown.

Accordingly, National Trust considers that the proposed strategy is not justified. We believe that a reasonable alternative to policy ST1 could be based on reduced targets for employment and housing, thus significantly reducing the need for allocation of large scale greenfield employment and housing allocations with associated implications for the environment and transport. Early iterations of the Sustainability Appraisal presented a generally negative assessment of the high growth options for the Bassetlaw Local Plan (see for example SA Tables 4.3 and 4.5) but despite this, high growth targets have been selected and further elevated during the course of plan preparation.

The Habitats Regulations Assessment states at paragraph 5.33 that 'Recreational disturbance is listed as the highest level of threat in the IBA factsheet<sup>40</sup> and is therefore also assumed for the for the [Sherwood Forest] ppSPA. At least 10,047 new dwellings are proposed within the District as a whole through the Local Plan...'. The means of addressing this impact are premised on the findings and recommendations of a Recreational Impact Assessment for the Clumber Park SSSI and Birklands and Bilhaugh SAC which has not yet been published.

While a significant negative effect on cultural heritage has been noted by the Sustainability Appraisal, potential impacts on the character of the rural setting of Clumber Park Registered Historic Park and Gardens have largely been overlooked by this report.

**Continue on a separate sheet if necessary**

- 6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in Question 5 above.**

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

National Trust suggests that the assessment of housing and employment needs is reviewed to achieve reduced targets that represent reasonable, sustainable growth for the district. Proposed housing and employment allocations should then accordingly be reviewed against the Local Plan evidence base with unnecessary greenfield land allocations being removed from the plan.

**Continue on a separate sheet if necessary**

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

- 7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**

Yes, I wish to participate in hearing session(s)

Yes

- 8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

To ensure that any discussions about changes to the overall strategy, and key policies relating to strategic allocations including Apleyhead and the Garden Village, have proper regard to the potential impacts of those schemes and the transport interventions required to achieve them. This includes potential road widening which may impact on National Trust inalienable land.

**Please note** that the inspector will make the final decision as to who is necessary to participate in hearing sessions, and to which hearing session(s) they should attend, and they will determine the most appropriate procedure to adopt to hear those who wish to participate at the examination hearings.





## Bassetlaw Local Plan 2020-2037

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#### Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: National Trust

#### 3. To which part of the Local Plan does your representation relate?

Policy: ST3 - Bassetlaw Garden Village Design Framework

Paragraph:

Policies Map:

#### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

**4.(1) Legally Compliant**

Yes ☐

No ☐

**4.(2) Sound**

Yes ☐

No ☐

**4.(3) Complies with the Duty to Cooperate**

Yes ☐

No ☐

**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.** If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Policy ST3: Bassetlaw Garden Village Design Framework

National Trust has no in principal objection to the concept of a Garden Village if required to meet the future housing needs of the district both within and beyond the plan period. We support the use of a Consultation Group to help steer development proposals; we also support proposals to employ a heritage-led landscape scheme, a low carbon energy network of an integrated transport Hub to promote sustainable travel choices.

Should a Garden Village close to the A1 be found to be a sustainable and deliverable proposition, National Trust would support the key design principles contained in Policy ST3.

However, based on the current Local Plan evidence base, and in the context of the current development strategy, National Trust does not consider that the Bassetlaw Garden Village proposal has been justified. Please refer to our comments on Policy ST1 and ST4.

**Continue on a separate sheet if necessary**

**5. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in Question 5 above.**

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

As stated in our response to Policy ST1, National Trust believes that the levels of growth proposed by Bassetlaw Local Plan should be reviewed and reduced to reasonable levels. The justification for a Garden Village would also need to be reviewed within this context.

**Continue on a separate sheet if necessary**

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**6. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**

Yes, I wish to participate in hearing session(s)

No, I do not wish to participate in hearing session(s)

No



# Bassetlaw Local Plan 2020-2037

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### Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: National Trust

#### 3. To which part of the Local Plan does your representation relate?

Policy: ST4 - Bassetlaw Garden Village

Paragraph:

Policies Map:

#### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

**4.(1) Legally Compliant**

Yes ☐

No ☐

**4.(2) Sound**

Yes ☐

No ☐

**4.(3) Complies with the Duty to Cooperate**

Yes ☐

No ☐

**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.**

National Trust has no in principal objection to the concept of a Garden Village if required to meet the future housing needs of the district both within and beyond the plan period. We support the use of a Consultation Group to help steer development proposals; we also support proposals to employ a heritage-led landscape scheme, a low carbon energy network of an integrated transport Hub to promote sustainable travel choices.

However, we remain concerned that the scale and spatial configuration of the proposed site allocation, particularly in combination with Policy 9: Site SEM001 (Apleyhead Junction), will close the gap between Worksop and Retford creating urban sprawl from Worksop to the A1 and onwards to within 2.5km of Retford. Both developments will also increase traffic and associated air pollution on the A1 and A57 highway corridors and junction (refer to our comments on ST1, ST7, ST9 and ST54).

The site also has implications for the loss of Best and Most Versatile Agricultural Land, which should be considered in the context of the large scale of greenfield land release proposed across the plan area. Chapter 11 of the NPPF relates to the effective use of land, stating that 'Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land' (paragraph 119). It goes on to state that planning policies should 'c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land' (paragraph 120c). We are concerned that the proposed greenfield land release across the plan area will compromise regeneration elsewhere in the district (and potentially further afield), while also compromising the green gaps between distinctive settlements. Large greenfield housing allocations other than the Garden Village (e.g. Ordsall South) could themselves also impact on the effective delivery of the Garden Village as a sustainable settlement due to the relatively high levels of infrastructure required to achieve this.

Should the Garden Village be found to be a sustainable development proposition, we support the inclusion at Part 2e(iii) of the policy that any housing should be outside of a stated exclusion zone from Clumber Park SSSI, and (perhaps by inference?) Sherwood Forest ppSPA. However, as the distance between Clumber Park SSSI and the Garden Village at its closest point appears to be more than 700m, we suggest that stated distance of 400m should be increased or replaced with a stated landscape buffer within the Garden Village site, in order to make it a meaningful mitigation measure. This is particularly bearing in mind the potential future green bridge that would improve accessibility for domestic animals between the site and sensitive habitats within Clumber Park.

Part e(iv) is cautiously welcomed but may need to be reframed slightly to ensure that the meaning of the original Habitats Regulations Assessment recommendation has not been lost, i.e. 'No creation of suitable breeding habitat (e.g. heathlands and clearfell habitats) within the site allocation within 400m of any areas of residential housing' (HRA 5.39).

We welcome the requirement for a project level Habitats Regulations Assessment (Part 2g). However the policy should require not just an assessment of impact, but also 'appropriate mitigation' to address any identified impacts.

We cautiously welcome the requirement for a Suitable Alternative Natural Greenspace to lessen recreational impacts on Clumber Park (Part 2j), subject to the findings and recommendations of the Recreational Impact Assessment that has not yet been published.

We also cautiously welcome the requirement (Part 2h) that recreational impacts on Clumber Park SSSI should be managed and mitigated. However, we are concerned that the findings of the Recreational Impact Assessment that will inform this management/mitigation are not yet known, particularly as Parts 2r(vi) and 2r(vii) of the policy promote high levels of accessibility between the Garden Village and Clumber Park. We also suggest that Part h should refer to Sherwood Forest ppSPA.

**Continue on a separate sheet if necessary**

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We believe that the Council should reconsider the scale of greenfield land release across the plan area, ensuring that this is proportionate to the needs of the district for new housing and employment. Urban sprawl should be resisted and green gaps should be maintained between distinctive settlements.

Amend Part 2e(iii) to increase the exclusion zone between housing development and Clumber Park, making this a meaningful mitigation measure.

Clarify Part 2e(iv) to state that 'no habitat suitable for breeding by ground nesting birds associated with Clumber Park SSSI and Sherwood Forest ppSPA is created within 400m of housing development'.

Amend Part 2g to require not just an identification of potential impacts, but also 'appropriate mitigation'.

Amend policy including Part 2j if required in response to findings and recommendations of Recreational Impact Assessment.

Review Parts 2h, 2r(vi) and 2r(vii) if necessary to ensure that they are appropriate once the Recreational Impact Assessment has been published.

**Continue on a separate sheet if necessary**

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**6. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**

Yes, I wish to participate in hearing session(s)

Yes

**7. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

To ensure that any discussions about changes to the overall strategy, and key policies relating to strategic allocations including Apleyhead and the Garden Village, have proper regard to the potential impacts of those schemes and the transport interventions required to achieve them. This includes potential recreational impacts on Clumber Park SSSI and Sherwood Forest ppSPA.

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Name or Organisation: National Trust

#### 3. To which part of the Local Plan does your representation relate?

Policy: ST5 – Worksop Central

Paragraph:

Policies Map:

#### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

**4.(1) Legally Compliant**

Yes ☐

No ☐

**4.(2) Sound**

Yes ☐

No ☐

**4.(3) Complies with the Duty to Cooperate**

Yes ☐

No ☐

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#### Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: National Trust

#### 3. To which part of the Local Plan does your representation relate?

Policy: ST7 – Provision of Land for Employment Development

Paragraph:

Policies Map:

#### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

**4.(1) Legally Compliant**

Yes ☐

No ☐

**4.(2) Sound**

Yes ☐

No ☐

**4.(3) Complies with the Duty to Cooperate**

Yes ☐

No ☐

**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.**

National Trust does not consider that this policy is justified, effective or consistent with national policy.

We object to the 118.7ha Strategic Employment Site proposed by Part 5 of this policy, which both of itself, and in combination with housing sites, represents large-scale release of greenfield land that does not appear to be justified. The 2019 Economic Development Needs Assessment showed no demonstrable need for this site. The 2020 Assessment (HEDNA) went on to assess the numbers of jobs that the land supply could generate and how this in turn would affect population and housing growth. It should be noted that even under a growth model, the 2020 OE forecasts data suggests that only 84ha of land is needed in total – see HEDNA 2020, paragraph 10.4. This has been boosted further by taking account of the completions trend, resulting in an aspirational need figure of 186.9ha. This figure should therefore be viewed as an upper end target containing plenty of flexibility, which is broadly met by the existing land supply (excluding Apleyhead) of 184.3ha.

The HEDNA states that Apleyhead exhibits the key attributes of a strategic employment site (e.g. strategic highway accessibility etc.) but also indicates that in the absence of a Regional Spatial Strategy there is no evidence of need for such a strategic site in the region/sub-region. The Bassetlaw A1 Corridor Logistics Assessment seeks to address this knowledge gap but falls short in failing to address the full logistics needs of the market area as a whole (see 1.3) or potentially to involve the other authorities that may be impacted. In our previous comments we noted that Sheffield City Region Authorities had requested amendments to the policy to ensure that Apleyhead Junction does not accept proposals that could reasonably be accommodated on allocated employment sites in other parts of South Yorkshire and D2N2 city regions. While we note that Apleyhead is now intended for logistics use only, and that Part (d) of the policy states that proposals should ‘not impact upon the economic growth strategies of other authorities..’, it is not clear how this could be tested and controlled. Nor is it clear how excessive housing development would be prevented if the requirements of ST7 Part 6(a-h) cannot be achieved.

The Strategic Employment Allocation also risks promoting unsustainable commuting patterns, bearing in mind that the Transport Studies identify pre-existing high levels of car reliance and ‘lack of self-containment of the labour market within Bassetlaw’ (Transport Study Update 4.6.2).

Ultimately, the ‘supply-led’ approach to employment land also has the effect of doubling the housing requirement. However, with reference to the HEDNA (paragraph 3.21) it is not clear that any of the criteria set out in Planning Practice Guidance for circumstances where higher housing growth figures should be set have been met. Moreover, the housing and employment sites proposed in order to meet these targets represent a very large release of greenfield land within the district, with potential ramifications for regeneration of brownfield sites, for the capacity of the highway network and for the local environment.

**Continue on a separate sheet if necessary**

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National Trust suggests that the assessment of housing and employment needs is reviewed to achieve reduced targets that represent reasonable, sustainable growth for the district. Proposed housing and employment allocations should then accordingly be reviewed against the Local Plan evidence base with unnecessary greenfield land allocations being removed from the plan.



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**6. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**

Yes, I wish to participate in hearing session(s)

Yes    Yes

No, I do not wish to participate in hearing session(s)

No    ☐

**7. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

To ensure that any discussions about changes to the overall strategy, and key policies relating to strategic allocations including Apleyhead and the Garden Village, have proper regard to the potential impacts of those schemes and the transport interventions required to achieve them. This includes potential road widening which may impact on National Trust inalienable land.

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#### Part B - Your representation

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Name or Organisation: National Trust

#### 3. To which part of the Local Plan does your representation relate?

Policy: ST8 – High Marnham Green Energy Hub

Paragraph:

Policies Map:

#### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

**4.(1) Legally Compliant** Yes ☐  
No ☐

**4.(2) Sound** Yes ☐  
No ☐

**4.(3) Complies with the Duty to Cooperate** Yes ☐  
No ☐

**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.**

National Trust supports in principle the concept of redeveloping the former High Marnham Power Station to create a green energy hub, bearing in mind its existing grid connections and contaminated status. However, this is subject to the development being of an appropriate scale in order to keep impacts on the neighbouring hamlet, road network, landscape, heritage and the River Trent within acceptable limits.

It should be noted that while an LDO may be a useful mechanism for granting consent for a site, it does not prevent a developer from coming forward with their own proposal via a planning application at any time (before or after adoption of an LDO). It would therefore be helpful if the Council set out its policy, rather than supporting text, its position in relation to key constraints/opportunities of the site and its surroundings, such as wildlife and flood management.

We note that Part 5 of the policy states that proposals that are contrary to the LDO will not be supported. We suggest that the Council seeks legal advice on whether it is appropriate to use an LDO in such a way, as it may inhibit alternative proposals that are otherwise sustainable and policy compliant.

**Continue on a separate sheet if necessary**

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Amend the policy to include provisions relating to site specific constraints/opportunities such as heritage, wildlife and flood management.

**Continue on a separate sheet if necessary**

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No, I do not wish to participate in hearing session(s)

No

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#### Part B - Your representation

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Name or Organisation: National Trust

#### 3. To which part of the Local Plan does your representation relate?

Policy: ST9 - Site SEM001 Apleyhead Junction

Paragraph:

Policies Map:

#### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

**4.(1) Legally Compliant** Yes ☐  
No ☐

**4.(2) Sound** Yes ☐  
No ☐

**4.(3) Complies with the Duty to Cooperate** Yes ☐  
No ☐

**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.**

National Trust does not support the allocation of a Strategic Employment Site at Apleyhead for reasons that we have set out in our response to Policies ST1 and ST7. Notwithstanding that, should land at Apleyhead be allocated for development we would welcome the existence of a robust policy framework to control development. We have the following specific comments to offer in relation to Policy ST9: SEM001 Apleyhead Junction.

We consider that Part (b) requires clarification to ensure that it follows the recommendations of the Habitats Regulations Assessment, i.e. 'that as part of project level HRA, winter surveys are undertaken to determine the contribution that this site provides to supporting wintering woodlark... In the highly unlikely event that significant numbers of woodlark are identified, mitigation may be required through the provision of areas of optimal foraging habitat (e.g. seed-rich set aside land) either within the site, or offsite in the wider landscape.'

We consider that Part (d) should be clarified to refer specifically to building height and that any heritage statement should explicitly require an impact assessment.

The final sections of this policy relates to transport and connectivity, stating that proposals for Apleyhead will be expected to deliver 'all necessary transport infrastructure' including 'a)ii. An appropriate financial contribution to improve the capacity of the A57 and the following junctions: i. the A57/B6040 roundabout; ii. The B614 Blyth Road/A57/A1 roundabout'. With reference to the Transport Study Update 2021, National Trust has significant concerns about the scope and scale of transport upgrades along the A57 corridor, their deliverability, efficacy and environmental impacts. The report indicates that the Apleyhead site will contribute significantly to stress on this highway link (11.6.2) and that in order to achieve satisfactory capacity the A57 would need to be widened to dual carriageway for approximately 6km from the B6034 Netherton Road to the A1 (11.6.10). This would be a major undertaking involving potential significant loss of trees within Sherwood Forest (11.6.11), and junction improvements would also be required. The report declines to offer an initial cost estimate for the dualling, although the earlier Junction Assessment Report 2020 suggested it would cost in the region of £15-20 million (9.2.7), going on to suggest that this 'would be prohibitively expensive' (9.2.8). The Update Report 2021 notes that costs are likely to be significantly beyond the affordability of developer contributions alone (11.6.13) and as yet have no identified funding mechanism (see 11.8.2 and 11.8.3).

