

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

REF Responses 021-030

REFERENCE NUMBER	ORGANISATION	PARTICIPATING IN HEARING SESSIONS
REF021	Sport England	Not indicated
REF022	Resident	No
REF023	Harris Lamb on behalf of Muller Property Group	Yes
REF024	Resident	No
REF025	Resident	Not indicated
REF026	Resident	Not indicated
REF027	Resident	Not indicated
REF028	Pegasus Group on behalf of Sunnyside Dairy Farms Limited	Yes
REF029	ID Planning on behalf of Lidl (Great Britain) Limited	Yes
REF030	Gerald Eve on behalf of EDF	Yes

REF021



[REDACTED]

From: [REDACTED]
Sent: 18 October 2021 11:56
To: The Bassetlaw Plan
Cc: Hanna Toth
Subject: 20211018 Bassetlaw Local Plan 2020-2037: Regulation 19 Publication Version

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

Thank you for consulting Soprt England on the above,

I hope following assessment of the whole plan, confirmation that the plan is considered as far as Sport England is concerned

- Legally compliant
- Sound and
- Complies with the duty to co-operate

We would take this opportunity to confirm that the following policies are supported.

ST3
ST4

HS 4 - protection of Playing field
HS13 – On site or off site contributions to outdoor and indoor sport as informed by evidence

ST35
ST39
ST44
ST45
ST46
ST47
ST55

[REDACTED]

[REDACTED] Manager [REDACTED]

Please Note my working days are Monday to Thursday

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

From: [REDACTED]
Sent: 18 October 2021 10:49
To: [REDACTED]
Subject: Bassetlaw Local Plan Reg19 Word forms
Importance: High

Hi [REDACTED]

As discussed over the phone, please see the attached response forms to this email.

Thank you for flagging up the ESB form issue as well, we are looking into it to make sure it is resolved!

Please note that on the Part B Form the formatting is inaccurate.

Question five (5), should be numbered question six(6), question six(6) should be numbered question seven(7) and question seven(7) should be numbered question eight(8).

If you have any further questions, please do not hesitate to get in touch!

Kindest regards,

[REDACTED]

[REDACTED]

Bassetlaw District Council
Queens Buildings
Potter Street
Worksop
Nottinghamshire S80 2AH
Tel.: (01909) 533 495/ (01909) 533 533

Please note this information is given at officer level only and does not prejudice any future decision made by the Council.



Planning Policy and Monitoring Officer

////

W: www.bassetlaw.gov.uk

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REF022



[REDACTED]

From: [REDACTED]
Sent: 18 October 2021 16:10
To: The Bassetlaw Plan
Subject: Bassetlaw Local Plan 2020-37 - Representation
Attachments: Lound NPSG Comments on BDC Plan Oct21[30134].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 representation on the above plan for Bassetlaw

Yours faithfully

[REDACTED]

Sent from [Mail](#) for Windows



Bassetlaw Local Plan 2020-2037

Publication Version Representation Form September to October 2021

Please submit electronically if possible to 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 Alternatively this form can be completed and returned as an e-mail attachment to thebassetlawplan@bassetlaw.gov.uk or by post to **Planning Policy, Queens Building, Potter Street, Worksop, Nottinghamshire, S80 2AH**

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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/>

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 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: 18/10/2021

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:

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 [REDACTED]

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 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), ~~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.

REF023



From:

To:

Subject:

Attachments:

19 October 2021 14:24

The Bassetlaw Plan

Bassetlaw Plan - Publication Version - Response by Muller Property Group

211019 Response to BLP Publication Version.pdf; MPG reg-19-form-a-b-12pt Strategic Objectives.docx; MPG reg-19-form-b-12pt ST1.docx; MPG reg-19-form-b-12pt ST3.docx; MPG reg-19-form-b-12pt ST15.docx; MPG reg-19-form-b-12pt Policy 27.docx

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Dear Sir or Madam

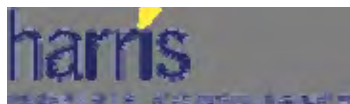
Please find attached a response by Muller Property Group to the Publication Plan.

Kind regards

Associate

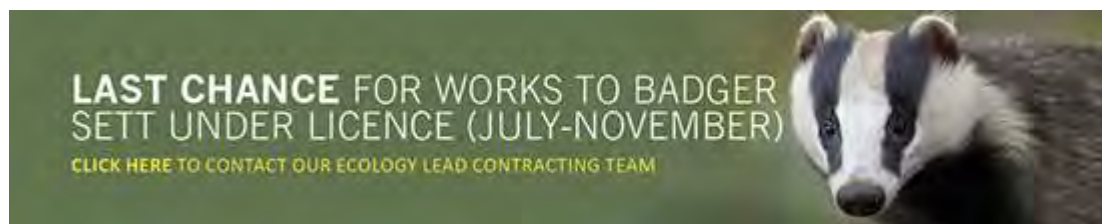
DDI 0121 410 2066

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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: 

Signature: 

Date: 19/10/2021

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): Muller property Group

Address: c/o Agent

Postcode:

Tel:

Fax:


Email:

2. Agent Details (if applicable)

Agent: 

Organisation (if applicable): Harris Lamb

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: Muller Property Group

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

Policy: Strategic Objectives

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 x ☒

No ☐

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.

MPG generally support the Strategic Objectives that have been identified, specifically objectives 1, 2 and 3 which seek to direct development to sustainable locations and to ensure that sufficient land is made available to meet housing and employment needs over the Plan Period. The only Strategic Objective we have reservations about is the Council's intention to pursue a Garden Village within this Plan Period (Objective 5), a point we will return to below.

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.

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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:

As a promoter of an alternative site for development we would like to present our views on the potential of the omission site to be allocated in the Plan.

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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: Muller Property Group

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 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.

The Council set out its spatial strategy for development in Chapter 5, noting that at the heart of this is the need to use sustainable development as the framework for growth and change in Bassetlaw. MPG do not disagree with this intention. The Council go on to state at paragraph 5.1.9 that the spatial strategy promotes a 'step change' in the District's economy and that the Council are seeking to retain employment locally, provide opportunities for better paid, higher skilled jobs and increase productivity. It goes on to state that *"It seeks to align economic growth with the housing offer, by providing the right type of new homes in the right places, so that past trends of out-migration are rebalanced. This will ensure the sustainability of our area in the future as a place to both live and work."* In doing so, the strategy seeks to align itself with the priorities of the D2N2 Recovery and Growth Strategy. MPG are fully supportive of this economic led, jobs growth strategy that is proposed by the Council.

Having identified that the Plan's strategy is to be economic led, it goes on to identify that it is seeking the creation of 9,735 jobs over the Plan Period, of which 5,878 are anticipated to be provided within the General Employment Sites (the sites most likely to accommodate the D2N2 growth sectors and meet identified local employment needs). Due to the Council's significant supply of employment land (circa 287 hectares) it feels well placed to be able to deliver this level of job creation.

In seeking to deliver an economic/jobs led strategy, the Council note at paragraph 5.1.10 that this will have a knock-on effect on the supply and delivery of housing, including affordable and specialist housing in the District, along with new infrastructure. However, the Council note that the current standard method for calculating housing need indicates that the minimum housing need for the District is 288 dwellings per annum (dpa).

If the Council pursued the standard method housing requirement of 288 dpa against its job creation target of 9,735 jobs, this would lead to an imbalance between the two leading to unplanned housing growth across the District. As such, the Council are proposing a significantly higher housing requirement than the standard method figure of 589 dpa, in order that this can support the full extent of the jobs growth that is sought by the Council. MPG welcome and support the Council's stated objective of securing economic growth and job creation and vis a vis the need to plan for significantly more dwellings than the minimum housing need as identified by the standard method. Clearly more than doubling the housing requirement over and above the minimum housing need is an ambitious strategy, but it is one that does seek to boost the supply of housing and which will also hopefully secure economic growth and inward investment, both of which are key objectives of Government policy as set out in the Framework. In seeking to deliver this level of housing growth, MPG maintain that it is essential that the Council identifies the right sites, in the right location, in order that they can meet this demand in a timely manner.