Furthermore, it should be noted that land immediately south of the single carriageway section of this road is part of Clumber Park Grade I Registered Historic Park and Gardens and is National Trust 'inalienable' land. Once the Trust has declared a piece of land inalienable, it cannot sell, give away or mortgage that land. Nor can that land be compulsorily acquired from the Trust against its will without a special procedure involving both Houses of Parliament. Land to the north of this section of road is also constrained, being a Local Wildlife Site covered by Policy ST40.

Within this context it is of interest that when the Junction Assessment Report 2020 modelled Local Plan proposals without the Apleyhead employment site (albeit with different Garden Village Proposals), it found that dualling of the A57 would not be required and that the performance of junction mitigation schemes would also be improved (10.1.33). We suggest that similar sensitivity testing for the current Local Plan proposals would be beneficial.

**Continue on a separate sheet if necessary**

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compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

We suggest that the Strategic Employment Site at Apleyhead is removed from the proposed plan to avoid significant highway and junction capacity issues and associated environmental impacts.

Should this policy nevertheless be retained within the plan, we request that Part (b) is amended to say ‘... a project level Habitats Regulations Assessment, including winter bird surveys to establish the contribution that the site makes to foraging habitat, and that if significant populations are found appropriate mitigation is provided in the form of areas of optimal foraging habitat (e.g. seed-rich set aside land) either within the site or in the wider landscape’.

Likewise we request that Part (d) is amended to say ‘a scheme of an appropriate scale, height, layout, form and materials which respects the significance and setting of affected heritage assets and is supported by a heritage statement including an assessment of impact and mitigation measures...’.

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Yes, I wish to participate in hearing session(s)

Yes

**7. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

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Name or Organisation: National Trust

#### 3. To which part of the Local Plan does your representation relate?

Policy: ST12 – Visitor Economy

Paragraph:

Policies Map:

#### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

**4.(1) Legally Compliant**

Yes ☐

No ☐

**4.(2) Sound**

Yes ☐

No ☐

**4.(3) Complies with the Duty to Cooperate**

Yes ☐

No ☐

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#### Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: National Trust

#### 3. To which part of the Local Plan does your representation relate?

Policy: Policy 27 Site HS13: Ordsall South, Retford

Paragraph:

Policies Map:

#### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

**4.(1) Legally Compliant**

Yes ☐

No ☐

**4.(2) Sound**

Yes ☐

No ☐

**4.(3) Complies with the Duty to Cooperate**

Yes ☐

No ☐



**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.** If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

National Trust is concerned that this large greenfield site has been introduced to the plan at a late stage to balance the problematic over-allocation of employment land and is therefore not justified. We have no in principal objection to new housing to meet the needs of the district. However, we are concerned about the scale of development and greenfield land release proposed by this Local Plan strategy, and that this is not currently justified in the context of the Local Plan evidence base. Please refer to our comments on Policies ST1, ST4 and ST9.

**5. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in Question 5 above.**

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

Review and revise employment and housing targets to reasonable levels and omit any unnecessary greenfield land allocations based on a review of the Local Plan evidence base.

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

**6. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**

No, I do not wish to participate in hearing session(s)

No

## Bassetlaw Local Plan 2020-2037

### Publication Version Representation Form September to October 2021

Please submit electronically if possible to [thebassetlawplan@bassetlaw.gov.uk](mailto:thebassetlawplan@bassetlaw.gov.uk)

**This form has two parts:**

**Part A - Personal details – need only to complete once.**

**Part B - Your representation(s) - Please fill in a separate sheet for each representation you wish to make.**

#### Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: National Trust

#### 3. To which part of the Local Plan does your representation relate?

Policy: ST37 – Landscape Character

Paragraph:

Policies Map:

#### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

**4.(1) Legally Compliant**

Yes ☐

No ☐

**4.(2) Sound**

Yes ☐

No ☐

**4.(3) Complies with the Duty to Cooperate**

Yes ☐

No ☐

## Bassetlaw Local Plan 2020-2037

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**Part B - Your representation(s) - Please fill in a separate sheet for each representation you wish to make.**

#### Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: National Trust

#### 3. To which part of the Local Plan does your representation relate?

Policy: ST38: Green Gaps

Paragraph:

Policies Map:

#### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

**4.(1) Legally Compliant** Yes ☐  
No ☐

**4.(2) Sound** Yes ☐  
No ☐

**4.(3) Complies with the Duty to Cooperate** Yes ☐  
No ☐

**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.**

National Trust supports the use of Green Gaps to protect the character and distinctiveness of settlements and the intervening land. However, we remain of the view that it is unclear how the original Green Gaps were identified and why a Green Gap has not been considered between Worksop and the A1 (and on to Retford) where the risk of linear urban sprawl is clearly at its most marked. It is notable that while this area to the east of Worksop has not been assessed by the Green Gaps Report, the report specifically refers to 'settlements extending into the countryside with the potential for them to merge in the future... erosion of local landscape character between settlements some of which is locally valued and has historic value. Examples of this include... Worksop (E). The (commercial) development of Manton Wood with major HQs and warehouses;... [and] The A1 junctions, services and associated development (Blyth, Morton...). P15.

With a proposed Strategic Employment Site east of Manton Wood and a proposed Garden Village east of the A1, the Local Plan is proposing to create an extended area of urban sprawl from Worksop to within 2.5km of Retford. We therefore suggest that the plan is not sound as it is not justified, i.e. an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.

**5. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in Question 5 above.**

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

We suggest that the Green Gaps ought to be revisited and that land to the east of Worksop should be given due consideration to prevent urban sprawl.

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

**6. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**

No, I do not wish to participate in hearing session(s)

No

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**Part B - Your representation(s) - Please fill in a separate sheet for each representation you wish to make.**

#### Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: National Trust

#### 3. To which part of the Local Plan does your representation relate?

Policy: ST39 – Blue and Green Infrastructure

Paragraph:

Policies Map:

#### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

4.(1) Legally Compliant Yes ☐

No ☐

4.(2) Sound Yes ☐

No ☐

4.(3) Complies with the Duty to Cooperate Yes ☐

No ☐

# Bassetlaw Local Plan 2020-2037

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**Part B - Your representation(s) - Please fill in a separate sheet for each representation you wish to make.**

### Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: National Trust

#### 3. To which part of the Local Plan does your representation relate?

Policy: ST40: Biodiversity and Geodiversity

Paragraph:

Policies Map:

#### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

**4.(1) Legally Compliant**

Yes ☐

No ☐

**4.(2) Sound**

Yes ☐

No ☐

**4.(3) Complies with the Duty to Cooperate**

Yes ☐

No ☐

**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.** If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

National Trust welcomes the inclusion of proposed biodiversity net gain requirements by Parts 3 and 4 of this policy. However, we are concerned that the policy ought to be more flexible in order to take account of emerging government legislation and policy in relation to this. For example, the policy states that 'all new development should make provision' and that this ought to include 'a commuted sum equivalent to 30 years maintenance'. Does this align with the government's intentions around different types of planning applications and different scales of development?

**5. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in Question 5 above.**

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

We suggest that the Council reviews emerging legislation and policy relating to biodiversity net gain clarifies its requirements, and/or introduces additional flexibility to Policy ST40 to make allowances for any uncertainty around the detailed requirements of national legislation/policy.

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

**6. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**

No, I do not wish to participate in hearing session(s)

No

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#### Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: National Trust

#### 3. To which part of the Local Plan does your representation relate?

Policy: ST41 – Trees, Woodlands and Hedgerows

Paragraph:

Policies Map:

#### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

**4.(1) Legally Compliant** Yes ☐  
No ☐

**4.(2) Sound** Yes Yes ☐  
No ☐

**4.(3) Complies with the Duty to Cooperate** Yes ☐  
No ☐



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#### Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: National Trust

#### 3. To which part of the Local Plan does your representation relate?

Policy: ST42 – The Historic Environment

Paragraph:

Policies Map:

#### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

**4.(1) Legally Compliant**

Yes ☐

No ☐

**4.(2) Sound**

Yes ☐

No ☐

**4.(3) Complies with the Duty to Cooperate**

Yes ☐

No ☐

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#### Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: National Trust

#### 3. To which part of the Local Plan does your representation relate?

Policy: Policy 43 – Designated and Non-designated Heritage Assets

Paragraph:

Policies Map:

#### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

4.(1) Legally Compliant Yes ☐

No ☐

4.(2) Sound Yes ☐

No ☐

4.(3) Complies with the Duty to Cooperate Yes ☐

No ☐

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#### Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: National Trust

#### 3. To which part of the Local Plan does your representation relate?

Policy: ST50 – Reducing Carbon Emissions etc.

Paragraph:

Policies Map:

#### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

4.(1) Legally Compliant Yes ☐

No ☐

4.(2) Sound Yes ☐

No ☐

4.(3) Complies with the Duty to Cooperate Yes ☐

No ☐

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#### Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: National Trust

#### 3. To which part of the Local Plan does your representation relate?

Policy: ST51 – Renewable and Low Carbon Energy

Paragraph:

Policies Map:

#### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

**4.(1) Legally Compliant**

Yes ☐

No ☐

**4.(2) Sound**

Yes ☐

No ☐

**4.(3) Complies with the Duty to Cooperate**

Yes ☐

No ☐

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#### Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: National Trust

#### 3. To which part of the Local Plan does your representation relate?

Policy: ST52 – Flood Risk and Drainage

Paragraph:

Policies Map:

#### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

**4.(1) Legally Compliant**

Yes ☐

No ☐

**4.(2) Sound**

Yes ☐

No ☐

**4.(3) Complies with the Duty to Cooperate**

Yes ☐

No ☐

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#### Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: National Trust

#### 3. To which part of the Local Plan does your representation relate?

Policy: ST53 – Protecting Water Quality and Management

Paragraph:

Policies Map:

#### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

<b>4.(1) Legally Compliant</b>	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>

<b>4.(2) Sound</b>	Yes	Yes
	No	<input type="checkbox"/>

<b>4.(3) Complies with the Duty to Cooperate</b>	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>

**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.**

National Trust generally supports this policy, however for the purposes of interpretation it appears that a drafting error needs to be corrected in Part 2:

‘2. Proposals within a Source Protection Zone will need to demonstrate that any risk to the Sherwood Sandstone Principle Aquifer and its groundwater resources and groundwater quality will be protected throughout the construction and operational phase of development.’

We would suggest that, the ‘risk’ needs to be ‘mitigated’, while the aquifer itself needs to be ‘protected’.

**5. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in Question 5 above.**

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

Suggested revised wording:

‘2. Proposals within a Source Protection Zone will need to demonstrate that any risk to the Sherwood Sandstone Principle Aquifer and its groundwater resources is mitigated, and that groundwater quality will be protected throughout the construction and operational phase of development.’

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

**6. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**

No, I do not wish to participate in hearing session(s)

No

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#### Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: National Trust

#### 3. To which part of the Local Plan does your representation relate?

Policy: ST54: Transport Infrastructure and Improvement Schemes

Paragraph:

Policies Map:

#### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

**4.(1) Legally Compliant**

Yes ☐

No ☐

**4.(2) Sound**

Yes ☐

No ☐

**4.(3) Complies with the Duty to Cooperate**

Yes ☐

No ☐



**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.**

National Trust does not consider that Policy ST54 is justified or effective. We have significant concerns about the scope and scale of interventions on the A57 corridor that would be necessitated by current Local Plan proposals. These have potential not only for significant disruption associated with road works in the medium-long term, but also a major change in the character of the surrounding area as a result of the cumulative impact of major development, transport upgrades, increased traffic congestion and pollution.

The Transport Study Update 2021 finds that two links on the A57 (L4 between the B6034 and B6040, and L5 between B6040 and A614/A1) would be operating with significant stress with the addition of Local Plan development (Transport Study Update 11.5.7). This is the key link between Worksop and the A1 which would also connect the town with the proposed Garden Village and major Apleyhead employment site. As such it is suggested that links L4 and L5 would be 'central to the delivery of the proposed local plan allocations and it is recommended that consideration of potential interventions on these sections of the A57 should be prioritised' (11.5.9).

It therefore appears to be a significant oversight that Policy ST54 makes no specific reference to the need to widen the A57 to dual carriageway for approximately 6km from the B6034 Netherton Road to the A1, in order to achieve satisfactory capacity on the A57. The Transport Study Update 2021 highlights that widening this section 'would be a major undertaking, involving potential significant loss of trees as this section of the A57 passes through Sherwood Forest and is forested on both sides of the carriageway'. It also indicates that there is significant uncertainty around cost (see 11.6.12), feasibility (11.6.13) and deliverability (11.6.14), with an earlier study suggesting that the dualling alone could cost £15-20 million rendering it 'prohibitively expensive' (Junction Assessment Report 2020, 9.2.8). This would exceed the combined cost of all other required junction and link improvements associated with the plan (see final page of Transport Study Update) and such works are likely to be 'expensive, complicated and time-consuming' (Transport Study 2019, 9.6.4).

Further doubt is cast on the feasibility of this proposed intervention by the fact that land to the south of the single carriageway A57 section is owned by the National Trust and is 'inalienable land' which cannot be compulsorily acquired against the will of the Trust without special Parliamentary procedure. This land is part of Clumber Park Grade I Registered Historic Park and Gardens, while wooded land to the north is a Local Wildlife Site.

The extent to which dualling of the A57 is required specifically to enable delivery of the Garden Village is not known. However, the significant impact of the proposed Apleyhead employment site (SEM001) on the forecast flows on this link has been established (11.6.2). The earlier Junction Assessment Report 2020 found that by excluding the proposed Apleyhead employment site, dualling of the A57 could be avoided and that performance of junction mitigation schemes would also be improved (10.1.33).

**5. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in Question 5 above.**

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

We suggest that a sensitivity analysis is carried out in order to understand the potential performance of the highway network when individual sites such as Apleyhead employment site and the Garden Village are excluded.

As set out in our response to Policy ST1, we also considered that the Local Plan employment and housing targets should be revisited and revised down to a reasonable level. The sensitivity testing referred to above would then form

part of the evidence base to inform which sites should be removed from the plan due to their poor performance against measures of sustainability.

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

**6. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**

Yes, I wish to participate in hearing session(s)

Yes

**1. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

To ensure that any discussions about changes to the overall strategy, and key policies relating to strategic allocations including Apleyhead and the Garden Village, have proper regard to the potential impacts of those schemes and the transport interventions required to achieve them. This includes potential road widening which may impact on National Trust inalienable land.

# REF015



[REDACTED]

---

**From:** noreply@bassetlaw.gov.uk  
**Sent:** 05 October 2021 16:43  
**To:** The Bassetlaw Plan  
**Subject:** Customer services - Customer enquiry  
**Attachments:** [REDACTED] local plan response.pdf

Hi,

Local plan response handed in at Retford. Emailed to the Bassetlaw Plan directly and sent original over to QB.

We have received the below enquiry that requires your attention.

Kind Regards

Customer Services

Bassetlaw District Council

**Reference:** ESB1926182

**Customer Details:**

**Name:** [REDACTED]

[REDACTED]

**Is C/O address?:** 0

**Phone:** [REDACTED]

**Mobile:**

**Email:**

noreply



## Bassetlaw Local Plan 2020-2037

### Publication Version Representation Form September to October 2021

Please submit electronically if possible to [thebassetlawplan@bassetlaw.gov.uk](mailto:thebassetlawplan@bassetlaw.gov.uk)

**Please use this form** to provide representations on the Bassetlaw Local Plan. Bassetlaw District Council must receive representations by **5pm on 21<sup>st</sup> October 2021**. Only those representations received within this period have the statutory right to be considered by the inspector at the subsequent examination.