In setting out its spatial strategy, the Council acknowledge at paragraph 5.1.38 that not all new housing can be accommodated on previously developed land and that two Sustainable Urban Extensions are planned at Worksop and Retford. In addition, a large Garden Village is also planned that will ostensibly deliver more growth for the next Plan Period than the current one, albeit that it is envisaged to make a modest contribution to housing supply in the emerging Plan. We return to this point below.

In light of comments above, our response to Policy ST1 is:

- Support the focus on delivering 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 centre;
- Support the provision of 591 dpa
- Support the provision of 2,128 dwellings in Retford
- Object to the provision of 500 dwellings at the Retford Garden Village in the current plan period
- Support the creation of at least 9,735 jobs

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

Whilst generally we consider that the proposed strategy is acceptable in terms of the quantum of development and where this is to be located we do not consider that the policy is sound as we do not agree that the selection of sites to deliver the growth, particularly in Retford, are the correct ones. As such, we do not consider the Plan sound as it is not justified. In order to address our concerns we contend that the Council should allocate the land to the north of Retford instead for residential development instead of the Retford Garden Village site.

Continue on a separate sheet if necessary

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

Yes x ☒

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:

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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: Muller Property Group

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

Policy: ST3

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.

The Bassetlaw Garden Village site allocation encompasses 223 hectares of land adjacent to the junction of A1/A57, which is intended to be developed for a mix of uses, including both residential and employment, in accordance with the principles of the Bassetlaw Garden Village Vision Statement. The Framework, at paragraph 73, states that the supply of large numbers of new homes can best be achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities.

In light of the guidance in the Framework, MPG do not object in principle to the proposal for a Garden Village within Bassetlaw. However, we do have concerns over the proposal mainly due to its location away from existing development. The proposal is for a completely new settlement on a greenfield site that is located away from existing settlements. The principal reason it appears for choosing the site is its proximity to the strategic road network, which raises issues over whether this is the most sustainable choice for a new settlement. Clearly, as the site is a completely new site, there are no existing services, facilities or infrastructure to link in to and that everything will need to be created from scratch. Whilst in the fullness of time this is perfectly feasible, we note that the Council are anticipating that 500 dwellings will be delivered on the site in the emerging Plan Period i.e. before 2037, but that a further 3,500 dwellings are planned for the next Plan Period.

The acknowledgement that the Garden Village is intended to deliver more development in the next Local Plan is welcomed, as our experience elsewhere indicates that it can take many years for large strategic sites of the scale envisaged here to come on stream. This can be due to the need to construct and implement significant new infrastructure to serve the development, which may be the case here due to the fact that this is a greenfield site with no existing facilities present on it or within the vicinity. Whilst the Council have been relatively conservative in their assessment of what the site is expected to deliver in this plan period, MPG contend that in light of the concerns expressed above about the creation of new infrastructure at the site, whether the site will in fact deliver the 500 dwellings it is anticipated to do so in this Plan Period. If not, MPG contend that a flexibility allowance should be added to the housing requirement in case that the Garden Village site does not deliver the expected number of dwellings that have been identified for it.

It is noted that at present the Plan does not propose a flexibility allowance to take account of non-implementation of any of the proposed draft allocations. As such, we would propose that a flexibility allowance of at least 15% above the housing requirement would be appropriate. This would not only provide an allowance if some of the smaller draft allocations did not come forward as expected but would provide a buffer if the Garden Village did not come on stream as quick as is hoped. By incorporating a flexibility allowance, this will hopefully enable the Council to maintain a five year supply of housing.

If a flexibility allowance is to be incorporated then MPG consider that additional sites should also be allocated for development. MPG's site to the north of Bigsby Road, Retford is one such site that is considered suitable to meet the housing needs of the District going forward. We set out the reasons for this below.

In summary, MPG do not object in principle to the intention to create a new Garden Village at the junction of the A1/A57. However, as this is in effect creating a new settlement from scratch, MPG consider that it represents a longer term development option and that as such, it should be planned for now in terms of identifying the site but that the Council should look to the next Plan Period for any development on it to go towards meeting future housing and employment land needs. In doing so, this will provide greater certainty that the site will deliver in the longer term. In light of MPG's concerns over the deliverability of housing on the Garden Village in the emerging Plan Period, we consider that an alternative allocation or allocations should be identified now to accommodate the 500 dwellings that are currently planned to come forward on the site instead.

As it stands, the Council have identified 500 dwellings to be delivered on the Garden Village site by 2037. In light of the inherent concerns about getting a site of this size underway in a timely manner, MPG consider that if the Council do decide to include the 500 dwellings in its housing supply for this plan that a flexibility allowance of at least 15% is applied in case of non-delivery on this, and other allocated sites. In doing so, this will guard against any shortfalls in the supply to meet the Council's housing needs over the Plan Period.

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 do not consider the Plan sound as it will not be effective in delivering the growth set out over the Plan Period. In order to address our concerns we consider that alternative SUEs around the more sustainable settlements such as the land north of Bigsby Road in Retford should be considered as an alternative allocation.

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.

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:

As a promoter of an alternative site for development we would like to present our views on the potential of the omission site to be allocated in the Plan.

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

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: Muller Property Group

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

Policy: ST15

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.

In our response to Policy ST1, MPG were generally supportive of the spatial strategy for development both in terms of the quantity of new housing proposed and the quantum that is to be directed to Retford. However, MPG do have concerns about how the new houses that are planned are to be delivered, which focuses on the Council's choice of its draft allocations. In our response to Policy ST3 we have outlined our concerns about the inclusion of 500 dwellings coming forward on the Garden Village site in this Plan Period, noting that it would be in our view be more robust to delay these until the next Plan Period. In doing so, there would be a need to identify an alternative site or sites to deliver in the region of 500 dwellings.

In addition, Policy ST15 identifies sites HS7 – HS13 as draft housing allocations in and around Retford to deliver 1,631 dwellings. Policy ST1 identifies a requirement for 2,128 dwellings to be delivered in Retford over the Plan Period. Whilst there are likely to be some outstanding commitments that are yet to have been started, MPG consider that there are potentially over 500 dwellings that will need to come forward as windfalls within the town to meet the Town's needs in the period up to 2037. MPG consider that rather than relying on windfalls to meet this need, the Council should identify other draft allocations to meet this identified need. MPG's site to the north of Bigsby Road is one such that is considered suitable to meet these needs.

MPG have previously promoted two planning applications on land to the north of Retford. The latest application (19/01360/OUT) was recommended for approval by Officers, although ultimately refused by Members. The Committee Report confirmed that there were no technical, physical or environmental reasons that would prevent the delivery of the site and that on balance the benefits of granting planning permission would outweigh the harm of doing so. The Planning Inspector determining the subsequent appeal took a different view, particularly on highway matters that would likely affect all new development in Retford having regard to his reasoning, and the appeal was dismissed.

Notwithstanding the appeal decision, MPG are of the view that the issues raised by the Inspector are capable of being addressed and that the site is suitable for development and should be allocated as such in the Local Plan.

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 do not consider the plan sound as it is not effective in that the draft allocations that are included will not deliver the housing needs for the town in full and that additional sites are needed. To address our concerns we consider that alternative SUEs around the more sustainable settlements such as the land north of Bigsby Road in Retford should be considered as an alternative allocation.

Continue on a separate sheet if necessary

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

Yes x ☒

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

No ☐

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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: Muller Property Group

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

Policy: 27

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.

The land in MPG's control that was refused planning permission extends to just over 7 hectares in size. However, MPG also control an additional 12 - 13 hectares as part of the same landholding, totalling just under 20 hectares. A site location is attached. MPG note the Council's intention to allocate land at Ordsall South, Retford (HS13) for 1,250 dwellings. MPG wish to object to the draft allocation on the basis that if allocated and developed accordingly, then it would have an unacceptable impact on the Green Gap between Retford and Eaton. MPG's wider land holding to the north east of Retford is not affected by a Green Gap policy and could accommodate development without eroding the separation between settlements. In landscape terms, this is considered a significant benefit of MPG's site over the Council's preferred allocation.

In light of the ability of MPG's site to accommodate development, the size of the HS13 allocation should be reduced, thereby limiting the impact of the development on the Green Gap between Retford and Eaton. The work undertaken in support of the outline planning application at MPG's site confirmed that there would be limited landscape and visual impact and as such, MPG contend that its site would provide an alternative, less constrained site than the HS13 site. In addition, the land to the north of Bigsby Road is slightly closer to the town centre than the HS13 allocation.

MPG, therefore, suggest that the size of the HS13 allocation is reduced so that it limits the impact on the Green Gap between Retford and Eaton and that instead the land to the north of Bigsby Road is allocated for housing instead, and by doing so the overall housing requirement for Retford could still be met in a more sustainable way, with less impact (particularly landscape impacts).

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 do not consider the plan sound as it is not effective and that the proposed SUE to the south west of Retford will not deliver as expected. To address our concerns we consider that alternative SUEs around the more sustainable settlements such as the land north of Bigsby Road in Retford should be considered as an alternative allocation.

Continue on a separate sheet if necessary

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

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Our Ref: P1556/JP
Date: 19th October 2021

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Edgbaston
Birmingham B16 8SP

T 0121 455 9455
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Planning Policy
Bassetlaw District Council
Queens Building
Potter Street
Worksop
Nottinghamshire
S80 2AH

BY EMAIL ONLY: thebassetlawplan@bassetlaw.gov.uk

Dear Sir or Madam

**Draft Bassetlaw Local Plan
Response by Muller Property Group**

We are instructed by Muller Property Group ('**MPG**') to submit representations to the Publication Version of the Bassetlaw Local Plan and welcome the opportunity to comment at this time. MPG are promoting land to the north east of Retford for residential development. In total, MPG control and are promoting approximately 20 hectares of land to accommodate in the range of 450 – 500 dwellings. It is with this objective in mind that these representations should be read. We set out our detailed comments below.

Strategic Objectives

MPG generally support the Strategic Objectives that have been identified, specifically objectives 1, 2 and 3 which seek to direct development to sustainable locations and to ensure that sufficient land is made available to meet housing and employment needs over the Plan Period. The only Strategic Objective we have reservations about is the Council's intention to pursue a Garden Village within this Plan Period (Objective 5), a point we will return to below.

Policy ST1: Bassetlaw's Spatial Strategy

The Council set out its spatial strategy for development in Chapter 5, noting that at the heart of this is the need to use sustainable development as the framework for growth and change in Bassetlaw. MPG do not disagree with this intention. The Council go on to state at paragraph 5.1.9 that the spatial strategy promotes a 'step change' in the District's economy and that the Council are seeking to retain employment locally, provide opportunities for better paid, higher skilled jobs and increase productivity. It goes on to state that *"It seeks to align economic growth with the housing offer, by providing the right type of new homes in the right places, so that past trends of out-migration are rebalanced. This will ensure the sustainability of our area in the future"*.

BIRMINGHAM
0121 455 9455
NOTTINGHAM
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WOLVERHAMPTON
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01905 22666



as a place to both live and work.” In doing so, the strategy seeks to align itself with the priorities of the D2N2 Recovery and Growth Strategy. MPG are fully supportive of this economic led, jobs growth strategy that is proposed by the Council.

Having identified that the Plan’s strategy is to be economic led, it goes on to identify that it is seeking the creation of 9,735 jobs over the Plan Period, of which 5,878 are anticipated to be provided within the General Employment Sites (the sites most likely to accommodate the D2N2 growth sectors and meet identified local employment needs). Due to the Council’s significant supply of employment land (circa 287 hectares) it feels well placed to be able to deliver this level of job creation.

In seeking to deliver an economic/jobs led strategy, the Council note at paragraph 5.1.10 that this will have a knock-on effect on the supply and delivery of housing, including affordable and specialist housing in the District, along with new infrastructure. However, the Council note that the current standard method for calculating housing need indicates that the minimum housing need for the District is 288 dwellings per annum (dpa).

If the Council pursued the standard method housing requirement of 288 dpa against its job creation target of 9,735 jobs, this would lead to an imbalance between the two leading to unplanned housing growth across the District. As such, the Council are proposing a significantly higher housing requirement than the standard method figure of 589 dpa, in order that this can support the full extent of the jobs growth that is sought by the Council. MPG welcome and support the Council’s stated objective of securing economic growth and job creation and vis a vis the need to plan for significantly more dwellings than the minimum housing need as identified by the standard method. Clearly more than doubling the housing requirement over and above the minimum housing need is an ambitious strategy, but it is one that does seek to boost the supply of housing and which will also hopefully secure economic growth and inward investment, both of which are key objectives of Government policy as set out in the Framework. In seeking to deliver this level of housing growth, MPG maintain that it is essential that the Council identifies the right sites, in the right location, in order that they can meet this demand in a timely manner.

In setting out its spatial strategy, the Council acknowledge at paragraph 5.1.38 that not all new housing can be accommodated on previously developed land and that two Sustainable Urban Extensions are planned at Worksop and Retford. In addition, a large Garden Village is also planned that will ostensibly deliver more growth for the next Plan Period than the current one, albeit that it is envisaged to make a modest contribution to housing supply in the emerging Plan. We return to this point below.

In light of comments above, our response to Policy ST1 is:

- Support the focus on delivering 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 centre;
- Support the provision of 591 dpa
- Support the provision of 2,128 dwellings in Retford
- Object to the provision of 500 dwellings at the Retford Garden Village in the current plan period
- Support the creation of at least 9,735 jobs

Whilst generally we consider that the proposed strategy is acceptable in terms of the quantum of development and where this is to be located we do not consider that the policy is sound as we do not agree that the selection of sites to deliver the growth, particularly in Retford, are the correct ones. As such, we do not consider the Plan sound as it is not justified. In order to address our

concerns we contend that the Council should allocate the land to the north of Retford instead for residential development instead of the Retford Garden Village site.

Policy ST3: Bassetlaw Garden Village Site Allocation

The Bassetlaw Garden Village site allocation encompasses 223 hectares of land adjacent to the junction of A1/A57, which is intended to be developed for a mix of uses, including both residential and employment, in accordance with the principles of the Bassetlaw Garden Village Vision Statement. The Framework, at paragraph 73, states that the supply of large numbers of new homes can best be achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities.

In light of the guidance in the Framework, MPG do not object in principle to the proposal for a Garden Village within Bassetlaw. However, we do have concerns over the proposal mainly due to its location away from existing development. The proposal is for a completely new settlement on a greenfield site that is located away from existing settlements. The principal reason it appears for choosing the site is its proximity to the strategic road network, which raises issues over whether this is the most sustainable choice for a new settlement. Clearly, as the site is a completely new site, there are no existing services, facilities or infrastructure to link in to and that everything will need to be created from scratch. Whilst in the fullness of time this is perfectly feasible, we note that the Council are anticipating that 500 dwellings will be delivered on the site in the emerging Plan Period i.e. before 2037, but that a further 3,500 dwellings are planned for the next Plan Period.

The acknowledgement that the Garden Village is intended to deliver more development in the next Local Plan is welcomed, as our experience elsewhere indicates that it can take many years for large strategic sites of the scale envisaged here to come on stream. This can be due to the need to construct and implement significant new infrastructure to serve the development, which may be the case here due to the fact that this is a greenfield site with no existing facilities present on it or within the vicinity. Whilst the Council have been relatively conservative in their assessment of what the site is expected to deliver in this plan period, MPG contend that in light of the concerns expressed above about the creation of new infrastructure at the site, whether the site will in fact deliver the 500 dwellings it is anticipated to do so in this Plan Period. If not, MPG contend that a flexibility allowance should be added to the housing requirement in case that the Garden Village site does not deliver the expected number of dwellings that have been identified for it.

It is noted that at present the Plan does not propose a flexibility allowance to take account of non-implementation of any of the proposed draft allocations. As such, we would propose that a flexibility allowance of at least 15% above the housing requirement would be appropriate. This would not only provide an allowance if some of the smaller draft allocations did not come forward as expected but would provide a buffer if the Garden Village did not come on stream as quick as is hoped. By incorporating a flexibility allowance, this will hopefully enable the Council to maintain a five year supply of housing.