Responses can be submitted via the electronic version of the comment form which can be found on the Council's web site at: [www.bassetlaw.gov.uk/BassetlawPlan](http://www.bassetlaw.gov.uk/BassetlawPlan) Alternatively this form can be completed and returned as an e-mail attachment to [thebassetlawplan@bassetlaw.gov.uk](mailto:thebassetlawplan@bassetlaw.gov.uk) or by post to **Planning Policy, Queens Building, Potter Street, Worksop, Nottinghamshire, S80 2AH**

Please note:

- Representations must only be made on the basis of the legal compliance, compliance with the Duty to Co-operate and/or soundness of the Plan.

Please read the guidance note, available on the Council's webpage, before you make your representations. The Local Plan and the proposed submission documents, and the evidence base are also available to view and download from the Council's Local Plan webpage: [www.bassetlaw.gov.uk/bassetlawplan](http://www.bassetlaw.gov.uk/bassetlawplan)

#### Data Protection Notice:

Under the General Data Protection Regulation 2016 (GDPR) and Data Protection Act 2018 (DPA) Bassetlaw District Council, Queen's Building, Potter Street, Worksop, Notts, S80 2AH is a Data Controller for the information it holds about you. The lawful basis under which the Council uses personal data for this purpose is consent.

All representations are required to be made public and will be published on the Council's website following this consultation. Your representations and name/name of your organisation will be published, but other personal information will remain confidential. Your data and comments will be shared with other relevant agencies involved in the preparation of the local plan, including the Planning Inspectorate. Anonymous responses will not be considered. Your personal data will be held and processed in accordance with the Council's Privacy Notice which can be viewed at: <https://www.bassetlaw.gov.uk/about-us/data-protection/departamental-privacy-notices/planning-policy-privacy-notice/>

Due to the Data Protection Act 2018, Bassetlaw District Council now needs your consent to hold your personal data for use within the Local Plan. If you would like the Council to keep you informed about the Bassetlaw Local Plan, we need to hold your data on file. Please tick the box below to confirm if you would like to 'opt in' to receive information about the Bassetlaw Local Plan. Note that choosing to 'opt in' will mean that the Council will hold your information for 2 years from the 'opt in' date. At this time we will contact you to review if you wish to 'opt in' again. You can opt-out at any time by emailing [thebassetlawplan@bassetlaw.gov.uk](mailto:thebassetlawplan@bassetlaw.gov.uk) or by calling 01909 533495.

For more information on how Bassetlaw District Council's Planning Policy department processes personal information about you, please see our main privacy notice at <https://www.bassetlaw.gov.uk/about-us/data-protection/departamental-privacy-notice/planning-policy-privacy-notice/>

Please tick/ delete as appropriate:

Please confirm <sup>we</sup> you have read and understood the terms and conditions relating to GDPR.

Yes ☒

No ☐

Please tick as appropriate to confirm your consent for Bassetlaw District Council to publish and share your name/ organisation and comments regarding the Bassetlaw Local Plan.

<sup>we</sup> I confirm my consent for Bassetlaw District Council to share my name/ organisation and comments regarding the Bassetlaw Local Plan including with the Planning Inspectorate.

Yes ☒

No ☐

Please tick as appropriate below if <sup>we</sup> you wish to 'opt in' and receive updates and information about the Bassetlaw Local Plan.

<sup>we</sup> I would like to opt in to receive information about the Bassetlaw Local Plan.

Yes ☒

No ☐

Printed Name:

Signature:

Date:

02/10/2021

02/10/2021.

PLEASE SEND US WRITTEN NOTIFICATION IN THE POST OF

- 1) THE SUBMISSION OF THE BASSETLAW LOCAL PLAN 2020-2037: AUBURN VERSION TO THE SECRETARY OF STATE FOR HOUSING, COMMUNITIES AND LOCAL GOVERNMENT FOR INDEPENDENT EXAMINATION;
- 2) THE PLANNING INSPECTORATE'S HEARING REGARDING BASSETLAW LOCAL PLAN 2020-2037;
- 3) PUBLICATION OF THE PLANNING INSPECTOR'S REPORT ON THE BASSETLAW LOCAL PLAN 2020-2037; AND
- 4) ADOPTION OF THE BASSETLAW LOCAL PLAN 2020-37

This form has two parts:

Part A - Personal details – need only to complete once.

Part B - Your representation(s) - Please fill in a separate sheet for each representation you wish to make.

## Part A- Personal Details

### 1. Personal Details

Name:

[Redacted Name]

Organisation (if applicable):

(RESIDENTS)

details as below.

Address:

[Redacted Address]

Postcode:

Tel:

[Redacted Telephone]

Fax:

—

Email:

—

### 2. Agent Details (if applicable)

Agent:

NONE

Organisation (if applicable):

Address:

Postcode:

Tel:

Fax:

Email:

## Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation:



### 3. To which part of the Local Plan does your representation relate?

Policy: C0007 GREEN GAP STUDY 2019, C0004 GREEN GAP STUDY ADDENDUM  
OCTOBER 2020, C0007 GREEN GAP STUDY SECOND ADDENDUM 2021

Paragraph:

Policies Map:

### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

4.(1) Legally Compliant

Yes ☒

No ☐

4.(2) Sound

Yes ☐

No ☒

4.(3) Complies with the Duty to Cooperate

Yes ☒

No ☐



5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

WE BELIEVE THAT THE BASSETLAW LOCAL PLAN 2020-2037 GREEN GAPS POLICY (L0007 GREEN GAP STUDY NOV 2019, L004 GREEN GAP STUDY ADDENDUM OCTOBER 2020, L00041 GREEN GAP STUDY SECOND ADDENDUM APRIL 2021) IS IN PART UNSOUND BECAUSE IT IS AN INAPPROPRIATE STRATEGY, FAILING TO TAKE ACCOUNT OF REASONABLE ALTERNATIVES, AND IGNORING THE FOLLOWING EVIDENCE. IN PARTICULAR, WE WISH TO HIGHLIGHT THE INADEQUACY OF GREEN GAPS CLARBOROUGH AND WELHAM REGARDING THE SEPARATION BETWEEN CLARBOROUGH AND RETFORD (DETAILS IN OUR COMMENTS REFERENCE 377 ABOUT THE JANUARY 2020 VERSION OF THE BASSETLAW LOCAL PLAN (B6006) AND REFERENCE 223 IN PUB 006 BASSETLAW LOCAL PLAN STATEMENT SCHEDULE APPENDIX 1 AND 2 AUGUST 2021 (P1703)). PART OF THE LAND THAT SHOULD BE CONSIDERED FOR INCLUSION IN A GREEN GAP WAS RECENTLY THE SUBJECT OF AN APPEAL DECISION BY THE PLANNING INSPECTORATE (APP/A3010/W/20/3265803), DATED 21ST JUNE 2021, CONCERNING LAND TO THE NORTH OF BIGSBY ROAD, RETFORD, NOTTINGHAMSHIRE, DN22 6SG). THIS APPEAL DECISION CITES THE OPEN CHARACTER OF THE LANDSCAPE AS PART OF THE REASON FOR DISMISSING THE APPEAL (SEE APPEAL DECISION PARAGRAPH 115). THE PLANNING INSPECTORATE DECISION NOTES THAT THE LAND TO THE NORTH OF BIGSBY ROAD IS PREDOMINANTLY RURAL IN CHARACTER AND APPEARANCE, AND PART OF A WIDER LANDSCAPE WHICH MOSTLY CONSISTS OF MIXED OPEN FARM LAND (PARAGRAPH 71 OF THE INSPECTORATE REPORT). THE SAME DECISION RECORDS THAT THE LAND HAS NO FORMAL DESIGNATION OF AS A "VALUED LANDSCAPE", BUT THAT IT FORMS PART OF A LOCALLY VALUED LANDSCAPE FOR RESIDENTS AND THE LOCAL COMMUNITY (PARAGRAPH 73 OF THE REPORT). THE PLANNING INSPECTORATE DECISION ALSO NOTES (PARAGRAPH 76) THAT BASSETLAW DISTRICT COUNCIL VIEWS THE IDLE LOWLANDS POLICY ZONE 08, IN WHICH THE ABOVE-MENTIONED LAND NOT SO FAR DESIGNATED AS A GREEN GAP LIES, AS CARRYING THE HIGHEST DESIGNATION OF 'CONSERVE' EQUATING TO A RANKING OF 'HIGH' SENSITIVITY AND 'GOOD' CONDITION, THOUGH PARTS OF THAT ZONE MAY HAVE LESS LANDSCAPE SENSITIVITY.

Continue on a separate sheet if necessary

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in Question 5 above.

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

~~Our comments~~ SURELY THE CONCLUSIONS OF THE PLANNING INSPECTORATE DETALLED IN  
S OVERLEAF ARE COMPELLING EVIDENCE THAT AT LEAST PART OF THE LAND TO THE NORTH-  
EAST OF RETFORD AND WEST OF THE WHESTERFIELD CANAL SHOULD BE INCLUDED  
WITHIN A GREEN GAP. OUR COMMENT 377 ABOUT THE JANUARY 2020 VERSION OF  
THE BASSETLAW LOCAL PLAN (BG 006) HIGHLIGHTS THAT THE GREEN GAP SEPARATING  
CLARBOROUGH PARISH FROM RETFORD IS INADEQUATE (IT LEAVES OUT A LARGE PART OF  
CLARBOROUGH PARISH EXTENDING TOWARDS RETFORD), AND THERE IS NO GREEN GAP TO  
SEPARATE RETFORD FROM TILN. CLARBOROUGH (ST JOHN'S DRIVE) IS ONLY ONE MILE  
FROM RETFORD (BIGSBY ROAD) AT CLOSEST, BUT THE PROPOSED CLARBOROUGH AND  
WELHAM GREEN GAP COVERS LESS THAN HALF THE DISTANCE (APPROX 600 YARDS). TILN  
IS ONLY ONE MILE FROM RETFORD (LINDEN HOMES DEVELOPMENT ON TILN LANE) AT  
CLOSEST. THE LAND EXTENDING NORTH-WEST FROM BOLHAM MANOR TOWARDS TILN AND  
NORTH-EAST FROM BOLHAM MANOR VIA BOLHAM HALL AND MOOREGATE FARM (GRADE 2  
LISTED) TOWARDS ~~BOLHAM~~<sup>LA</sup> COTTAGE FARM PROVIDES AN ATTRACTIVE LANDSCAPE OF WOODED  
HILLS, HEDGEROWS AND GRASSLAND, AND FORMS A BARRIER BETWEEN RETFORD AND TILN.  
THE LAND IMMEDIATELY NORTH-EAST OF RETFORD SLOPING DOWNHILL FROM  
BOLHAM MANOR EASTWARDS AS FAR AS THE WHESTERFIELD CANAL (SSSI) AND THE  
PROPOSED CLARBOROUGH AND WELHAM GREEN GAP IS ATTRACTIVE FARMLAND COMPRISING  
A WESTERN <sup>AREA</sup> OF OPEN ARABLE FIELDS (WITH EXCELLENT LONG DISTANCE VIEWS FROM THE  
PROPOSED CLARBOROUGH AND WELHAM GREEN GAP TOWARDS MOOREGATE FARM AND  
BOLHAM HALL VISIBLE ON THE SKYLINE), AND AN EASTERN AREA OF GRASS FIELDS AND HEDGE-  
ROWS. INDEED, THE BASSETLAW GREEN GAPS REPORT 2019 (RD007) ACKNOWLEDGES THE  
ATTRACTIVE NATURE OF THE LOW-LYING LAND TO THE WEST OF THE WHESTERFIELD CANAL BETWEEN  
RETFORD AND CLARBOROUGH BUT OUTSIDE THE PROPOSED CLARBOROUGH AND WELHAM GREEN GAP.  
WE HOPE THAT THE PROPOSED GREEN GAPS WILL BE EXPANDED INTO THE ABOVE LAND AREAS  
IMMEDIATELY OUTSIDE RETFORD BUT WITHIN THE ADMINISTRATIVE BOUNDARY OF RETFORD.

Continue on a separate sheet if necessary

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes, I wish to participate in hearing session(s)

Yes ☐

No, <sup>we</sup> I do not wish to participate in hearing session(s)

No ☒

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

**Please note** that the inspector will make the final decision as to who is necessary to participate in hearing sessions, and to which hearing session(s) they should attend, and they will determine the most appropriate procedure to adopt to hear those who wish to participate at the examination hearings.

# REF016



[REDACTED]

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**From:** [REDACTED]  
**Sent:** 15 October 2021 15:29  
**To:** The Bassetlaw Plan  
**Subject:** Regulation 19 Consultation - the Bassetlaw Local Plan  
**Attachments:** 3462\_001.pdf

External Message - Be aware that the sender of this email originates from outside of the Council. Please be cautious when opening links or attachments in email

OFFICIAL

Dear Sir/Madam

Please find attached a representation of support for the Bassetlaw Local Plan.

Yours Faithfully



[REDACTED]  
Town Planning Manager LNE/EM  
Network Rail Property (Eastern)  
George Stephenson House  
Toft Green, York, YO1 6JT

[REDACTED]  
[www.networkrail.co.uk/property](http://www.networkrail.co.uk/property)



**Bassetlaw**  
DISTRICT COUNCIL  
— North Nottinghamshire —

## Bassetlaw Local Plan 2020-2037

### Publication Version Representation Form September to October 2021

Please submit electronically if possible to [thebassetlawplan@bassetlaw.gov.uk](mailto:thebassetlawplan@bassetlaw.gov.uk)

**Please use this form** to provide representations on the Bassetlaw Local Plan. Bassetlaw District Council must receive representations by **5pm on 21st October 2021**. Only those representations received within this period have the statutory right to be considered by the inspector at the subsequent examination.

Responses can be submitted via the electronic version of the comment form which can be found on the Council's web site at: [www.bassetlaw.gov.uk/BassetlawPlan](http://www.bassetlaw.gov.uk/BassetlawPlan) Alternatively this form can be completed and returned as an e-mail attachment to [thebassetlawplan@bassetlaw.gov.uk](mailto:thebassetlawplan@bassetlaw.gov.uk) or by post to **Planning Policy, Queens Building, Potter Street, Worksop, Nottinghamshire, S80 2AH**

Please note:

- Representations must only be made on the basis of the legal compliance, compliance with the Duty to Co-operate and/or soundness of the Plan.

Please read the guidance note, available on the Council's webpage, before you make your representations. The Local Plan and the proposed submission documents, and the evidence base are also available to view and download from the Council's Local Plan webpage: [www.bassetlaw.gov.uk/bassetlawplan](http://www.bassetlaw.gov.uk/bassetlawplan)

#### **Data Protection Notice:**

Under the General Data Protection Regulation 2016 (GDPR) and Data Protection Act 2018 (DPA) Bassetlaw District Council, Queen's Building, Potter Street, Worksop, Notts, S80 2AH is a Data Controller for the information it holds about you. The lawful basis under which the Council uses personal data for this purpose is consent.

All representations are required to be made public and will be published on the Council's website following this consultation. Your representations and name/name of your organisation will be published, but other personal information will remain confidential. Your data and comments will be shared with other relevant agencies involved in the preparation of the local plan, including the Planning Inspectorate. Anonymous responses will not be considered. Your personal data will be held and processed in accordance with the Council's Privacy Notice which can be viewed at: <https://www.bassetlaw.gov.uk/about-us/data-protection/departmental-privacy-notices/planning-policy-privacy-notice/>



Due to the Data Protection Act 2018, Bassetlaw District Council now needs your consent to hold your personal data for use within the Local Plan. If you would like the Council to keep you informed about the Bassetlaw Local Plan, we need to hold your data on file. Please tick the box below to confirm if you would like to 'opt in' to receive information about the Bassetlaw Local Plan. Note that choosing to 'opt in' will mean that the Council will hold your information for 2 years from the 'opt in' date. At this time we will contact you to review if you wish to 'opt in' again. You can opt-out at any time by emailing [thebassetlawplan@bassetlaw.gov.uk](mailto:thebassetlawplan@bassetlaw.gov.uk) or by calling 01909 533495.

For more information on how Bassetlaw District Council's Planning Policy department processes personal information about you, please see our main privacy notice at <https://www.bassetlaw.gov.uk/about-us/data-protection/departmental-privacy-notices/planning-policy-privacy-notice/>

Please tick/ delete as appropriate:

Please confirm you have read and understood the terms and conditions relating to GDPR.