If a flexibility allowance is to be incorporated then MPG consider that additional sites should also be allocated for development. MPG's site to the north of Bigsby Road, Retford is one such site that is considered suitable to meet the housing needs of the District going forward. We set out the reasons for this below.

In summary, MPG do not object in principle to the intention to create a new Garden Village at the junction of the A1/A57. However, as this is in effect creating a new settlement from scratch, MPG

consider that it represents a longer term development option and that as such, it should be planned for now in terms of identifying the site but that the Council should look to the next Plan Period for any development on it to go towards meeting future housing and employment land needs. In doing so, this will provide greater certainty that the site will deliver in the longer term. In light of MPG's concerns over the deliverability of housing on the Garden Village in the emerging Plan Period, we consider that an alternative allocation or allocations should be identified now to accommodate the 500 dwellings that are currently planned to come forward on the site instead.

As it stands, the Council have identified 500 dwellings to be delivered on the Garden Village site by 2037. In light of the inherent concerns about getting a site of this size underway in a timely manner, MPG consider that if the Council do decide to include the 500 dwellings in its housing supply for this plan that a flexibility allowance of at least 15% is applied in case of non-delivery on this, and other allocated sites. In doing so, this will guard against any shortfalls in the supply to meet the Council's housing needs over the Plan Period.

We do not consider the Plan sound as it will not be effective in delivering the growth set out over the Plan Period. In order to address our concerns we consider that alternative SUEs around the more sustainable settlements such as the land north of Bigsby Road in Retford should be considered as an alternative allocation.

Policy ST15: Housing Distribution

In our response to Policy ST1, MPG were generally supportive of the spatial strategy for development both in terms of the quantity of new housing proposed and the quantum that is to be directed to Retford. However, MPG do have concerns about how the new houses that are planned are to be delivered, which focuses on the Council's choice of its draft allocations. In our response to Policy ST3 we have outlined our concerns about the inclusion of 500 dwellings coming forward on the Garden Village site in this Plan Period, noting that it would be in our view be more robust to delay these until the next Plan Period. In doing so, there would be a need to identify an alternative site or sites to deliver in the region of 500 dwellings.

In addition, Policy ST15 identifies sites HS7 – HS13 as draft housing allocations in and around Retford to deliver 1,631 dwellings. Policy ST1 identifies a requirement for 2,128 dwellings to be delivered in Retford over the Plan Period. Whilst there are likely to be some outstanding commitments that are yet to have been started, MPG consider that there are potentially over 500 dwellings that will need to come forward as windfalls within the town to meet the Town's needs in the period up to 2037. MPG consider that rather than relying on windfalls to meet this need, the Council should identify other draft allocations to meet this identified need. MPG's site to the north of Bigsby Road is one such that is considered suitable to meet these needs.

MPG have previously promoted two planning applications on land to the north of Retford. The latest application (19/01360/OUT) was recommended for approval by Officers, although ultimately refused by Members. The Committee Report confirmed that there were no technical, physical or environmental reasons that would prevent the delivery of the site and that on balance the benefits of granting planning permission would outweigh the harm of doing so. The Planning Inspector determining the subsequent appeal took a different view, particularly on highway matters that would likely affect all new development in Retford having regard to his reasoning, and the appeal was dismissed.

Notwithstanding the appeal decision, MPG are of the view that the issues raised by the Inspector are capable of being addressed and that the site is suitable for development and should be allocated as such in the Local Plan.

We do not consider the plan sound as it is not effective in that the draft allocations that are included will not deliver the housing needs for the town in full and that additional sites are needed. To address our concerns we consider that alternative SUEs around the more sustainable settlements such as the land north of Bigsby Road in Retford should be considered as an alternative allocation.

Policy 27: Site HS13: Ordsall South, Retford

The land in MPG's control that was refused planning permission extends to just over 7 hectares in size. However, MPG also control an additional 12 - 13 hectares as part of the same landholding, totalling just under 20 hectares. A site location is attached. MPG note the Council's intention to allocate land at Ordsall South, Retford (HS13) for 1,250 dwellings. MPG wish to object to the draft allocation on the basis that if allocated and developed accordingly, then it would have an unacceptable impact on the Green Gap between Retford and Eaton. MPG's wider land holding to the north east of Retford is not affected by a Green Gap policy and could accommodate development without eroding the separation between settlements. In landscape terms, this is considered a significant benefit of MPG's site over the Council's preferred allocation.

In light of the ability of MPG's site to accommodate development, the size of the HS13 allocation should be reduced, thereby limiting the impact of the development on the Green Gap between Retford and Eaton. The work undertaken in support of the outline planning application at MPG's site confirmed that there would be limited landscape and visual impact and as such, MPG contend that its site would provide an alternative, less constrained site than the HS13 site. In addition, the land to the north of Bigsby Road is slightly closer to the town centre than the HS13 allocation.

MPG, therefore, suggest that the size of the HS13 allocation is reduced so that it limits the impact on the Green Gap between Retford and Eaton and that instead the land to the north of Bigsby Road is allocated for housing instead, and by doing so the overall housing requirement for Retford could still be met in a more sustainable way, with less impact (particularly landscape impacts).



We do not consider the plan sound as it is not effective and that the proposed SUE to the south west of Retford will not deliver as expected. To address our concerns we consider that alternative SUEs around the more sustainable settlements such as the land north of Bigsby Road in Retford should be considered as an alternative allocation.

Should you have any comments or queries on the above or would like to meet to discuss the site please do not hesitate to contact me in the first instance.

Yours faithfully



Associate

cc S Bourne – Muller Property Group

REF024



[REDACTED]

From: [REDACTED]
Sent: 18 October 2021 16:10
To: The Bassetlaw Plan
Subject: Bassetlaw Local Plan 2020-37 - Representation
Attachments: Lound NPSG Comments on BDC Plan Oct21[30134].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 representation on the above plan for Bassetlaw

Yours faithfully

[REDACTED]

Sent from [Mail](#) for Windows



Bassetlaw Local Plan 2020-2037

Publication Version Representation Form September to October 2021

Please submit electronically if possible to 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 Alternatively this form can be completed and returned as an e-mail attachment to 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

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.

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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: 19/10/2021

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:

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



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 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. As a villager I believe that, any additional development above that which is required, the process should be through the neighbourhood plan and should remain as a mandatory gate for any additional planning 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.

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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

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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:

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.

REF025



[REDACTED]

From: [REDACTED]
To: The Bassetlaw Plan
Subject: Regulations 19 and 20: Bassetlaw Local Plan 2020-2037: Publication Version, August 2021 & Regulations 16 and 17: Bassetlaw Community Infrastructure Levy - Draft Charging Schedule
Attachments: Reg 19-20 response [REDACTED]

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Dear Sir/madam

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Let me know if there are any queries re this comments Form.

Regards

[REDACTED]

From: The Bassetlaw Plan <TheBassetlawPlan@bassetlaw.gov.uk>
Sent: 02 September 2021 16:00
To: The Bassetlaw Plan <TheBassetlawPlan@bassetlaw.gov.uk>
Subject: Regulations 19 and 20: Bassetlaw Local Plan 2020-2037: Publication Version, August 2021 & Regulations 16 and 17: Bassetlaw Community Infrastructure Levy - Draft Charging Schedule



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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

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Yes ☒

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 ☒

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:

20th Oct 2021.

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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 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:

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: [REDACTED]

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

Policy: POLICY 16:SITE HS1

Paragraph: PEAKS HILL FARM

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.

The plan has not fully considered the transport issues that will be created if a huge volume of additional housing is developed in the area.

Building over 1000 new houses on Peaks Hill will result in a massive increase in people commuting in and out of Worksop by road and rail. The employment opportunities in Worksop are very limited and this will remain the case even if new businesses are developed on Peaks Hill. Most people buying these new properties will therefore need to commute to work. There are already huge pressures on Worksop's commuting infrastructure. The connecting roads in and out of Worksop are congested single lane roads that are already full of traffic during peak commuter periods. Also, the train service from Worksop to Sheffield is poor, unreliable, and already full during peak commuting periods.

In addition, Worksop has only very limited retail outlets, shops and restaurants to attract people to visit it. If over 1000 new homes are built in Worksop it will just result in a significant increase in the volume of people travelling by road and rail to visit other nearby Towns and Cities to shop and socialise, with only minimal benefit to the economy of Worksop.

1. Building a new road on Peaks Hill and a few new roundabouts in the area **will not** resolve the significant increased congestion issues that will be created on the main roads leading out of Worksop.
2. Modernising the Worksop train station building **will not** improve the efficiency of the actual train service to and from Worksop when more commuters start to use it.

Also, a huge volume of new housing has already been developed in and around the Worksop area in recent years e.g. in the Gateford area. The Council has not clearly explained why it believes thousands of additional houses are required, and why these should be built on greenfield sites.

Finally, the proposal to build a road across Peaks Hill to connect Blyth Road and Carlton Road will increase the pollution from noise and fumes in this area. Councils are supposed to be implementing measures to reduce the impact on Climate change and pollution and this is not in accordance with that approach.

Continue on a separate sheet if necessary

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A development of this size needs to fully consider the impact on the wider community including the impact of increased traffic and increased demand on trains and other transport. The plan should therefore clearly explain how it will address the commuter issues that will be created in Worksop if a huge volume of additional housing is developed.

The plan also needs to clearly explain why developing such a huge volume of housing is consistent with National Policy and Central Government guidelines.

Continue on a separate sheet if necessary

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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:**

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REF026



[REDACTED]

From: [REDACTED]
Sent: 20 October 2021 06:59
To: The Bassetlaw Plan
Subject: RE: Regulations 19 and 20: Bassetlaw Local Plan 2020-2037: Publication Version, August 2021 & Regulations 16 and 17: Bassetlaw Community Infrastructure Levy - Draft Charging Schedule
Attachments: Reg 19-20 response [REDACTED]

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Dear Sir/madam

Please find attached my comments form in relation to this stage of the Draft Bassetlaw Plan.

Let me know if there are any queries re this comments Form.

Regards

[REDACTED]

From: The Bassetlaw Plan <TheBassetlawPlan@bassetlaw.gov.uk>
Sent: 02 September 2021 16:00
To: The Bassetlaw Plan <TheBassetlawPlan@bassetlaw.gov.uk>
Subject: Regulations 19 and 20: Bassetlaw Local Plan 2020-2037: Publication Version, August 2021 & Regulations 16 and 17: Bassetlaw Community Infrastructure Levy - Draft Charging Schedule



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Bassetlaw Local Plan 2020-2037

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Yes ☒

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 ☒

No ☐

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

Yes ☒

No ☐

Printed Name

Signature:

Date:

20.10.21

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Part A- Personal Details

1. Personal Details

Name:

[REDACTED]

Organisation (if applicable):

Address:

[REDACTED]

Postcode:

[REDACTED]

Tel:

[REDACTED]

Fax:

Email:

[REDACTED]

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Agent:

Organisation (if applicable):

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Postcode:

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Part B - Your representation

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Name or Organisation: [REDACTED]

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Policy: POLICY 16:SITE HS1

Paragraph: PEAKS HILL FARM

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 ☒

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Yes ☐

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Yes ☐

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REF027



[REDACTED]

From: [REDACTED]
Sent: 20 October 2021 07:01
To: The Bassetlaw Plan
Subject: RE: Regulations 19 and 20: Bassetlaw Local Plan 2020-2037: Publication Version, August 2021 & Regulations 16 and 17: Bassetlaw Community Infrastructure Levy - Draft Charging Schedule
Attachments: Reg 19-20 response - [REDACTED]

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Regards

[REDACTED]

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Regulations 16 and 17 Community Infrastructure Levy Regulations 2010 (as amended) Bassetlaw Community Infrastructure Levy - Draft Charging Schedule

Bassetlaw District Council is currently consulting all interested parties on the Bassetlaw Local Plan 2020-2037: Publication Version, in accordance with Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012. The Council welcomes your comments at this stage to help shape the development of the new Local Plan for Bassetlaw. You are receiving this letter because you have previously expressed an interest in the Bassetlaw Local Plan.

The Bassetlaw Local Plan 2020-2037: Publication Version sets out strategic and local policies and site allocations for the District for the plan period. Once adopted, the Plan will provide the strategic planning framework for the development of the District up to the 2037 and will replace the 2011 Core Strategy & Development Management Policies Development Plan Document.



Bassetlaw Local Plan 2020-2037

Publication Version Representation Form September to October 2021

Please submit electronically if possible to 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 Alternatively this form can be completed and returned as an e-mail attachment to thebassetlawplan@bassetlaw.gov.uk or by post to **Planning Policy, Queens Building, Potter Street, Worksop, Nottinghamshire, S80 2AH**

Please note:

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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-notice/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 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: 20/10/2021

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] [REDACTED]

Tel:

[REDACTED]

Fax:

Email:

[REDACTED] [REDACTED]

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: [REDACTED]

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

Policy: POLICY 16:SITE HS1

Paragraph: PEAKS HILL FARM

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.

The plan has not fully considered the transport issues that will be created if a huge volume of additional housing is developed in the area.

Building over 1000 new houses on Peaks Hill will result in a massive increase in people commuting in and out of Worksop by road and rail. The employment opportunities in Worksop are very limited and this will remain the case even if new businesses are developed on Peaks Hill. Most people buying these new properties will therefore need to commute to work. There are already huge pressures on Worksop's commuting infrastructure. The connecting roads in and out of Worksop are congested single lane roads that are already full of traffic during peak commuter periods. Also, the train service from Worksop to Sheffield is poor, unreliable, and already full during peak commuting periods.

In addition, Worksop has only very limited retail outlets, shops and restaurants to attract people to visit it. If over 1000 new homes are built in Worksop it will just result in a significant increase in the volume of people travelling by road and rail to visit other nearby Towns and Cities to shop and socialise, with only minimal benefit to the economy of Worksop.

1. Building a new road on Peaks Hill and a few new roundabouts in the area **will not** resolve the significant increased congestion issues that will be created on the main roads leading out of Worksop.
2. Modernising the Worksop train station building **will not** improve the efficiency of the actual train service to and from Worksop when more commuters start to use it.

Also, a huge volume of new housing has already been developed in and around the Worksop area in recent years e.g. in the Gateford area. The Council has not clearly explained why it believes thousands of additional houses are required, and why these should be built on greenfield sites.

Finally, the proposal to build a road across Peaks Hill to connect Blyth Road and Carlton Road will increase the pollution from noise and fumes in this area. Councils are supposed to be implementing measures to reduce the impact on Climate change and pollution and this is not in accordance with that approach.

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.

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A development of this size needs to fully consider the impact on the wider community including the impact of increased traffic and increased demand on trains and other transport. The plan should therefore clearly explain how it will address the commuter issues that will be created in Worksop if a huge volume of additional housing is developed.

The plan also needs to clearly explain why developing such a huge volume of housing is consistent with National Policy and Central Government guidelines.

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.

REF028



From: [REDACTED]
Sent: 20 October 2021 14:14
To: The Bassetlaw Plan
Cc: [REDACTED]
Attachments: P17-0143 Normanton on Trent - Bassetlaw Reg 19 Local Plan reps
2021 10 20 - P17-0143 Reg 19 Local Plan Reps - FINAL signed.pdf

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Dear Sir/Madam

Please find attached representations to the Bassetlaw Regulation 19 Publication Version Local Plan consultation, prepared by Pegasus Group on behalf of Sunnyside Dairy Farms Limited, in relation to land interests at Gracefield Lane, Normanton on Trent.