Yes ☒

No ☐

Please tick as appropriate to confirm your consent for Bassetlaw District Council to publish and share your name/ organisation and comments regarding the Bassetlaw Local Plan.

I confirm my consent for Bassetlaw District Council to share my name/ organisation and comments regarding the Bassetlaw Local Plan including with the Planning Inspectorate.

Yes ☒

No ☐

Please tick as appropriate below if you wish to 'opt in' and receive updates and information about the Bassetlaw Local Plan.

I would like to opt in to receive information about the Bassetlaw Local Plan.

Yes ☒

No ☐

Printed Name:

Signature:

Date:

15<sup>th</sup> October 2021

**This form has two parts:**

**Part A - Personal details – need only to complete once.**

**Part B - Your representation(s) - Please fill in a separate sheet for each representation you wish to make.**

## Part A- Personal Details

### 1. Personal Details

Name:



Organisation (if applicable):

Network Rail (Infrastructure) Ltd.

Address:

Floor 3a George Stephenson House Toft Green York

Postcode:

YO1 6JT

Tel:

Use e-mail

Fax:

Email:

townplanning.LNE@networkrail.co.uk

### 2. Agent Details (if applicable)

Agent:

Organisation (if applicable):

Address:

Postcode:

Tel:

Fax:

Email:



## Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: Network Rail (Infrastructure) Ltd.

### 3. To which part of the Local Plan does your representation relate?

Policy: ST4 & Housing Allocations HS7/10

Paragraph:

Policies Map:

### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

**4.(1) Legally Compliant**

Yes ☒

No ☐

**4.(2) Sound**

Yes ☒

No ☐

**4.(3) Complies with the Duty to Cooperate**

Yes ☒

No ☐

- 5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.** If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

I write on behalf of Network Rail to place our support for the policies and proposals put forward in the Plan; we consider them (in the context of policies and proposals that affect our infrastructure) to be positively prepared, justified, effective and consistent with national policy.

We have entered into a statement of common ground with the Authority as requested the duty to co-operate required by the Act. We are pleased with the safeguards put in place in respect of level crossings relating specifically to the Bassetlaw Garden Village policy ST4 and the housing allocations in Retford at HS7 (Trinity Farm) and HS11 (Fairgrove).

**Continue on a separate sheet if necessary**

- 6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in Question 5 above.**

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

**Continue on a separate sheet if necessary**

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

**7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**

Yes, I wish to participate in hearing session(s)

Yes ☒

(if need be)

No, I do not wish to participate in hearing session(s)

No ☐

**8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

If, in the unlikely event that any specific issues relating to rail infrastructure provision is raised during the hearing process, NR is happy to attend in a neutral/supporting role.

**Please note** that the inspector will make the final decision as to who is necessary to participate in hearing sessions, and to which hearing session(s) they should attend, and they will determine the most appropriate procedure to adopt to hear those who wish to participate at the examination hearings.

# REF017



[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 16 October 2021 19:16  
**To:** The Bassetlaw Plan  
**Subject:** Lound NPSG Comments on BDC Plan Oct21  
**Attachments:** Lound-NPSG-Comments-on-BDC-Plan-Oct21.docx

External Message - Be aware that the sender of this email originates from outside of the Council. Please be cautious when opening links or attachments in email

Please find attached my comments re the above document.

Regards

[REDACTED]



## Bassetlaw Local Plan 2020-2037

### Publication Version Representation Form September to October 2021

Please submit electronically if possible to [thebassetlawplan@bassetlaw.gov.uk](mailto:thebassetlawplan@bassetlaw.gov.uk)

**Please use this form** to provide representations on the Bassetlaw Local Plan. Bassetlaw District Council must receive representations by **5pm on 21st October 2021**. Only those representations received within this period have the statutory right to be considered by the inspector at the subsequent examination.

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Please read the guidance note, available on the Council's webpage, before you make your representations. The Local Plan and the proposed submission documents, and the evidence base are also available to view and download from the Council's Local Plan webpage:

[www.bassetlaw.gov.uk/bassetlawplan](http://www.bassetlaw.gov.uk/bassetlawplan)

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All representations are required to be made public and will be published on the Council's website following this consultation. Your representations and name/name of your organisation will be published, but other personal information will remain confidential. Your data and comments will be shared with other relevant agencies involved in the preparation of the local plan, including the Planning Inspectorate. Anonymous responses will not be considered. Your personal data will be held and processed in accordance with the Council's Privacy Notice which can be viewed at: <https://www.bassetlaw.gov.uk/about-us/data-protection/departmental-privacy-notices/planning-policy-privacy-notice/>

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Please tick/ delete as appropriate:

Please confirm you have read and understood the terms and conditions relating to GDPR.

Yes ☒

No ☐

Please tick as appropriate to confirm your consent for Bassetlaw District Council to publish and share your name/ organisation and comments regarding the Bassetlaw Local Plan.

I confirm my consent for Bassetlaw District Council to share my name/ organisation and comments regarding the Bassetlaw Local Plan including with the Planning Inspectorate.

Yes ☒

No ☐


Please tick as appropriate below if you wish to 'opt in' and receive updates and information about the Bassetlaw Local Plan.

I would like to opt in to receive information about the Bassetlaw Local Plan.

Yes ☒

No ☐

Printed Name: 

Signature: 

Date: 14th October 2021



**This form has two parts:**

**Part A - Personal details – need only to complete once.**

**Part B - Your representation(s) - Please fill in a separate sheet for each representation you wish to make.**

## Part A- Personal Details

### 1. Personal Details

Name:

[REDACTED]

Organisation (if applicable):

Lound Neighbourhood Plan Steering Group (Sub-committee of Lound Parish Council)

Address:

[REDACTED]

Postcode:

[REDACTED]

Tel:

[REDACTED]

Fax:

N/A

Email:

[REDACTED]

### 2. Agent Details (if applicable)

Agent:

N/A

Organisation (if applicable):

N/A

Address:

N/A

Postcode:

N/A

Tel:

N/A

Fax:

N/A

Email:

N/A

## Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: Lound Neighbourhood Plan Steering Group

### 3. To which part of the Local Plan does your representation relate?

Policy: ST2

Paragraph: 3

Policies Map: N/A

### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

#### 4.(1) Legally Compliant

Yes ☒

No ☐

#### 4.(2) Sound

Yes ☐

No ☒

#### 4.(3) Complies with the Duty to Cooperate

Yes ☒

No ☐

- 5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.** If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Lound Neighbourhood Plan Steering Group welcomes the Publication Version of the Bassetlaw Local Plan 2020-2037.

It is noted that the Housing Growth Requirement for Lound remains at 5%, which equates to 10 new dwellings. Consultation shows that the village overwhelmingly believes that this is a sustainable and proportionate contribution to the national housing shortage, given Lound's very limited facilities and narrow streets. This percentage number is subject to the correction of a mis-print of the table headings at the top of page 40 within Policy ST2, which appears to require 20% growth. This oversight has already been acknowledged in an email from Ms Karen Johnson, Bassetlaw District Council's Planning Policy Manager.

This representation, which falls within the "soundness" category, concerns Paragraph 3 of Policy ST2 of the Plan.

The previous version of the Bassetlaw Local Plan in November 2020 contained a Paragraph E in Policy ST2, which says "Where the percentage housing requirement for an eligible settlement has been achieved, additional housing development will only be supported where it can be demonstrated that it has the support of the community and Council through the preparation, or review, of a neighbourhood plan." This clear statement, in the spirit of Localism, means that additional development can still be achieved and, using the neighbourhood plan process in this way, must be the right way to demonstrate community support.

Unfortunately, now in the Publication Version of the Plan, the alternative of a developer-led pre-application community consultation has been added, instead of the route involving the revision of a neighbourhood plan. This is totally unacceptable as it will weaken the neighbourhood plan and is against villagers' wishes. In the Draft Lound Neighbourhood Plan, which is currently at the Examination stage, developers are already being encouraged to participate in a pre-application community engagement process with the Parish Council, which is endorsed by the NPPF. The Steering Group believes that, where additional development above that which is required by the District is proposed, both processes should be used, but that the neighbourhood plan stage should remain as a mandatory gate to be passed.

**Continue on a separate sheet if necessary**

**6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in Question 5 above.**

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

In line with the reasoning above, it is suggested that the text shown below in red strikethrough should be removed from Paragraph 3 of Policy ST2 of the Plan as follows:

“3. Where the growth requirement for an eligible Large or Small Rural Settlement has been achieved, additional residential development will only be supported where it can be demonstrated that it has the support of the community through the preparation of a neighbourhood plan (including a review), ~~or through a developer led pre application community consultation~~ where it is proposing:

- a) the appropriate conversion of an existing building(s) within an eligible settlement;
- b) to bring redundant, disused buildings and/or land into residential use and would enhance its immediate surroundings;
- c) accommodation for forestry or agricultural workers in accordance with Policy ST34;
- d) a design of exceptional quality, that is appropriate to its local context which would significantly enhance its immediate setting in accordance with Policy ST35;
- e) an exceptions site or First Homes exception site in accordance with Policy ST29.”

**Continue on a separate sheet if necessary**

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

**7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**

Yes, I wish to participate in hearing session(s)

Yes ☐

No, I do not wish to participate in hearing session(s)

No ☒

**8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

N/A

**Please note** that the inspector will make the final decision as to who is necessary to participate in hearing sessions, and to which hearing session(s) they should attend, and they will determine the most appropriate procedure to adopt to hear those who wish to participate at the examination hearings.

# REF018



[REDACTED]

---

**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** 18 October 2021 08:42  
The Bassetlaw Plan  
**Attachments:** FW: Bassetlaw Publication Local Plan - Holding Representation  
Bassetlaw Publication LP - Holding Representation.pdf

FYI

---

**From:** [REDACTED]  
**Sent:** 15 October 2021 17:59  
**To:** [REDACTED]  
**Subject:** FW: Bassetlaw Publication Local Plan - Holding Representation

Hi Hanna

Please could you acknowledge and record this ? All agreed at this morning's meeting

Cheers

[REDACTED]

[REDACTED]

Planning Policy Manager  
Bassetlaw District Council

Queens Buildings  
Potter Street  
Worksop S80 2AH

Tel: 01909 533495

---

**From:** [REDACTED]  
[REDACTED] 13 October 2021 13:09  
**To:** [REDACTED]  
**Subject:** Bassetlaw Publication Local Plan - Holding Representation

External Message - Be aware that the sender of this email originates from outside of the Council. Please be cautious when opening links or attachments in email

Dear [REDACTED],

Thanks again for your and [REDACTED] time earlier. Please find attached a holding representation from NSDC – as discussed.

Kind regards,

[REDACTED]  
[REDACTED]  
**Senior Planner**

**PLANNING POLICY**

Newark and Sherwood District Council

[REDACTED]  
[www.newark-sherwooddc.gov.uk](http://www.newark-sherwooddc.gov.uk)



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Visit the new Newark and Sherwood District Council website [www.newark-sherwooddc.gov.uk](http://www.newark-sherwooddc.gov.uk)



...or scan me

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**Note:**

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Newark and Sherwood District Council Legal Disclaimer.

**Thank You.**

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Telephone: [REDACTED]  
Email: [REDACTED]  
Your ref:  
Our ref:

<Sent via email>

15<sup>th</sup> October 2021

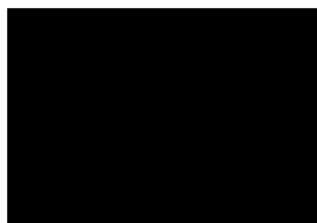
Dear [REDACTED]

**Bassetlaw Publication Local Plan**

The proposed allocation of the Bassetlaw Garden Village through the Bassetlaw Local Plan remains a strategic cross boundary matter, with respect to its potential impact on the Birklands & Bilhaugh Special Area of Conservation and the Clumber Park Site of Special Scientific Interest. Our jointly funded Recreational Impact Assessment (RIA) will allow this matter to be understood in detail, and Newark & Sherwood District Council will continue to work to positively discharge its responsibilities under the Duty to Cooperate.

It will however be necessary for the Assessment to have been received and digested before a formal representation on the Publication Local Plan can be made. Therefore please accept this letter as a holding representation, to be followed by a more detailed submission once the Assessment has been received.

Yours sincerely,



Business Manager - Planning Policy & Infrastructure  
Planning Policy & Infrastructure

# REF019



[REDACTED]

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**From:** [REDACTED]  
**Sent:** 18 October 2021 11:12  
**To:** The Bassetlaw Plan  
**Subject:** Bassetlaw Plan  
**Attachments:** Lound NPSG Comments on BDC Plan Oct21.docx

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Further to the latest plan detail we wish to make the observations in the document attached.

Thank you.

[REDACTED]



## Bassetlaw Local Plan 2020-2037

### Publication Version Representation Form September to October 2021

Please submit electronically if possible to [thebassetlawplan@bassetlaw.gov.uk](mailto:thebassetlawplan@bassetlaw.gov.uk)

**Please use this form** to provide representations on the Bassetlaw Local Plan. Bassetlaw District Council must receive representations by **5pm on 21st October 2021**. Only those representations received within this period have the statutory right to be considered by the inspector at the subsequent examination.

Responses can be submitted via the electronic version of the comment form which can be found on the Council's web site at: [www.bassetlaw.gov.uk/BassetlawPlan](http://www.bassetlaw.gov.uk/BassetlawPlan) Alternatively this form can be completed and returned as an e-mail attachment to [thebassetlawplan@bassetlaw.gov.uk](mailto:thebassetlawplan@bassetlaw.gov.uk) or by post to **Planning Policy, Queens Building, Potter Street, Worksop, Nottinghamshire, S80 2AH**

Please note:

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Please read the guidance note, available on the Council's webpage, before you make your representations. The Local Plan and the proposed submission documents, and the evidence base are also available to view and download from the Council's Local Plan webpage:

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#### **Data Protection Notice:**

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All representations are required to be made public and will be published on the Council's website following this consultation. Your representations and name/name of your organisation will be published, but other personal information will remain confidential. Your data and comments will be shared with other relevant agencies involved in the preparation of the local plan, including the Planning Inspectorate. Anonymous responses will not be considered. Your personal data will be held and processed in accordance with the Council's Privacy Notice which can be viewed at: <https://www.bassetlaw.gov.uk/about-us/data-protection/departmental-privacy-notices/planning-policy-privacy-notice/>

Due to the Data Protection Act 2018, Bassetlaw District Council now needs your consent to hold your personal data for use within the Local Plan. If you would like the Council to keep you informed about the Bassetlaw Local Plan, we need to hold your data on file. Please tick the box below to confirm if you would like to 'opt in' to receive information about the Bassetlaw Local Plan. Note that choosing to 'opt in' will mean that the Council will hold your information for 2 years from the 'opt in' date. At this time we will contact you to review if you wish to 'opt in' again. You can opt-out at any time by emailing [thebassetlawplan@bassetlaw.gov.uk](mailto:thebassetlawplan@bassetlaw.gov.uk) or by calling 01909 533495.

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Please tick/ delete as appropriate:

Please confirm you have read and understood the terms and conditions relating to GDPR.

Yes ☒

No ☐

Please tick as appropriate to confirm your consent for Bassetlaw District Council to publish and share your name/ organisation and comments regarding the Bassetlaw Local Plan.

I confirm my consent for Bassetlaw District Council to share my name/ organisation and comments regarding the Bassetlaw Local Plan including with the Planning Inspectorate.

Yes ☒


No ☐

Please tick as appropriate below if you wish to 'opt in' and receive updates and information about the Bassetlaw Local Plan.

I would like to opt in to receive information about the Bassetlaw Local Plan.