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

Kind regards

[REDACTED]
Associate Planner

Pegasus Group

PLANNING | DESIGN | ENVIRONMENT | ECONOMICS | HERITAGE

4 The Courtyard | Lockington | Derby | DE74 2SL

T 01509 670806 | [REDACTED]
[REDACTED] | DD 01509 279836 | EXT 5009

Birmingham | Bristol | Cambridge | Cirencester | Dublin | East Midlands | Edinburgh | Leeds | Liverpool | London | Manchester | Newcastle | Peterborough | Solent



www.pegasusgroup.co.uk

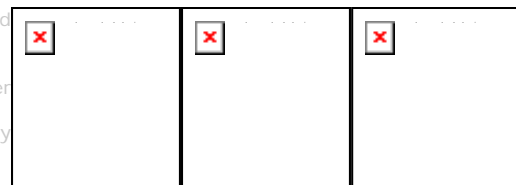
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Bassetlaw Local Plan 2020-2037

Publication Version Representation Form September to October 2021

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

Yes ☒

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 ☒

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:

21/10/2021

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): Sunnyside Dairy Farms Limited

Address: c/o Agent

Postcode:

Tel:

Fax:

Email:

2. Agent Details (if applicable)

Agent:

[REDACTED]

Organisation (if applicable): Pegasus Group

Address: 4 The Courtyard, Church Street, Lockington, Derbyshire

Postcode: DE74 2SL

Tel: 01509 670 806

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: Pegasus Group on behalf of Sunnyside Dairy Farms Limited

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

Policy: Policy ST2

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.

Thank you for the opportunity to respond to the Publication Version (Regulation 19) Bassetlaw Local Plan. These representations have been prepared by Pegasus Group on behalf of Sunnyside Dairy Farms Limited in response to the Regulation 19 consultation on the Pre-Submission Draft Local Plan. These representations are made in relation to our clients' interests in land at Gracefield Lane, Normanton on Trent. Our clients have engaged fully in the preparation of the Local Plan, making submissions on the Call for Sites in March 2019, and Regulation 18 consultations in March 2019, February 2020 and January 2021. The site lies to the north of Gracefield Lane, extends to 0.49ha and can accommodate approximately 8 dwellings (see enclosed Illustrative Masterplan at **Appendix 1**). The following representations set out our comments on Policy ST2: Residential Growth in Rural Bassetlaw.

The overall spatial strategy is set out at Policy ST1, which confirms the scale and distribution of growth across the District, and explains how the District's objectively assessed development needs for the plan period 2020 – 2037 will be met. Policy ST1 sets out the housing requirement of a minimum of 10,047 dwellings (591 dwellings per annum), in accordance with a settlement hierarchy that focuses on the Main Towns (Worksop, Retford and Harworth and Bircotes), the Large Rural Settlements, Small Rural Settlements, and the Bassetlaw Garden Village as a New Settlement. Normanton on Trent is included as a Small Rural Settlement. The inclusion of Normanton on Trent as a Small Rural Settlement is supported, the village benefits from a primary school, village hall, church and two public houses, and it is therefore considered a sustainable settlement for some limited growth. Policy ST1 sets out that the delivery of 1,733 dwellings will be supported in the eligible Small Rural Settlements. Policy ST1 advises that the delivery of this requirement is to be met through completed sites, sites with planning permission, new site allocations in the Local Plan, or from site allocations in made Neighbourhood Plans.

Policy ST2 then goes on to provide a policy framework for housing development in the rural area. Policy ST2 advises that Large and Small Rural Settlements will experience residential growth to support their role and function, with a 20% growth requirement for the eligible Large Rural Settlements, and 5% growth requirement for the eligible Small Rural Settlements. Subsection 2 confirms that proposals for residential development in eligible Small Rural Settlements will be supported whereby proposals do not individually or cumulatively exceed the 5% housing requirement, and subject to a series of requirements set out at subsections b – g. The policy confirms at Subsection 3, that where the growth requirement has already been met, proposals will only be supported through the preparation of a Neighbourhood Plan or through developer-led pre-application community consultation. The inclusion of positive pre-application consultation within Subsection 3 is supported, as community support for additional can therefore also be demonstrated in villages that are not progressing a Neighbourhood Plan.

The table at Policy ST2 confirms that the 5% growth requirement for Normanton on Trent equates to 8 dwellings, which is based on a 5% uplift from 159 dwellings in the village at the base date of April 2018. It should be noted that the header within the second part of the table (page 40) is incorrectly labelled as Eligible Large Rural Settlements with 20% Growth Requirements, whereas this part of the table actually includes the Small Rural Settlements.

Paragraph 2.9 advises that the base date for Small Rural Settlements is April 2018, whereas for the other settlements in the settlement hierarchy, the base date is April 2020 (the start of the plan period). Policy commentary at paragraph 5.1.55 advises that the Small Rural Settlements have contributed significantly to boosting housing delivery in Bassetlaw since April 2020, with 324 completions in 2020/21, and paragraph 5.1.56 goes on to advise therefore that growth in eligible Small Rural Settlements should not exceed 5%. Paragraph 5.2.3 sets out that the rural areas have seen a disproportionate level of residential development and therefore to ensure future housing growth in the rural area is appropriate to place, the base date is set as 1st April 2018 in order to ensure no rural settlement is

"over-burdened with a level of growth that is out of character and that is considered unsustainable in terms of the level of local shops and services, and infrastructure capacity available".

Policy ST2 confirms that eligible Small Rural Settlements are required to grow by 5%. However, subsections 2 and 3 confirm that proposals that exceed this figure will not be supported, unless they have the support of the community. This approach is effectively a cap on the level of development, and is contrary to the aims and objectives of the National Planning Policy Framework (the Framework) which seeks to boost the supply of housing. Greater flexibility should be provided for growth in the Small Rural Settlements, to allow for appropriate development to be delivered, that meets local housing needs and supports rural vitality. Paragraph 79 of the Framework confirms that *"to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services"*. The Planning Practice Guidance (PPG) further notes that *"people living in rural areas can face particular challenges in terms of housing supply and affordability, while the location of new housing can also be important for the broader sustainability of rural communities"*. The housing figures should not be expressed as a cap for development, and should instead be referred to as a minimum. This would ensure that the Local Plan is sufficiently flexible to meet the demand for new housing throughout the plan period, in order for local housing needs to be met and for villages to grow and thrive in order to support local services.

The latest Rural Monitoring Table, which is updated on a monthly basis, is provided on the Council's website and dated August 2021. This approach is supported in order to maintain up to date records of the latest position for each settlement, to ensure all parties are informed of progress. This confirms that for Normanton on Trent, 6 dwellings were completed/committed between April 2018 and March 2020, and there have been no further commitments since April 2020. Therefore, a net remaining growth figure of 2 dwellings remains over the plan period to 2037. It is important to note that the Rural Monitoring confirms that the 5% growth target has already been met in the majority of Small Rural Settlements at August 2021, prior to the adoption of the Local Plan. This effectively means that Policy ST2 does not allow for any further growth in many such settlements over the plan period 2020 – 2037, apart from through Neighbourhood Plans/where community support can be demonstrated through pre-application consultation.

It is important to note that growth in Small Rural Settlements has been strong in recent years. Paragraph 5.1.21 confirms that in order to meet Bassetlaw's housing requirement, delivery needs to remain at the high levels experienced over the last few years, averaging 584 dwellings per annum over the last five years. As discussed above, a significant proportion of completions are from the Small Rural Settlements, with 324 dwellings delivered in such settlements in 2020/21. Delivery from the Small Rural Settlements therefore makes an important contribution to the District's housing land supply, and it is imperative that this is maintained, in accordance with the Framework.

The table within Policy ST2 should be amended to include 10% growth for Small Rural Settlements, which for Normanton on Trent would be 16 dwellings. The overall figure of 1,733 dwellings should also be revisited as necessary in the context of a 10% growth requirement for the Small Rural Settlements. The previous Draft Local Plan (January 2020) included a growth requirement of 20%, and this reduction in requirement to only 5% is not considered to be appropriate, as it does not support rural settlements or take advantage of opportunities for small scale sustainable growth in eligible Small Rural Settlements. From a review of the January 2020 consultation responses, it appears that this change in approach is in part as a result of a large number of objections from residents of one of the Small Rural Settlements, in relation to that particular emerging Local Plan. This reduction from 20% to 5% growth is not considered to be adequately evidenced within the Bassetlaw Rural Settlement Study (August 2021), other than noting that this lower standardised

growth rate has been applied so that the *"distribution of planned growth across the District is fairly balanced in terms of sustainability, whilst also responding to the feedback from communities voiced during the previous consultation"*.

Section 4 sets out the vision for Bassetlaw in 2037. Paragraph 4.9 confirms that the Small Rural Settlements will have seen small-scale, sensitively located development to support local community objectives, to meet local housing needs and sustain village services. A 10% housing increase in the Small Rural Settlements will ensure that this vision for the Small Rural Settlements is realised, and is considered appropriate in order to help sustain these settlements as sustainable settlements, and contribute to meeting the District's housing requirement.

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 order to deal with the above issues of soundness, Policy ST2 of the Local Plan should be amended to reference a minimum of 10% growth in the Small Rural Settlements:

POLICY ST2: Residential Growth in Rural Bassetlaw

*1. Large Rural Settlements and Small Rural Settlements, as defined in the settlement hierarchy in Policy ST1, will experience residential growth to support their role and function through completed sites, sites with planning permission, site allocations in this Local Plan, or from site allocations in made neighbourhood plans. Eligible settlements are individually required to grow by **a minimum of:***

Eligible Small Rural Settlement	5 10 % Growth Requirement, as number of dwellings
---------------------------------	---

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:

Sunnyside Dairy Farms Limited control land north of Gracefield Lane, Normanton on Trent. It is important that they are able to attend the Examination Hearing Sessions in relation to residential growth in the Small Rural Settlements, should they consider it 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.

Appendix 1:
Illustrative Masterplan

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REF029



From:

To:

Subject:

Attachments:

20 October 2021 15:05

The Bassetlaw Plan

Bassetlaw Publication Local Plan (Reg 19) - Representations by Lidl (Great Britain) Limited

L021 - Local Plan Reps - Oct 2021 Reg 19 Consultation.pdf; reg-19-form-a-b-12pt - Form A-B - Policy ST13 - 5.docx; reg-19-form-b-12pt - Policy ST13 - 10.docx; reg-19-form-b-12pt - Policy ST40.docx; Policy ST40 - ADDITIONAL SHEET A.docx; reg-19-form-b-12pt - Policy ST50.docx

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Dear Sir / Madam

Please see attached representations on behalf of Lidl (Great Britain) Limited.

If you have any queries or require clarification on any point, please do not hesitate to contact the undersigned.

Kind Regards

Director

t: 0114 354 0220

w: www.idplanning.co.uk



Bassetlaw Local Plan 2020-2037

Publication Version Representation Form September to October 2021

Please submit electronically if possible to thebassetlawplan@bassetlaw.gov.uk

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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:

20/10/21

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): Lidl (Great Britain) Limited

Address: c/o Agent

Postcode:

Tel:

Fax:

Email:

2. Agent Details (if applicable)

Agent: 

Organisation (if applicable): ID Planning

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: Lidl (Great Britain) Limited

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

Policy: **Policy ST13**

Paragraph: **Criteria 5**

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 agreed Yes ☐

No ☐

4.(2) Sound

Yes ☐

No – not sound No ☐

4.(3) Complies with the Duty to Cooperate

Yes agreed 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 Letter L021 – relevant text below

Policy ST13: Town Centres, Local Centres, Local Shops and Services (page 77)

Policy ST13 – Criteria (5) –states as follows:

“Development in the local centres will be supported where it would, individually or cumulatively with other permitted development not adversely affect the vitality and viability of the centre, or any other centres in within the hierarchy”

We object to the wording of Criteria (5) as the policy test is whether ‘significant adverse impact’ would arise and not whether a proposal would “*not adversely affect*” the vitality and viability of a centre as a whole.

Paragraph 91 of the NPPF (July 2021) makes this clear when stating that where an application is likely to have a ‘significant adverse impact’ on one or more of the considerations in paragraph 90 of the Framework (i.e. impact on investment or vitality and viability of a centre), it should be refused.

The relevant test is therefore ‘significant adverse’ and not ‘adverse’ as currently worded in draft Policy ST13.

In addition, and provided a proposed development is ‘within’ the local centre, trading impact on other facilities in that ‘local centre’ is not a material planning concern as it is located ‘within’ the centre and therefore in a policy preferred location.

As currently worded, the policy is not consistent with national policy in the NPPF and is not positively prepared as it seeks to restrict development through the application of a test which goes beyond that set out in national policy. The proposed wording of Policy ST13, criteria 5, is therefore not justified as it seeks to limit development beyond the terms of national planning policy in the NPPF. The plan is therefore not “sound”.

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 light of the above, the following element should be deleted from the policy wording *“not adversely affect the vitality and viability of that centre”* and replace with the following text in order to amend the wording of criteria (5) to the following:

“Development in the local centres will be supported where it would, individually or cumulatively with other permitted development, not lead to significant adverse impact on the vitality and viability of other centres within the hierarchy”

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:

Matters raised are of importance in the determination of new development proposals and are of importance to our client such that it is considered an appearance would assist the Inspector in consideration of all relevant matters related to Soundness of the Plan.

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

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: Lidl (Great Britain) Limited (ID Planning)

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

Policy: **ST13**

Paragraph: **Criteria 10**

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 agreed Yes ☐

No ☐

4.(2) Sound

Yes ☐

No – not sound No ☐

4.(3) Complies with the Duty to Cooperate

Yes agreed 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 ST13: Town Centres, Local Centres, Local Shops and Services (page 77)

Policy ST13 – Criteria (10) deals with circumstances where proposals come forward for the change of use or loss of any premises or land currently or last used as a local shop (Class Ea or F2a) outside the retail hierarchy. Such changes of use or loss of premises will only be supported where it can be demonstrated that:

*“a) there is sufficient equivalent provision in the catchment area; and
b) the applicant has provided clear evidence that the property has been openly marketed without a successful conclusion for a period of not less than 12 months on terms that reflect the lawful use and condition of the premises”*

The retail sector is dynamic and constantly evolving as has been evident in the past decade since the major recession and growth of internet based shopping. It is considered that such change is occurring across all retail sectors and in all locations.

It is considered that, as currently worded, Criteria (10) is onerous in seeking that where such changes of use / loss of premises are likely to occur two considerations are applied in every situation.

Whilst criteria (a) is understood given the desire to ensure that the loss of a unit does not result in no local provision in an area, to also automatically require at least 12 months marketing in every situation is considered onerous and could lead to a longer term vacancy of a unit. Provided there is other equivalent provision in the area there should be no reason why the change of use / loss of premises should not be permitted.

If there is no equivalent provision in the catchment area then evidence of marketing for at least 6 months could be applied to confirm there is no interest in the unit for the local shop type use. It is considered that 12 months is too extensive a period and if there is any local demand, this should be clear over a 6 month period.

As worded, it is considered that Criteria (10) is not positively prepared or justified and as a consequence the Plan is not “sound”.

The requirement for evidence of marketing on every occasion is onerous and puts a burden on a potential occupier of a vacant unit in an area. In addition, such shops are not located in a policy defined ‘centre’ and therefore are not afforded any specific policy protection under the NPPF.

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

In light of the matters set out above in Question 4, the wording of criteria (10) should be amended to the following:

“Proposals for the change of use or loss of any premises or land currently or last used as a local shop (Class Ea or F2a) outside the retail hierarchy will be permitted provided that:

a) there is equivalent provision in the catchment area; or

b) the applicant has provided clear evidence that the property has been openly marketed without a successful conclusion for a period of not less than 6 months on terms that reflect the lawful use and condition of the premises”

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.

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:

Matters raised are of importance in the determination of new development proposals and are of importance to our client such that it is considered an appearance would assist the Inspector in consideration of all relevant matters related to Soundness of the Plan.

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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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: ID Planning for Lidl (Great Britain) Limited

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

Policy: **Policy ST40 – Biodiversity & Geodiversity**

Paragraph: **Criteria 3 and 4 – to be combined into one criteria**

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 agreed Yes ☐

No ☐

4.(2) Sound

Yes ☐

No – not sound No ☐

4.(3) Complies with the Duty to Cooperate

Yes agreed 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 ST40: Biodiversity & Geodiversity – page 150

The Draft Plan sets out the purpose of Policy ST40 'Biodiversity & Geodiversity' which seeks, amongst other things, to achieve biodiversity net gain that will leave the District's biodiversity assets in a better state than currently exists. The policy seeks to reflect what is still emerging legislation and not law in the draft Environment Bill 2019.