Yes ☒

No ☐

Printed Name: 

Signature: 

Date: 18 October 2021

**This form has two parts:**

**Part A - Personal details – need only to complete once.**

**Part B - Your representation(s) - Please fill in a separate sheet for each representation you wish to make.**

## Part A- Personal Details

### 1. Personal Details

Name:

Organisation (if applicable):

Address:

Postcode:

Tel:

Fax:

N/A

Email:

### 2. Agent Details (if applicable)

Agent:

N/A

Organisation (if applicable):

N/A

Address:

N/A

Postcode:

N/A

Tel:

N/A

Fax:

N/A

Email:

N/A

## Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: Lound Neighbourhood Plan Steering Group

### 3. To which part of the Local Plan does your representation relate?

Policy: ST2

Paragraph: 3

Policies Map: N/A

### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

#### 4.(1) Legally Compliant

Yes ☒

No ☐

#### 4.(2) Sound

Yes ☐

No ☒

#### 4.(3) Complies with the Duty to Cooperate

Yes ☒

No ☐

- 5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.** If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

It is noted that the Housing Growth Requirement for Lound remains at 5%, which equates to 10 new dwellings. Consultation shows that the village overwhelmingly believes that this is a sustainable and proportionate contribution to the national housing shortage, given Lound's very limited facilities and narrow streets.

This response falls within the "soundness" category and concerns Paragraph 3 of Policy ST2 of the Plan.

The previous version of the Bassetlaw Local Plan in November 2020 contained a Paragraph E in Policy ST2, which says "Where the percentage housing requirement for an eligible settlement has been achieved, additional housing development will only be supported where it can be demonstrated that it has the support of the community and Council through the preparation, or review, of a neighbourhood plan." This clear statement means that additional development can still be achieved and, using the neighbourhood plan process in this way, must be the right way to demonstrate community support.

Unfortunately, the alternative of a developer-led pre-application community consultation has been added, instead of the route involving the revision of a neighbourhood plan. We fear that this will weaken the neighbourhood plan or even be used to by-pass it. In the Draft Lound Neighbourhood Plan, which is currently at the Examination stage, developers are already being encouraged to participate in a pre-application community engagement process with the Parish Council, which is endorsed by the NPPF. We believe that where additional development above that which is required by the District is proposed, both processes should be used, but that the neighbourhood plan stage should remain as a mandatory gate to be passed.

**Continue on a separate sheet if necessary**



**6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in Question 5 above.**

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

We suggest that the text shown below in red strikethrough should be removed from Paragraph 3 of Policy ST2 of the Plan as follows:

“3. Where the growth requirement for an eligible Large or Small Rural Settlement has been achieved, additional residential development will only be supported where it can be demonstrated that it has the support of the community through the preparation of a neighbourhood plan (including a review), ~~or through a developer led pre application community consultation~~ where it is proposing:

- a) the appropriate conversion of an existing building(s) within an eligible settlement;
- b) to bring redundant, disused buildings and/or land into residential use and would enhance its immediate surroundings;
- c) accommodation for forestry or agricultural workers in accordance with Policy ST34;
- d) a design of exceptional quality, that is appropriate to its local context which would significantly enhance its immediate setting in accordance with Policy ST35;
- e) an exceptions site or First Homes exception site in accordance with Policy ST29.”

**Continue on a separate sheet if necessary**

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

**7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**

Yes, I wish to participate in hearing session(s)

Yes ☐

No, I do not wish to participate in hearing session(s)

No ☒

**8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

N/A

**Please note** that the inspector will make the final decision as to who is necessary to participate in hearing sessions, and to which hearing session(s) they should attend, and they will determine the most appropriate procedure to adopt to hear those who wish to participate at the examination hearings.

# REF020



[REDACTED]

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**From:** TOWN-PLANNING.CO.UK <mail@town-planning.co.uk>  
**Sent:** 18 October 2021 11:21  
**To:** The Bassetlaw Plan  
**Subject:** Representations on Bassetlaw Local Plan 2020-2037: Publication Version  
**Attachments:** LP Rep Form (Policy ST1).docx; LP Rep Form (Policy ST15).docx; LP Rep Form (Site HS14 Tuxford).docx; LP Rep Form (Sustainability Appraisal).docx

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[REDACTED]

18<sup>th</sup> October 2021

Dear [REDACTED]

**Representations on Bassetlaw Local Plan 2020-2037: Publication Version**

Please find attached a suite of four representations made on Policy ST1; Policy ST15; site HS14 in Policy 28; and the Sustainability Appraisal.

I look forward to receiving an acknowledgement to these representations in due course.

Kind regards

[REDACTED]

[REDACTED] *HNCert LA(P), Dip TP, PgDip URP, MA, FGS, ICIOB, MInstLM, MCMI, MRTPI*  
Executive Director

**TOWN-PLANNING.CO.UK**

South View, 16 Hounsfield Way, Sutton on Trent, Newark, Nottinghamshire, NG23 6PX

Tel: 01636 822528

[REDACTED]

Email: [mail@town-planning.co.uk](mailto:mail@town-planning.co.uk)

Website: [www.town-planning.co.uk](http://www.town-planning.co.uk)

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## Bassetlaw Local Plan 2020-2037

### Publication Version Representation Form September to October 2021

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Please tick/ delete as appropriate:

Please confirm you have read and understood the terms and conditions relating to GDPR.

Yes ☒

No ☐

Please tick as appropriate to confirm your consent for Bassetlaw District Council to publish and share your name/ organisation and comments regarding the Bassetlaw Local Plan.

I confirm my consent for Bassetlaw District Council to share my name/ organisation and comments regarding the Bassetlaw Local Plan including with the Planning Inspectorate.

Yes ☒

No ☐

Please tick as appropriate below if you wish to 'opt in' and receive updates and information about the Bassetlaw Local Plan.

I would like to opt in to receive information about the Bassetlaw Local Plan.

Yes ☒

No ☐

Printed Name: [REDACTED]

Signature: [REDACTED]

Date: 18/10/2021

**This form has two parts:**

**Part A - Personal details – need only to complete once.**

**Part B - Your representation(s) - Please fill in a separate sheet for each representation you wish to make.**

## Part A- Personal Details

### 1. Personal Details

Name:

[REDACTED]

Organisation (if applicable):

Address:

[REDACTED]

Postcode:

[REDACTED]

Tel:

[REDACTED]

Fax:

Email:

[REDACTED]

### 2. Agent Details (if applicable)

Agent:

[REDACTED]

Organisation (if applicable):

TOWN-PLANNING.CO.UK

Address:

[REDACTED]

Postcode:

[REDACTED]

Tel:

01636 822528 / [REDACTED]

Fax:

Email:

mail@town-planning.co.uk

## Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: [REDACTED]

### 3. To which part of the Local Plan does your representation relate?

Policy: Policy ST1 – Bassetlaw's Spatial Strategy

Paragraph:

Policies Map:

### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

#### 4.(1) Legally Compliant

Yes ☒

No ☐

#### 4.(2) Sound

Yes ☐

No ☒

#### 4.(3) Complies with the Duty to Cooperate

Yes ☒

No ☐



**5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.** If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

This representation is part of a suite of representations made on Policy ST1; Policy ST15; site HS14 in Policy 28; and the Sustainability Appraisal.

### **Housing Need**

The Bassetlaw Local Plan is now proposed to be based on an even higher annual housing provision of 591 dwellings per annum in Policy ST1 (up from 478 and 589 in the previous versions). This is more than double the 288 indicative local housing need published in December 2020 using the MHCLG (now LUHC) revised methodology. This data table sets out the housing need for each local planning authority using the method that the Government has produced following a backlash to a consultation in the Summer of 2020. Widespread concern was that the standardised methodology did not focus on major urban areas sufficiently but instead resulted in too much development in rural districts. It is notable that the indicative figure for Bassetlaw was reduced from 307 per annum to 288. The approach being pursued would undermine the urban-centric approach that the Government is seeking to achieve.

It would seem somewhat perverse that at a time when the Government considers that Bassetlaw should find even less housing; the Local Plan proposes to find even more land for housing. The rationale behind the revised MHCLG (now LUHC) methodology was set out in the press release that stated:

*“A housing need formula is currently used to provide a starting point in the process of local planning for new homes. An updated method will now be introduced to help councils to enable the delivery of 300,000 homes a year by the mid-2020s, while prioritising brownfield sites and urban areas.*

*Under the proposals, cities will be encouraged to plan for more family homes – which are the right size and type for families to live in – and to make the most of vacant buildings and underused land to protect green spaces. The plans will encourage more homes to be built in England’s 20 largest cities and urban centres, boosting local economies by supporting jobs in the building sector, and revitalising high streets with the footfall new residents bring.”*

The Local Plan approach to a growth strategy based on a higher annualised housing provision for the period 2020 to 2037; has resulted in the allocation of inappropriate or unsuitable sites for which there is in fact no unmet strategic housing need requirement to justify their allocation. Such an inappropriate site allocation is HS14 in Tuxford.

Existing commitments would actually exceed a housing requirement based on 288 dwellings per annum. At the suggested Local Plan level of 591 dwellings per annum the 17-year plan period would relate to 10,047 dwellings. The Local Plan compounds the level of over-allocation by actually proposing a supply of 12,198 dwellings which is 2,151 dwellings (21.4%) above the higher level of need the plan is planning for. This is 2.5 times the number of dwellings that the standardised methodology would suggest should be planned for over the plan period.

The Local Plan Policy ST1 proposes 1,496 dwellings for the ‘Large Rural Settlements’ which includes Blyth; Carlton in Lindrick and Costhorpe; Langold; Misterton; and Tuxford. This figure is based on existing commitments and the single allocation of 75 dwellings proposed on site HS14 in Tuxford.

The loss of site HS14 in Tuxford would still leave 1,421 dwellings for the 'Large Rural Settlements' based on existing commitments. This would still represent some 29% of the actual 4,896 housing requirement based on 288 dwellings per annum being delivered in this category of settlement. As such the removal of site HS14 would not undermine the spatial strategy neither would it result in the strategic housing requirement not being met.

The Council utilise the housing requirement of 288 to determine their demonstrable 5-year housing land supply. Existing commitments amount to a 10.5-year housing land supply. Based on a plan level of 591 dwellings per annum the demonstrable housing land supply with a 5% buffer would still amount to 5.14-years supply based on existing commitments, before any new allocations are added into the mix. Therefore, no need arises for allocated sites to be released early in the plan period.

According to the Bassetlaw Rural Monitoring Table (August 2021) indicates that some 105 dwellings are committed already in Tuxford. These commitments already contribute some 2.14% of the actual 4,896 housing requirement based on 288 dwellings per annum being delivered. Tuxford is a modest sized settlement of 2,649 in population; Bassetlaw has an estimated 118,300 population. Therefore, the level of existing commitment in Tuxford is proportionate to the existing size and role that Tuxford plays in the district. If the Council wants to over-deliver housing then this should be delivered in the strategic sites forming sustainable urban extensions and the new proposed garden village rather than be applied to existing settlements.

The monitoring includes all residential planning permissions and completions at a settlement level since 1<sup>st</sup> April 2018. For Large and Small Rural Settlements, the baseline date for the proposed housing requirements per settlement is also set from 1<sup>st</sup> April 2018. Therefore, residential planning permissions granted after that date will contribute towards the required growth figure for the respective settlement.

Put another way in the first two years of the plan period Tuxford has some 42% of its proposed housing requirement already committed. Given this there is no requirement for the Local Plan to find it necessary to allocate a site in order to be delivered early in the plan period. The existing commitments in Tuxford will see growth of 8.4% in the number of dwellings within a short period of time. Accordingly, it would not be unreasonable for any additional allocations (if actually required at all) to be delivered in the later phases of the plan period.

Indeed, if the overall housing figure for the district were revised down from 591 dwellings per annum to only 288 dwellings per annum as the MHCLG (now LUHC) methodology suggests. Then the Tuxford pro-rata figure would reduce from 250 dwellings to 122 dwellings across the plan period. In which case the remaining housing to be found in Tuxford would only be 17 dwellings. In this respect the overall housing figure to be found for Bassetlaw is directly relevant as to whether in fact any additional housing allocations need to be found at all for Tuxford.

The Local Plan housing figure in Policy ST1 for the 'Large Rural Settlements' is based entirely on existing commitments with only Tuxford considered differently. Of the 5 'Large Rural Villages' only Tuxford has had allocations identified.

In this respect the allocation of site HS14 would make a contribution towards delivering the housing figure identified for Tuxford. However, the site would result in planning harm that outweighs the benefit of housing delivery; particularly given the Local Plan proposes more than 2.5 times the annual housing provision in the latest MHCLG (now LUHC) standardised housing requirement. In addition, there are other reasonable alternative sites elsewhere in Tuxford that would be more appropriate.

**Conclusion**

The current approach is not considered to be justified, effective or consistent with National Policy. Accordingly, the approach in Policy ST1 is considered to be unsound.

**6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in Question 5 above.**

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

Policy ST1 should be amended to reflect an annual housing figure more in line with that demonstrated as being the local housing need in the Bassetlaw Housing and Economic Development Needs Assessment and the Government published standardised methodology. This would accord with the requirements set out in paragraph 61 of the NPPF.

If an employment-led growth approach is pursued then the spatial strategy for housing should more closely align to the spatial strategy for employment land; particularly in relation to the uplift element. The employment allocations are to be based at the strategic allocation at Apleyhead Junction and two other site allocations at the Garden Village and High Marnham. This would more appropriately reflect the requirements of paragraph 73 of the NPPF.

**Continue on a separate sheet if necessary**

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

**7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**

Yes, I wish to participate in hearing session(s)

Yes ☒

No, I do not wish to participate in hearing session(s)

No ☐

**8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

To exercise the right to appear and be heard by the Inspector at a hearing session as a person defined in section 20 (6) of the Planning and Compulsory Purchase Act 2004; namely as a person who has made a representation seeking a change to the plan within the deadline set by the LPA for Regulation 19 consultation responses.

To discuss the implication that the impact that the proposed over-delivery of housing in Policy ST1 would have on the existing role and character of existing settlements.

**Please note** that the inspector will make the final decision as to who is necessary to participate in hearing sessions, and to which hearing session(s) they should attend, and they will determine the most appropriate procedure to adopt to hear those who wish to participate at the examination hearings.



## Bassetlaw Local Plan 2020-2037

### Publication Version Representation Form September to October 2021

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Please note:

- Representations must only be made on the basis of the legal compliance, compliance with the Duty to Co-operate and/or soundness of the Plan.

Please read the guidance note, available on the Council's webpage, before you make your representations. The Local Plan and the proposed submission documents, and the evidence base are also available to view and download from the Council's Local Plan webpage:

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Under the General Data Protection Regulation 2016 (GDPR) and Data Protection Act 2018 (DPA) Bassetlaw District Council, Queen's Building, Potter Street, Worksop, Notts, S80 2AH is a Data Controller for the information it holds about you. The lawful basis under which the Council uses personal data for this purpose is consent.

All representations are required to be made public and will be published on the Council's website following this consultation. Your representations and name/name of your organisation will be published, but other personal information will remain confidential. Your data and comments will be shared with other relevant agencies involved in the preparation of the local plan, including the Planning Inspectorate. Anonymous responses will not be considered. Your personal data will be held and processed in accordance with the Council's Privacy Notice which can be viewed at: <https://www.bassetlaw.gov.uk/about-us/data-protection/departamental-privacy-notices/planning-policy-privacy-notice/>

Due to the Data Protection Act 2018, Bassetlaw District Council now needs your consent to hold your personal data for use within the Local Plan. If you would like the Council to keep you informed about the Bassetlaw Local Plan, we need to hold your data on file. Please tick the box below to confirm if you would like to 'opt in' to receive information about the Bassetlaw Local Plan. Note that choosing to 'opt in' will mean that the Council will hold your information for 2 years from the 'opt in' date. At this time we will contact you to review if you wish to 'opt in' again. You can opt-out at any time by emailing [thebassetlawplan@bassetlaw.gov.uk](mailto:thebassetlawplan@bassetlaw.gov.uk) or by calling 01909 533495.

For more information on how Bassetlaw District Council's Planning Policy department processes personal information about you, please see our main privacy notice at <https://www.bassetlaw.gov.uk/about-us/data-protection/departamental-privacy-notices/planning-policy-privacy-notice/>

Please tick/ delete as appropriate:

Please confirm you have read and understood the terms and conditions relating to GDPR.

Yes ☒

No ☐

Please tick as appropriate to confirm your consent for Bassetlaw District Council to publish and share your name/ organisation and comments regarding the Bassetlaw Local Plan.

I confirm my consent for Bassetlaw District Council to share my name/ organisation and comments regarding the Bassetlaw Local Plan including with the Planning Inspectorate.

Yes ☒

No ☐

Please tick as appropriate below if you wish to 'opt in' and receive updates and information about the Bassetlaw Local Plan.

I would like to opt in to receive information about the Bassetlaw Local Plan.

Yes ☒

No ☐

Printed Name: 

Signature: 

Date: 18/10/2021

**This form has two parts:**

**Part A - Personal details – need only to complete once.**

**Part B - Your representation(s) - Please fill in a separate sheet for each representation you wish to make.**

## Part A- Personal Details

### 1. Personal Details

Name:

[REDACTED]

Organisation (if applicable):

Address:

[REDACTED]

Postcode:

[REDACTED]

Tel:

[REDACTED]

Fax:

Email:

[REDACTED]

### 2. Agent Details (if applicable)

Agent:

[REDACTED]

Organisation (if applicable):

TOWN-PLANNING.CO.UK

Address:

[REDACTED]

Postcode:

[REDACTED]

Tel:

01636 822528 / [REDACTED]

Fax:

Email:

mail@town-planning.co.uk



## Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: [REDACTED]

### 3. To which part of the Local Plan does your representation relate?

Policy: Policy ST15 – Provision of Land for Housing

Paragraph:

Policies Map:

### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

#### 4.(1) Legally Compliant

Yes ☒

No ☐

#### 4.(2) Sound

Yes ☐

No ☒

#### 4.(3) Complies with the Duty to Cooperate

Yes ☒

No ☐

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

This representation is part of a suite of representations made on Policy ST1; Policy ST15; site HS14 in Policy 28; and the Sustainability Appraisal.

#### Site Selection Methodology and Relationship to Neighbourhood Plan

Paragraph 5.1.52 of the Local Plan indicates that 'It is expected that the Large Rural Settlements will deliver about 1496 dwellings over the plan period. This will largely come from existing planning permissions and allocations in neighbourhood plans. There will be no new allocations except for the site proposed at Ollerton Road, Tuxford for 75 dwellings which will contribute to the housing requirement of Tuxford'.

Tuxford already has 105 dwellings already committed against a maximum growth in Policy ST2 of up to 250 dwellings across the plan period.

In comparison to the other Large Rural Settlements the picture is:

<u>Settlement</u>	<u>Policy ST2</u>	<u>Commitments (Aug 2021)</u>	<u>Remaining</u>
Blyth	111	92 (82.9%)	19 (17.1%)
Carlton in Lindrick & Costhorpe	515	844	minus 329
Langold	227	644	minus 417
Misterton	194	18 (9.3%)	176 (90.7%)
Tuxford	250	105 (42.0%)	145 (58.0%)

It is noted that the 'made' Neighbourhood Plan (2019) for Misterton does allocate 5 sites for a total of 187 dwellings which would exceed its remaining housing requirement. Also the 'made' Blyth Neighbourhood Plan allocates 3 sites for an estimated capacity of 60 dwellings which would exceed its remaining housing requirement.

It is unclear as to why only Tuxford has been chosen by the Local Plan to have a hybrid approach of having one site allocation with the remainder to be found by the Neighbourhood Plan. This approach undermines the work on the review of the Tuxford Neighbourhood Plan and does not allow either the Local Plan or the Neighbourhood Plan to consider all reasonable alternatives. Indeed, the LPA refers in Appendix 2 of the Site Selection Methodology (update August 2021) in relation to all other possible sites in Tuxford to *"Tuxford Neighbourhood Plan is in the process of being reviewed and all potentially suitable sites in the LAA can be considered for allocation through this process."*

Consequently, the Local Plan hides behind the review of the Neighbourhood Plan as a reason not to allocate every other possible site in Tuxford; thereby discounting them at Stage 3 in the site selection process. Accordingly, the Local Plan is unsound in not having appropriately considered all reasonable alternatives in the site selection process.

This approach is manifestly unreasonable and lacks the fairness and open & transparent process that must underpin any Local Plan production process.

As indicated already Tuxford has some 42% of its proposed housing requirement already committed. Given this there is no requirement for the Local Plan to find it necessary to allocate a site in order to be delivered early in the plan period.

The existing commitments in Tuxford will see growth of 8.4% in the number of dwellings within a short period of time. Accordingly, it would not be unreasonable for any additional allocations to be delivered in the later phases of the plan period. Accordingly, the rationale the Local Plan seeks to put forward for including one allocation has no sound basis.

Tuxford has a 'made' Neighbourhood Plan and this plan is currently undergoing a review; progress has been impacted by the Covid pandemic. As part of that review process there has been consultation on possible site allocations. This was undertaken in September 2019 and the fact that an allocation has now been included in the draft Local Plan is undermining the Neighbourhood Plan process, including the consultation undertaken. In addition, local residents are now confused about the relationship between the Neighbourhood Plan consultation and the inclusion of two sites in the previous draft Local Plan; and one site in this version of the draft Local Plan.

The Neighbourhood Plan consultation responses were returned to Bassetlaw DC which does not help with confusion between the two separate plans.

The Town Council will receive the latest update on the Tuxford Neighbourhood Plan on the 21<sup>st</sup> October 2021; the evening after this consultation ends. We are aware that Town Council has met with Bassetlaw District Council to discuss moving forward the review of the Tuxford Neighbourhood Plan. Progress on the Neighbourhood Plan was stalled due to the impact of the COVID-19 pandemic. However, it is clear that the Town Council and the LPA remain committed to moving forward the review of the Neighbourhood Plan. At its meeting on the 16<sup>th</sup> September 2021 the Town Council discussed the issue of regeneration of Tuxford being part of the Neighbourhood Plan review.

Given the priority placed on the redevelopment of previously developed land in Policies ST1 and ST2 of the emerging Local Plan; the Neighbourhood Plan review with its regeneration stance remains the most appropriate forum through which to consider land allocations across Tuxford. This can build upon the progress on site allocation options already undertaken in the early work on the Neighbourhood Plan review; and allow all reasonable alternative sites to be considered and assessed comprehensively at the same time.

## **Evidence**

As we raised previously the proposed site HS14 has not been comprehensively assessed in either the Land Availability Assessment process or the Site Selection Methodology in the form proposed for allocation. In the updated evidence to support the publication version of the Local Plan this fact has still not been addressed.

The Local Plan has failed to properly assess all reasonable alternatives in terms of site assessment options. This appears to be as a consequence of the incomprehensible decision to treat Tuxford differently to all other 'Large Rural Settlements' by looking to allocate a site in the Local Plan rather than have all site allocations considered in the Neighbourhood Plan process.

The site assessment methodology document identifies that a total of 9 potentially suitable alternative sites in Tuxford which could deliver up to 587 dwellings were discounted at stage 3 purely because the *"Tuxford Neighbourhood Plan is in the process of being reviewed and all potentially suitable sites in the LAA can be considered for allocation through this process."* These potential alternative sites are:

LAA087 (NP11) – Lodge Lane (261 Dwellings)  
LAA089 (NP03) – Bevercotes Lane (20 Dwellings)  
LAA090 (NP10) – South of Lincoln Road (154 Dwellings)  
LAA123 (NP02) – Brickyard Cottage \*  
LAA158 (NP17) – Lincoln Road (9 Dwellings)  
LAA202 (NP16) – Newcastle Street (51 Dwellings)  
LAA243 (NP18) – Gilbert Avenue (33 Dwellings)  
LAA477 (NP05) – Newcastle Street (53 Dwellings)  
LAA478 (NP06) – Newcastle Street (6 Dwellings)

Note \* - this site actually has planning permission and is almost complete

Potential reasonable alternatives such as site LAA090 (NP10) (east side of Tuxford off Lincoln Road) or LAA087 (NP11) (south of Tuxford east of Ashvale Road); warrant serious consideration. Site LAA087 (NP11) could for example provide scope within it for a relocated and expanded Primary School linked to the Secondary School and could still meet most if not all of the housing requirement for Tuxford.

Also, the recent granting of planning permission for the relocation of the Co-op convenience store on Ashvale Road will move more of the core services and facilities of Tuxford to the east of the A1 closer to other sites such as LAA090 (NP10) or LAA087 (NP11) or LAA158 (NP17) or LAA243 (NP18).

New previously developed sites such as LAA510 at Platts Harris, Eldon Street, which were added into the SHLAA (August 2021) have not even been considered at all in the site assessment methodology document.

### **Infrastructure Demand**

The site as with all new housing development will generate demand of additional pupil numbers. The Infrastructure Delivery Plan indicates that site HS14 will generate a need for 20 primary school places and 15 secondary school places.

Obtaining school capacity figures is not particularly straightforward as these are often not widely published, we have therefore used the school capacity figures published by Ofsted. It is accepted that parental choice impacts upon school planning and forecasting, however it would be reasonable to assume that development within Tuxford will impact on pupil numbers at Tuxford Primary Academy and Tuxford Academy.

Tuxford Primary Academy has a capacity of 240 pupils, but the school is currently oversubscribed by having 333 pupils. The 2021-22 Nottinghamshire school admission statistics anticipates the roll to be 339 pupils. This represents an anticipated roll of 99 pupils in excess of capacity, which is 41% over capacity before any additional development occurs.

The allocation of Site HS14 and the other committed housing of 105 units will collectively generate additional demand for a further 40 pupils (NP04 – 17; commitments - 23). This will result in an anticipated roll of 139 pupils in excess of capacity, which would then be 58% over capacity.

Tuxford Academy has a capacity of 1,462 with current numbers standing at 1,554. The 2021-22 Nottinghamshire school admission statistics anticipates the roll to be 1,550 pupils. This represents an anticipated roll of 88 pupils in excess of capacity, which is 6% over capacity before any additional development occurs.

The allocation of Site HS14 together with the committed 105 other dwellings collectively generate additional demand for a further 31 pupils (HS14 – 13; other commitments 18). This will result in an anticipated roll of 119 pupils in excess of capacity, which would then be 8% over capacity. *(Note – this figure would be increased by development proposed outside Tuxford but within the catchment area which covers other large settlements such as East Markham and also extends beyond Bassetlaw into Newark & Sherwood)*

Although financial contributions will be sought for expansion, it is noted that the Infrastructure Delivery Plan assumes that this additional capacity can be accommodated within expansion at existing schools. However, in relation to the Primary Academy the school site measures 11,991m<sup>2</sup> including the Sure Start Centre and Nursery or 10,847m<sup>2</sup> excluding the Sure Start Centre and Nursery. The Primary Academy operates on a constrained site with no additional land available for expansion.

Nottinghamshire County Council<sup>1</sup> states that a 210 pupil Primary School requires a gross area of 10,900m<sup>2</sup>, with a 420 pupil Primary School requiring a gross area of 19,300m<sup>2</sup>. With the increased pupil numbers arising the Tuxford Primary Academy will potentially have a total of 382 pupils. The Tuxford Primary Academy site is only sufficient in size for a 210-pupil school which is in fact less than its designed capacity. With the predicted impact of the developments proposed in Tuxford the school site will be around 8,450m<sup>2</sup> too small. This will substantially harm primary education in Tuxford and as such the Local Plan should be planning for a second site for the school or the relocation of the school to a new site and redevelopment of its existing site for housing. In this respect there would seem to be more logic in planning for a more comprehensive development centered on LAA087 (NP11), the Ashvale Road committed housing site and a new primary school created as part of an extended education campus next to Tuxford Academy.

## **Conclusion**

The failure to consider all reasonable alternative sites for allocation as part of a comprehensive analysis and consideration of all other potential sites around Tuxford including both potential Brownfield and Greenfield sites lacks justification and has been ineffective.

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<sup>1</sup> Strategic Planning of School Places - areas of land required for schools based on current DCSF guidance

**6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in Question 5 above.**

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

Delete the proposed site HS14 and allow the review of the Tuxford Neighbourhood Plan to consider other reasonable alternatives as part of a comprehensive analysis and consideration of all other potential sites around Tuxford including both potential Brownfield and Greenfield sites.

Within Tuxford there are a number of potential previously developed sites or sites where existing uses perhaps no longer represent the most beneficial use. These sites may more appropriately used for residential development with their existing use relocated for example to modern premises on an industrial estate. Such sites could include land to the rear of 10 Newcastle Street; Former Goods Yard on Lincoln Road; the Platts Harris site; and Land around Eastfield Farm.

In our view other potential sites Brownfield and Greenfield around Tuxford would have a better relationship to existing built form such as LAA087 (NP11), which if properly assessed as part of an overall strategy for the town could allow the opportunity for a new primary school to be created as part of an extended education campus next to Tuxford Academy as part of a new mixed-use allocation including new housing.

**Continue on a separate sheet if necessary**

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

**7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**

Yes, I wish to participate in hearing session(s)

Yes ☒

No, I do not wish to participate in hearing session(s)

No ☐

**8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

To exercise the right to appear and be heard by the Inspector at a hearing session as a person defined in section 20 (6) of the Planning and Compulsory Purchase Act 2004; namely as a person who has made a representation seeking a change to the plan within the deadline set by the LPA for Regulation 19 consultation responses.

To discuss how the site allocation process is not justified or effective and is contrary to national policy. Together with the fact that the process has failed to consider all the reasonable alternatives in Tuxford which has resulted in the choice of an inappropriate site that is not the most suitable site in Tuxford.

**Please note** that the inspector will make the final decision as to who is necessary to participate in hearing sessions, and to which hearing session(s) they should attend, and they will determine the most appropriate procedure to adopt to hear those who wish to participate at the examination hearings.



## Bassetlaw Local Plan 2020-2037

### Publication Version Representation Form September to October 2021

Please submit electronically if possible to [thebassetlawplan@bassetlaw.gov.uk](mailto:thebassetlawplan@bassetlaw.gov.uk)

**Please use this form** to provide representations on the Bassetlaw Local Plan. Bassetlaw District Council must receive representations by **5pm on 21st October 2021**. Only those representations received within this period have the statutory right to be considered by the inspector at the subsequent examination.

Responses can be submitted via the electronic version of the comment form which can be found on the Council's web site at: [www.bassetlaw.gov.uk/BassetlawPlan](http://www.bassetlaw.gov.uk/BassetlawPlan) Alternatively this form can be completed and returned as an e-mail attachment to [thebassetlawplan@bassetlaw.gov.uk](mailto:thebassetlawplan@bassetlaw.gov.uk) or by post to **Planning Policy, Queens Building, Potter Street, Worksop, Nottinghamshire, S80 2AH**

Please note:

- Representations must only be made on the basis of the legal compliance, compliance with the Duty to Co-operate and/or soundness of the Plan.

Please read the guidance note, available on the Council's webpage, before you make your representations. The Local Plan and the proposed submission documents, and the evidence base are also available to view and download from the Council's Local Plan webpage:

[www.bassetlaw.gov.uk/bassetlawplan](http://www.bassetlaw.gov.uk/bassetlawplan)

#### **Data Protection Notice:**

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Please tick/ delete as appropriate:

Please confirm you have read and understood the terms and conditions relating to GDPR.

Yes ☒

No ☐

Please tick as appropriate to confirm your consent for Bassetlaw District Council to publish and share your name/ organisation and comments regarding the Bassetlaw Local Plan.

I confirm my consent for Bassetlaw District Council to share my name/ organisation and comments regarding the Bassetlaw Local Plan including with the Planning Inspectorate.

Yes ☒

No ☐

Please tick as appropriate below if you wish to 'opt in' and receive updates and information about the Bassetlaw Local Plan.

I would like to opt in to receive information about the Bassetlaw Local Plan.

Yes ☒

No ☐

Printed Name: [REDACTED]

Signature: [REDACTED]

Date: 18/10/2021

**This form has two parts:**

**Part A - Personal details – need only to complete once.**

**Part B - Your representation(s) - Please fill in a separate sheet for each representation you wish to make.**

## Part A- Personal Details

### 1. Personal Details

Name:

[REDACTED]

Organisation (if applicable):

Address:

[REDACTED]

Postcode:

[REDACTED]

Tel:

[REDACTED]

Fax:

Email:

[REDACTED]

### 2. Agent Details (if applicable)

Agent:

[REDACTED]

Organisation (if applicable):

TOWN-PLANNING.CO.UK

Address:

South View, 16 Hounsfield Way, Sutton on Trent, Newark

Postcode:

NG23 6PX

Tel:

01636 822528 / 07521 731789

Fax:

Email:

mail@town-planning.co.uk

## Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: [REDACTED]

### 3. To which part of the Local Plan does your representation relate?

Policy: Policy 28 – Site HS14 Ollerton Road, Tuxford

Paragraph:

Policies Map:

### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

#### 4.(1) Legally Compliant

Yes ☒

No ☐

#### 4.(2) Sound

Yes ☐

No ☒

#### 4.(3) Complies with the Duty to Cooperate

Yes ☒

No ☐

**5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.** If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

This representation is part of a suite of representations made on Policy ST1; Policy ST15; site HS14 in Policy 28; and the Sustainability Appraisal.

The Local Plan preparation process has been littered with inconsistencies relating to this site, both in relation to its size and the reference given to it. It has in various documents been called site NP04 and site HS14; and has had a site size listed as 1.5Ha, 2.9Ha and 3.9Ha. This lack of clarity has been extremely unfortunate and may have resulted in confusion amongst the public. Changing site references during the Local Plan preparation process was described by an Inspector at a public examination where we were present as 'a highly regrettable mistake that had led to public confusion and had undermined the Local Plan preparation process by the necessary audit trail through evidence being less than transparent.'

Further adding to the confusion in the audit trail is that still confusingly this site has never been assessed on its own in the Land Availability Assessment (LAA), the LAA has assessed only site LAA476 which was a much larger site of 39.4Ha.

### **Housing Need**

The Bassetlaw Local Plan is now proposed to be based on an even higher annual housing provision of 591 dwellings per annum in Policy ST1 (up from 478 and 589 in the previous versions). This is more than double the 288 indicative local housing need published in December 2020 using the MHCLG (now LUHC) revised methodology.

The Local Plan approach to a growth strategy based on a higher annualised housing provision for the period 2020 to 2037; has resulted in the allocation of inappropriate or unsuitable sites for which there is in fact no unmet strategic housing need requirement to justify their allocation. Such an inappropriate site allocation is HS14 in Tuxford. Our full position on housing need is set out in our representation on Policy ST1; which is also relevant to underpin our position on site HS14.

### **Landscape Impact**

The proposed site allocation HS14 was not assessed within the 'Site Allocations: Landscape Study' document (dated November 2019). As we stated in our previous representations on the draft plan the proposed allocation was not supported by sufficient robust evidence to justify its allocation. Its omission from proper assessment in key evidence documents rendered the proposed allocation and the entire Local Plan unsound. That document only looked at proposed allocations in Harworth/Bircotes; Worksop; Retford; alongside possible employment sites around Markham Moor and the possible sites considered for a new settlement. Accordingly, in the original Landscape Study, the failure to assess sites in Tuxford appeared to be a serious omission, particularly given that this is the only settlement proposed for site allocations which has not been assessed in landscape terms.

Site HS14 has now been assessed in the 'Landscape Assessment Addendum Report' (October 2020). Rather confusingly this assessment uses the site reference LAA476; which in other documents is the reference used for the much larger site. In this document the assessment has however looked at the allocation currently proposed. However, even with this Addendum Report there is still a fundamental omission in that there has been no landscape assessment of the other reasonable site options in Tuxford. The second addendum to the landscape assessment in March 2021 also hasn't assessed the reasonable alternative sites.

It is notable that the 'Landscape Assessment Addendum Report' is damning in its conclusions on the landscape impact of the site. On visual connectivity it says: *"The site is clearly visible from the West, along Ollerton Road looking East. It is also clearly visible from the rear gardens of The Pastures and the houses off Long Lane. The public right of way, running along the eastern edge of the site provides clear views West over countryside. In addition, the site is highly visible from further West along Long Lane, a byway/farm track."*

It describes the site as: *"Although there are clear site boundaries to the North, East and South, the western boundary is completely undefined within an open extensively farmed landscape, as part of a very large field."*

The Report concludes: *"The site adjoins the built-up area however, it clearly extends into open countryside and occupies a prominent position in the local landscape. It is a medium-sized site which could make a reasonable contribution to the overall dwelling requirement. However, the harm to open countryside and landscape interests that would result from development is likely to outweigh the benefits of new housing."*

On the basis of this evidence the site allocation is not justified and given the clear and demonstrable harm that the LPA acknowledge; the site should be removed.

The proposed allocation of site HS14 conflicts with the made Tuxford Neighbourhood Plan; which states on landscape matters in paragraph 59: *"Where the site is on the edge of the town, it is important that the setting of the town and the visual connections with the countryside are maintained. Tuxford nestles in attractive rolling countryside; the topography of the town is discussed in the Tuxford Place Analysis and the rolling hills that surround the town afford views out to the countryside that are highly valued by local people."*

Policy ST2 of the Local Plan also requires: *"it positively responds to the design principles as identified in Policy ST35, and any relevant characterisation studies informing a made neighbourhood plan."* The proposed allocation conflicts with the above Neighbourhood Plan analysis, consequently it therefore also fails to meet the requirements of Policy ST2.

The Local Plan in paragraph 7.15.5 states: *"The site adjoins the edge of Tuxford and is therefore in a semi-rural location. Sensitive design must respond appropriately to the characteristics of the site identified by the Site Allocations: Landscape Study 201912, ensuring the scheme has a positive impact on the setting of the landscape and on views, particularly from the north and west towards the surrounding countryside. Appropriate landscaping should be incorporated along the eastern and southern boundaries to provide residents of neighbouring dwellings along Long Lane and The Pastures with appropriate amenity."*

The Local Plan has failed to refer to the conclusions of harm that would arise to the landscape in the 'Landscape Assessment Addendum Report'. The LPA is seeking to ignore this evidence which does not support its position.

Policy ST35 of the Local Plan requires development to appropriately protect and enhance existing landscape features, natural and heritage assets as an integral part of the development. The landscape harm that the 'Landscape Assessment Addendum Report' confirms means that the proposed site allocation would conflict with Policy ST35.

Policy ST37 requires development to respond to the visual relationship and environment around settlements and their landscape settings; and maintain significant views of sensitive skylines, river corridors, key landscapes and heritage features, and be supported by a landscape and visual impact assessment. The proposed allocation of HS14 is not supported by the 'Landscape Assessment Addendum Report'; accordingly, it fails to accord with Policy ST37. Factors such as the increased light pollution arising from a development of 75 dwellings on a key entrance to Tuxford would increase the landscape impact.

## **Heritage**

The 'Bassetlaw Heritage Methodology' (November 2020) which undertook site assessments with regard to the historic environment failed to assess site HS14 or indeed any other reasonable alternative site in Tuxford. Once again this is a serious omission, particularly given that this is the only settlement proposed for site allocations which has not been assessed in heritage terms. This seemed to be a particularly surprising omission given that the site HS14 lies on the opposite side of the road to the Tuxford Conservation Area, a designated heritage asset.

The Site Assessments (Historic Environment) Methodology Update (July 2021) has now retrofitted a heritage assessment to site HS14 and reasonable alternatives in Tuxford. Although it doesn't assess site LAA090 (NP10) to the south of Lincoln Road. This confirms that the majority of the reasonable alternative sites in Tuxford are suitable in heritage terms.

The site assessment in this latest methodology for the proposed site allocation concludes that there would be a negligible effect although uncertain on heritage assets. However, this conclusion still conflicts with the Sustainability Appraisal (SA) which identifies a major negative impact, as such the proposed allocation would conflict with Policy 35. It would also conflict with Policy 42 and Policy 43 which both look to protect the historic environment and heritage assets respectively. There are anomalies in the SA which we refer to in a separate representation.

## **Environmental Constraints**

Paragraph 174 b) of the NPPF seeks planning policies and decisions to contribute to and enhance the natural and local environment by: *"recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;"* The site is Grade 2 agricultural land which is of high quality and forms part of the definition of 'best and most versatile agricultural land'. Policy ST1 looks to minimise the use of the most versatile Grade 1-3 agricultural land, where practicable. As such the allocation of site HS14 conflicts with Policy ST1.

Grade 2 agricultural land is defined by Natural England<sup>1</sup> as: *"Very good quality agricultural land - Land with minor limitations which affect crop yield, cultivations or harvesting. A wide range of agricultural and horticultural crops can usually be grown. On some land in the grade there may be reduced flexibility due to difficulties with the production of the more demanding crops, such as winter harvested vegetables and arable root crops. The level of yield is generally high but may be lower or more variable than grade 1."*

Although most of Tuxford lies on Grade 2 agricultural land the proposed site here forms part of an extensive tract of best and most versatile agricultural land which makes it of greater agricultural benefit. Reasonable alternatives exist around Tuxford such as the 12 hectares of land between Lodge Lane and the Tuxford Academy which will become landlocked and unconnected to wider agricultural land.

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<sup>1</sup> <https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land#agricultural-land-classification-alc>

### **Accessibility and Highway Impact**

As indicated earlier whilst the site location does provide reasonable accessibility to some town centre services and facilities there is poor accessibility to some key services including the secondary school and GP surgery.

Tuxford suffers from limited accessibility due to the road bridge under the A1 being the only connection between the two halves of the Town. Policy 28 does refer to contributions towards the improvement of the existing public right of way at Long Lane for pedestrian access into the town. However Long Lane is not an adopted highway and we understand that the Lane has no clear ownership. Accordingly, as we indicated earlier this policy requirement cannot be delivered and this will make the social integration of this site more difficult.

The proposed allocation would represent a 'bolt-on' to the edge of Tuxford with few opportunities to create integration and linkages. It will be reliant upon pedestrian and cycle access running alongside the main A6075 which provides for a poor environment due to the HGV movements to/from the Walkers industrial estate and the Boughton industrial estate which is reliant on the A6075 for access due to low bridge in Ollerton. For example, Clipper logistics, a large scale B8 storage and distribution use for ASDA and others based at Boughton industrial estate is frequented by lorries too high to get under the low bridge in Ollerton.

There has been no assessment of the traffic generation from the proposed allocation as such the requirement for junction capacity improvements has not been assessed. Accordingly, the impact of a new access onto the A6075 on the free flow of traffic and in particular the relationship to HGV traffic using the Walkers industrial estate has not been assessed.

The A6075 road adjacent to the proposed site has a natural dip in the road, this creates a partial blind spot for cars entering or leaving the village. This has the potential to limit the potential locations for any new access and would be likely to need the access to be created on the rise which together with the slight curve in the A6075 would result in any new access being highly prominent in the streetscene.

Long Lane is a narrow lane which is not an adopted highway which directly serves around a dozen properties. Existing residential householders have indemnity insurance in place to protect their right of use due to this lack of ownership. It has no defined footway and as a shared surface private road pedestrian and vehicular conflict already arises.

The lane is not of sufficient width to allow two vehicles to pass and we understand that Long Lane is already used for regular access to agricultural fields by farm vehicles/heavy goods vehicles. It also provides access to Westwood Farm on occasions, access to maintenance of wind turbine on land owned by Westwood Farm, access to maintain the railway line and bridges by Network Rail and associated contractors. This use already presents a conflict between vehicles and pedestrians using the footpath or residents and their children living on Long Lane. Encouraging greater use of the public right of way would exacerbate the potential for vehicular and pedestrian conflict. This would not achieve the requirements of Policy ST35 of the Local Plan to prioritise safe, easy and direct pedestrian, cycle and public transport movement, and ensure the safe, convenient movement of all highway users.

The proposed site will be unduly reliant upon the A6075 to provide pedestrian and cycle linkages to the services and facilities of Tuxford. Much of the length of footway between the proposed site and the junction of Ollerton Road with Eldon Street is a narrow footway less than 1m in width immediately adjacent to a carriageway frequented by HGVs.

As such the proposed site allocation will struggle to be in a position to take the opportunity to improve the scope for access on foot; to provide a street layout that allow for easy pedestrian connections within and between neighbourhoods; to provide a layout that encourage walking, take up opportunities to promote sustainable transport modes; to provide safe and suitable access to the site for all users, to give priority to pedestrians both within the scheme and neighbouring area; address the needs of people with disabilities and reduced mobility in relation to all modes of transport; and to create a place that is safe that minimises conflicts between pedestrians, cyclists and vehicles. This would result in an unacceptable impact on highway safety and a failure to take the opportunities available to improve the character and quality of the area and the way it functions. Accordingly, the proposed allocation would be contrary to the objectives of the National Planning Policy Framework.

The Highway Authority has recently objected to two proposed developments opposite the proposed allocation (20/01644/FUL & 20/01654/FUL). In the latter of these the Highway Authority specifically identify the need to consider the existing 'dip' in the carriageway with regard to visibility. They stated: *"The applicant should provide accurate survey data to demonstrate that appropriate visibility splays are achievable from each proposed access, taking into account the vertical and horizontal alignment of Ollerton Road, plus the site gradients. A speed survey may potentially be required to establish vehicle speeds on Ollerton Road. Visibility in the vertical plane should normally be measured from a driver's eye height of 1.05m above the road surface (at the 2.4m 'x' distance) to a height of 0.26m. It would be unacceptable to 'lose' the headlights of an approaching vehicle in a dip within a visibility splay. All of the land within the splays must be within the applicant's control."* The LPA has not demonstrated that a safe access can be secured into the proposed site allocation having regard to both the vertical and horizontal alignment of Ollerton Road. As such the Local Plan fails to demonstrate the potential impacts of development on transport networks can be addressed satisfactorily as required by paragraph 104 of the NPPF.

### **Conclusion**

The allocation of HS14 has not been justified as part of a comprehensive analysis and consideration of all other potential sites around Tuxford including both potential Brownfield and Greenfield sites. Therefore, the proposed allocation lacks justification and is ineffective. It conflicts with other policies in the Local Plan and in National Policy.



**6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in Question 5 above.**

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

Delete the proposed site HS14 and allow the review of the Tuxford Neighbourhood Plan to consider other reasonable alternatives as part of a comprehensive analysis and consideration of all other potential sites around Tuxford including both potential Brownfield and Greenfield sites.

Within Tuxford there are a number of potential previously developed sites or sites where existing uses perhaps no longer represent the most beneficial use. These sites may more appropriately used for residential development with their existing use relocated for example to modern premises on an industrial estate. Such sites could include land to the rear of 10 Newcastle Street; Former Goods Yard on Lincoln Road; the Platts Harris site; and Land around Eastfield Farm.

In our view other potential sites Brownfield and Greenfield around Tuxford would have a better relationship to existing built form such as LAA087 (NP11), which if properly assessed as part of an overall strategy for the town could allow the opportunity for a new primary school to be created as part of an extended education campus next to Tuxford Academy as part of a new mixed-use allocation including new housing.

**Continue on a separate sheet if necessary**

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

**7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**

Yes, I wish to participate in hearing session(s)

Yes ☒

No, I do not wish to participate in hearing session(s)

No ☐

**8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

To exercise the right to appear and be heard by the Inspector at a hearing session as a person defined in section 20 (6) of the Planning and Compulsory Purchase Act 2004; namely as a person who has made a representation seeking a change to the plan within the deadline set by the LPA for Regulation 19 consultation responses.

To discuss how the site allocation process is not justified or effective and is contrary to national policy. Together with the fact that the process has failed to consider all the reasonable alternatives in Tuxford which has resulted in the choice of an inappropriate site that is not the most suitable site in Tuxford.

**Please note** that the inspector will make the final decision as to who is necessary to participate in hearing sessions, and to which hearing session(s) they should attend, and they will determine the most appropriate procedure to adopt to hear those who wish to participate at the examination hearings.



## Bassetlaw Local Plan 2020-2037

### Publication Version Representation Form September to October 2021

Please submit electronically if possible to [thebassetlawplan@bassetlaw.gov.uk](mailto:thebassetlawplan@bassetlaw.gov.uk)

**Please use this form** to provide representations on the Bassetlaw Local Plan. Bassetlaw District Council must receive representations by **5pm on 21st October 2021**. Only those representations received within this period have the statutory right to be considered by the inspector at the subsequent examination.

Responses can be submitted via the electronic version of the comment form which can be found on the Council's web site at: [www.bassetlaw.gov.uk/BassetlawPlan](http://www.bassetlaw.gov.uk/BassetlawPlan) Alternatively this form can be completed and returned as an e-mail attachment to [thebassetlawplan@bassetlaw.gov.uk](mailto:thebassetlawplan@bassetlaw.gov.uk) or by post to **Planning Policy, Queens Building, Potter Street, Worksop, Nottinghamshire, S80 2AH**

Please note:

- Representations must only be made on the basis of the legal compliance, compliance with the Duty to Co-operate and/or soundness of the Plan.

Please read the guidance note, available on the Council's webpage, before you make your representations. The Local Plan and the proposed submission documents, and the evidence base are also available to view and download from the Council's Local Plan webpage:

[www.bassetlaw.gov.uk/bassetlawplan](http://www.bassetlaw.gov.uk/bassetlawplan)

#### **Data Protection Notice:**

Under the General Data Protection Regulation 2016 (GDPR) and Data Protection Act 2018 (DPA) Bassetlaw District Council, Queen's Building, Potter Street, Worksop, Notts, S80 2AH is a Data Controller for the information it holds about you. The lawful basis under which the Council uses personal data for this purpose is consent.

All representations are required to be made public and will be published on the Council's website following this consultation. Your representations and name/name of your organisation will be published, but other personal information will remain confidential. Your data and comments will be shared with other relevant agencies involved in the preparation of the local plan, including the Planning Inspectorate. Anonymous responses will not be considered. Your personal data will be held and processed in accordance with the Council's Privacy Notice which can be viewed at: <https://www.bassetlaw.gov.uk/about-us/data-protection/departmental-privacy-notices/planning-policy-privacy-notice/>

Due to the Data Protection Act 2018, Bassetlaw District Council now needs your consent to hold your personal data for use within the Local Plan. If you would like the Council to keep you informed about the Bassetlaw Local Plan, we need to hold your data on file. Please tick the box below to confirm if you would like to 'opt in' to receive information about the Bassetlaw Local Plan. Note that choosing to 'opt in' will mean that the Council will hold your information for 2 years from the 'opt in' date. At this time we will contact you to review if you wish to 'opt in' again. You can opt-out at any time by emailing [thebassetlawplan@bassetlaw.gov.uk](mailto:thebassetlawplan@bassetlaw.gov.uk) or by calling 01909 533495.

For more information on how Bassetlaw District Council's Planning Policy department processes personal information about you, please see our main privacy notice at <https://www.bassetlaw.gov.uk/about-us/data-protection/departmental-privacy-notices/planning-policy-privacy-notice/>

Please tick/ delete as appropriate:

Please confirm you have read and understood the terms and conditions relating to GDPR.

Yes ☒

No ☐

Please tick as appropriate to confirm your consent for Bassetlaw District Council to publish and share your name/ organisation and comments regarding the Bassetlaw Local Plan.

I confirm my consent for Bassetlaw District Council to share my name/ organisation and comments regarding the Bassetlaw Local Plan including with the Planning Inspectorate.

Yes ☒

No ☐

Please tick as appropriate below if you wish to 'opt in' and receive updates and information about the Bassetlaw Local Plan.

I would like to opt in to receive information about the Bassetlaw Local Plan.

Yes ☒

No ☐

Printed Name: [REDACTED]

Signature: [REDACTED]

Date: 18/10/2021

**This form has two parts:**

**Part A - Personal details – need only to complete once.**

**Part B - Your representation(s) - Please fill in a separate sheet for each representation you wish to make.**

## Part A- Personal Details

### 1. Personal Details

Name:

[REDACTED]

Organisation (if applicable):

Address:

[REDACTED]

Postcode:

[REDACTED]

Tel:

[REDACTED]

Fax:

Email:

[REDACTED]

### 2. Agent Details (if applicable)

Agent:

[REDACTED]

Organisation (if applicable):

TOWN-PLANNING.CO.UK

Address:

[REDACTED]

Postcode:

[REDACTED]

Tel:

01636 822528 / [REDACTED]

Fax:

Email:

mail@town-planning.co.uk

## Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: [REDACTED]

### 3. To which part of the Local Plan does your representation relate?

Policy: Sustainability Appraisal

Paragraph:

Policies Map:

### 4. Do you consider the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

#### 4.(1) Legally Compliant

Yes ☒

No ☐

#### 4.(2) Sound

Yes ☐

No ☒

#### 4.(3) Complies with the Duty to Cooperate

Yes ☒

No ☐

- 5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.** If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

This representation is part of a suite of representations made on Policy ST1; Policy ST15; site HS14 in Policy 28; and the Sustainability Appraisal.

### **Sustainability Appraisal**

As we highlighted in the previous consultation the Sustainability Appraisal (SA) contains contradictory information in relation to the assessment of site HS14. The same contradictions are contained in the November 2020 SA. As such this document remains fundamentally flawed and undermines confidence in whether the site has been properly assessed. The site is assessed in Table 6.5 (SA Findings for Living Communities (Policies ST16-36)) and in the Table A6 - 45: Land south of Ollerton Road, Tuxford (NP04). It should be noted that the references in the SA are to the draft Plan and have not been amended in the SA Review in relation to the Bassetlaw Local Plan revised policies (June 2021 Regulation 18 Public Consultation).

The differences between the SA tables are as follows:

SA Objective	Table 6.5	Table A6-45
1. Biodiversity	+/-?	0
10. Air Quality	+	N/A
11. Climate Change	+	N/A
13. Cultural Heritage	--	0?
14. Landscape & Townscape	+/-?	-

These differences involve more than a third of the SA assessment criterion, as such this is a substantial level of difference.

The SA fails to have taken into account the finding of harm in the 'Landscape Assessment Addendum Report' (October 2020).

We have taken the SA assessment in the Table A6-45 in the appendices as our starting point as this relates to the site NP04 (now HS14). This table is also dated November 2020 and as such would appear to represent the most up-to-date assessment. This concludes that the site is likely to have a significant negative effect on the SA objectives of 'land use and soils' and 'cultural heritage'. We agree with these conclusions which weigh heavily against the suitability of this site to be allocated. It also concludes that there would be a negative effect on the SA objective of 'landscape and townscape'. We consider this underplays the harm identified in the 'Landscape Assessment Addendum Report' (October 2020).

However, in addition in our judgement the SA appears to incorrectly assess other aspects of the site, the differences between the SA table A6-45 and our assessment are as follows:

SA Objective	Table A6-45	Our Assessment
1. Biodiversity	0	0
2. Housing	+	+
3. Economy & Skills	+	+
4. Regeneration & Social Inclusion	+	+/-
5. Health & Wellbeing	++	+/-
6. Transport	+	+
7. Land Use & Soils	--	--
8. Water	0	0
9. Flood Risk	0	?
10. Air Quality	N/A	?
11. Climate Change	N/A	?
12. Resource Use & Waste	0	+
13. Cultural Heritage	--	--
14. Landscape & Townscape	-	--

Whilst the site location does provide reasonable accessibility to some town centre services and facilities there is poor accessibility to some key services including the secondary school and GP surgery. Tuxford suffers from limited accessibility due to the road bridge under the A1 being the only connection between the two halves of the Town. The site is not within 800m of the GP Surgery as the SA suggests, it is 910m away from the closest part of the site by the most direct route and 1.6km from the secondary school.

The proposed development would result in harm to primary school capacity as we explain in detail later. Policy 28 does refer to contributions towards the improvement of the existing public right of way at Long Lane for pedestrian access into the town. However Long Lane is not an adopted highway and we understand that the Lane has no clear ownership. Accordingly, this policy requirement cannot be delivered and this will make the social integration of this site more difficult. The proposal involves no regeneration benefits, given this and the issues of accessibility and integration and impact on primary school capacity means that we consider that the proposal has a 'mixture of positive and negative effects' on Regeneration and Social Inclusion.

In terms of Health and Wellbeing the poor accessibility to the GP Surgery; along with the need to enter an area of poorer air quality and a noise corridor (under the A1) to get to the GP Surgery; and the distances required to access other primary healthcare facilities together with harm to primary school capacity means that in our view the proposal has a 'mixture of positive and negative effects' on this criterion. In addition, any allocation in Tuxford will result in vehicle movements through the A1 underbridge, this is an area of poorer air quality and as this provides the only pedestrian and cycle linkage between the two halves of the town in our view it must be deemed 'uncertain' what effect the site would have on the air quality criterion.

Parts of Long Lane is at high risk of surface water flooding and the Environment Agency surface water flood risk mapping indicates that the farmland proposed to be allocated is the source of this surface water. Consequently, the allocation of this site has the potential due to the topography to exacerbate this surface water flood risk, therefore we consider that the assessment should be 'uncertain' what effect the site would have on this criterion.



The site is within the shadow of an existing wind turbine, there was previously concern expressed about the inter-relationship between this wind turbine and development with regard to noise and shadow flicker. There has been no assessment of this aspect, as such there is potential that new development could result in the need to cease use of the wind turbine. Therefore, we consider that the assessment should be 'uncertain' what effect the site would have on the climate change criterion.

In terms of the impact on landscape and townscape the comments of BDC Planning Policy on the Neighbourhood Plan concluded that: *"The landscape is very open, with long distance views to the south west. Character: the site adjoins a residential area which is suburban in character with residential development to one side. However, the site is not contained and is very open in character."* This view of the LPA and is not currently reflected in the SA conclusions. The proposed site has no existing boundaries to the south or west and would represent an artificial sub-division of a large area of high-quality farmland.

As identified in the 'Landscape Assessment Addendum Report' (October 2020) concluded: *"The site adjoins the built-up area however, it clearly extends into open countryside and occupies a prominent position in the local landscape. It is a medium-sized site which could make a reasonable contribution to the overall dwelling requirement. However, the harm to open countryside and landscape interests that would result from development is likely to outweigh the benefits of new housing."* This harm is in our view underplayed in the SA document.

The site is located within the Mid-Nottinghamshire Farmlands Landscape Character Area. The site is within Landscape Policy Zone MN11 and is classified for conserve and reinforce. The condition of the landscape is deemed 'good' and it received a sensitivity score of 'moderate'. Introduction of a stark urban edge would harm the existing landscape character where the transition from the open fields to the town is mitigated by existing mature boundary treatments; the dipping topography; and the single storey nature of the western half of The Pastures.

The site will be highly prominent from the western approach along the A6075 where the site will be unduly visible due to the approach road being over 10m in height above the site. The A6075 is at 75m AOD west of the Walkers industrial estate and is 73m AOD as you approach past the Walkers industrial estate; the site is at a height of around 60 to 62m AOD. Therefore, on this approach you get clear uninterrupted views of the edge of Tuxford; these views become more prominent as you reach the Walkers industrial estate.

Given the previously stated conclusions of the LPA in the 'Landscape Assessment Addendum Report'; the landscape character sensitivity; the lack of any existing boundaries; and the prominence; we are of the view that the site would have a 'significant negative' effect.

In our view the SA continues to fail to comply with paragraph 32 of the NPPF which states: *"Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered)."*

We have explained above under the SA heading the landscape and townscape impact including lack of physical boundaries, topography, prominence in views and landscape sensitivity which we don't repeat here for brevity.

Harm to these SA objectives would be exacerbated by the need to create a 2m wide footway along the highway which would require the removal of the existing hedgerow along Ollerton Road. Furthermore, the Ollerton Road street lighting will also require extending accordingly as will the village gateway signing and road markings. This will significantly change the western gateway into the town and result in a harsh urban gateway rather than the semi-rural gateway that exists at present.

The proposed site in our view would represent a stark bolt-on to the sensitive edge of Tuxford. In this regard it conflicts with Policy ST2 that requires: *"The location and size of the proposal does not conflict with the character and built form of that part of the settlement."* Policy ST37 also requires development on the edge of settlements to: *"Create a soft edge between the existing built form and the countryside."* The proposal would create a harsh edge to the built form and would therefore conflict with Policy ST37.

This change from semi-rural to harsh urban character would change the character and appearance of the Tuxford Conservation Area which runs along the southern side of Ollerton Road. This would harm the significance of this designated heritage asset and the provision of housing would not represent a public benefit that is sufficient to outweigh this harm, particularly when there are reasonable alternative sites available elsewhere that do not result in heritage harm and when the site is not required to meet the actual strategic housing need due to the Local Plan choosing to over-allocate housing. Consequently, in our view the statutory duty in s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 on local planning authorities to preserve and enhance conservation areas while undertaking their planning duties.

The adjacent part of the Conservation Area is within the Market Place character area where the Character Appraisal indicates that: *"The historic layout and plan form of the character area is predominantly characterised by buildings that front onto the street, often directly onto or close to the highway. Any new development, including infill or replacement, should seek to respect this character."* If this character were to be followed this would introduce substantial harm through the strong urbanisation of Ollerton Road. Modern suburban type of development that would be likely in a modern housing estate would be contradictory to this character which would also harm the character or appearance of the Conservation Area gateway.

Paragraph 200 of the NPPF states that: *"Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification."* In this case we consider that there is no such justification, as such the policy and allocation conflict with national planning policy.

It would also conflict with paragraph 127 c) of the NPPF which requires planning policies and decisions to ensure that developments: *"are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);"*

The open rural character of this gateway to Tuxford was considered in Appeal APP/A3010/W/18/3197118 which was for the site on the opposite side of the A6075. In that appeal the Inspector stated: *“The significance of the appeal site as part of the conservation area is derived from its openness which reflects the historic context of the rural settlement and its relationship with the surrounding agricultural land. Whilst the site has not been in agricultural use for some time it has remained free from development and, in its village edge location, preserves the rural character context and setting of the built environment.”*

Although for the site opposite the Inspector was clear that the land on Ollerton Road made an important contribution to the ‘village’s countryside setting’. The proposed allocation HS14 would be far greater in size; would be more prominent in landscape views than that previous appeal site. Consequently, it would result in even greater levels of harm than the Inspector concluded was appropriate to justify dismissal of the appeal opposite.

### **Conclusion**

The current SA is inconsistent in its conclusions relating to the site HS14. These inconsistencies undermine the robustness of the conclusions of the SA. In addition, the SA has in our judgement underplayed many of the impacts arising from the allocation of HS14. This makes the allocation of HS14 not justified, effective or consistent with National Policy. Accordingly, the allocation is considered to be unsound and not supported by the SA.

**6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in Question 5 above.**

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

Delete the proposed site HS14 and allow the review of the Tuxford Neighbourhood Plan to consider other reasonable alternatives as part of a comprehensive analysis and consideration of all other potential sites around Tuxford including both potential Brownfield and Greenfield sites.

Within Tuxford there are a number of potential previously developed sites or sites where existing uses perhaps no longer represent the most beneficial use. These sites may more appropriately used for residential development with their existing use relocated for example to modern premises on an industrial estate. Such sites could include land to the rear of 10 Newcastle Street; Former Goods Yard on Lincoln Road; the Platts Harris site; and Land around Eastfield Farm.

In our view other potential sites Brownfield and Greenfield around Tuxford would have a better relationship to existing built form such as LAA087 (NP11), which if properly assessed as part of an overall strategy for the town could allow the opportunity for a new primary school to be created as part of an extended education campus next to Tuxford Academy as part of a new mixed-use allocation including new housing.

**Continue on a separate sheet if necessary**

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**7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**

Yes, I wish to participate in hearing session(s)

Yes ☒

No, I do not wish to participate in hearing session(s)

No ☐

**8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

To exercise the right to appear and be heard by the Inspector at a hearing session as a person defined in section 20 (6) of the Planning and Compulsory Purchase Act 2004; namely as a person who has made a representation seeking a change to the plan within the deadline set by the LPA for Regulation 19 consultation responses.

To discuss how the site allocation process is not justified by the SA or effective and is contrary to national policy. Together with the fact that the process has failed to consider all the reasonable alternatives in Tuxford which has resulted in the choice of an inappropriate site that is not the most suitable site in Tuxford.

**Please note** that the inspector will make the final decision as to who is necessary to participate in hearing sessions, and to which hearing session(s) they should attend, and they will determine the most appropriate procedure to adopt to hear those who wish to participate at the examination hearings.