It is noted the Publication Draft Plan (paragraph 8.6.18) acknowledges that it is expected that biodiversity net gain can be achieved through good design of new development with features such as sustainable drainage or tree planting.

Criterion (3) & (4) of the policy relates to 'Biodiversity Net Gain' specifically and states:

"(3) All new development should make provision for at least 10% new biodiversity gain on site, or where it can be demonstrated that for design reasons this is not practicable, off site through a financial contribution.

(4) A commuted sum equivalent to 30 year maintenance will be sought to manage the biodiversity assets in the long term."

Our client supports the general thrust of Policy ST40 in seeking to provide protection to designated biodiversity and geodiversity sites and recognises the important role that biodiversity and geodiversity play in delivering sustainable development.

However, we wish to object to criterion (3) & (4) of the emerging policy on a number of grounds.

In the first instance it seeks to apply biodiversity net gain of 10% to all new development.

This could not only reduce developable area to an extent it affects viability of a site, but could result in a further cost to development also affecting viability, particularly if the site was previously developed land with contamination issues.

The added cost of providing biodiversity net gain over and above the cost of regenerating a site could well affect delivery of development in the future and indeed could be a factor that would discourage development of more costly sites from coming forward.

It is recognised the Draft Environment Bill proposes the mandatory requirement for net biodiversity gains in development, whilst the National Planning Policy Framework (2021) also references biodiversity net gain, with paragraph 180 noting that when determining applications, opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity.

The NPPF has been recently updated and current policy in the NPPF (2021) does not necessitate a percentage requirement for net biodiversity gain. Therefore, the proposal to do so under the Reg 19 Publication Draft Local Plan is at odds with the recently updated NPPF in setting such a figure and with no flexibility in recognition of where this may not be unachievable on certain sites.

The Publication Draft Plan also sets out that this requirement has been considered as part of the Bassetlaw Whole Plan Viability Assessment, however following a review of the Assessment it is unclear where the requirement for 10% net biodiversity gains has been factored into development costs. This is particularly relevant in the context of the concern raised above where redevelopment of previously developed vacant land is marginal in viability terms.

The NPPF (2021) requires that local plans are aspirational but 'deliverable' (paragraph 16) and that in order to be 'sound' they are effective and justified, providing an appropriate strategy which is based on proportionate evidence (paragraph 35).

SEE ADDITIONAL SHEET 'A' FOR POLICY ST40

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

In light of the above comments provided in relation to Policy ST40, we therefore suggest the following wording to replace Criteria (3) and (4) of Policy ST40:

“All new development should seek to promote opportunities for securing net biodiversity gains preferably on site, or where it can be demonstrated that for design

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.

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:

Matters raised are of importance in the determination of new development proposals and are of importance to our client such that it is considered an appearance would assist the Inspector in consideration of all relevant matters related to Soundness of the Plan.

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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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: ID Planning for Lidl (Great Britain) Limited

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

Policy: **Policy ST50**

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 Agreed Yes ☐

No ☐

4.(2) Sound

Yes ☐

No - not Sound No ☐

4.(3) Complies with the Duty to Cooperate

Yes Agreed 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 ST50: Reducing Carbon Emissions, Climate Change, Mitigation and Adaption – page 174

Policy ST50 'Reducing Carbon Emissions, Climate Change, Mitigation and Adaption' sets out a range of criteria seeking to ensure that consideration is given to how new developments will reduce carbon emissions, and mitigate against and adapt to the impacts of climate change through design by demonstrating they have considered a number of broad aspects.

Our client recognises the need to ensure development is sustainable and adaptable and therefore supports the general thrust of Policy ST50 which accords with the aspirations of the NPPF (2021) in meeting the challenges of climate change.

Our client still has concerns with regard to what is now criterion (d) within part (1) of Policy ST50. The policy seeks as follows:

1. *"(d) Requiring compliance with relevant national building standards such as meeting BREEAM very good-excellent standards,"*

Criterion (1)(d) of Policy ST50 continues to provide limited flexibility in the application of BREEAM and the potential to adopt other measures demonstrating that sustainable development can be achieved.

For example, a number of new office and employment buildings are often designed to be EPC 'A' rated. That and other measures are available in the construction sector to ensure that sustainable buildings are constructed.

BREEAM provides a checklist approach which is not always successful in achieving a sustainable development outcome and which can sometimes inadvertently set unachievable standards for development sites of varying characteristics.

For example, sites with little in the way of existing ecology or indeed a site which was cleared for a variety of reasons prior to development being promoted, may be unable to score points associated with an area such as ecological mitigation and subsequently cannot meet the required BREEAM standards.

Furthermore, as previously highlighted in representations made, there are other measures that can be used to ensure a sustainable building is constructed with the climate change agenda taken into account.

We therefore consider Policy ST50 (1)(d) is still too prescriptive in its requirement for BREEAM without proper recognition that there are other sustainable design alternatives such as EPC ratings or other design measures which equally will secure sustainable design and development.

The policy does not provide sufficient flexibility in criterion (1)(d) for scenarios where delivery of BREEAM or other sustainable design standards are not viable. The policy does therefore not go far enough to ensure that development is 'deliverable' under its application. It is not 'positively' prepared and therefore as it stands, the Plan is not "sound".

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

Our client therefore requests greater flexibility is incorporated into Policy SP50 to allow for consideration of other alternative sustainable design measures to be provided by development and to ensure that the plan is successful in allowing development to be deliverable.

As previously, we suggest that criterion (1)(d) is amended as below:

"Requiring compliance with relevant national building standards such as meeting BREEAM very good-excellent standards or equivalent".

The proposed amendments to Policy SP50 criteria (1)(d) would ensure consistency with the NPPF (2021) by adopting a sustainable but deliverable approach (paragraph 16) which is effective (paragraph 35) in ensuring the delivery of development.

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.

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:

Matters raised are of importance in the determination of new development proposals and are of importance to our client such that it is considered an appearance would assist the Inspector in consideration of all relevant matters related to the 'soundness' of the Plan.

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.

ADDITIONAL SHEET 'A'

Policy: **Policy ST40 – Biodiversity & Geodiversity**

Paragraph: **Criteria 3 and 4 – to be combined into one criteria**

(Continuation of text as to why Policy ST40 not “sound”)

In our view Policy ST40 is not ‘justified’ and raises viability concerns such that we are of the view that it proposes an onerous and arbitrary approach which offers little flexibility for consideration of site characteristics or viability, whereas the provision of an element of net gain would still be in accordance with the recently updated National Planning Policy Framework (2021).

As the policy currently stands in the context of national guidance, we are of the view that Policy ST40 is not deliverable, particularly given viability considerations for many new development proposals, particularly on brownfield land.

We therefore consider reference to a 10% net biodiversity requirement should be removed from Policy ST40 which should be amended to reflect the wording of the NPPF (2021) in order to provide flexibility to ensure that development is deliverable.

With the exclusion of the 10%, the wording of **criteria (3)** could still apply to ‘all new development’ as its aspiration subject to whether such provision is practicable and viable. This would be addressed on a case by case basis.

We further object to the proposed policy on the basis of the addition in the policy wording (**criteria 4**) to the need for a commuted sum equivalent to 30 years maintenance to manage the biodiversity assets in the long term. This would be a further cost to the developer, raising further viability concerns over new developments coming forward.

In the event that a financial contribution is agreed as being necessary for off-site enhancements rather than on site provision, a financial contribution should not be provided incorporating a separate commuted maintenance sum as well. It is not clear how maintenance would be factored in to any off-site contribution and in our view it should not be factored in. In those circumstances any off site contribution should be a single one off payment.

In addition, if provision is made on site to address biodiversity net gain, this should not then also include a contribution towards future maintenance. As highlighted at paragraph 8.6.18 of the supporting text, the Council clearly envisage that “*In general,*

it is expected that biodiversity net gain can be achieved through good design of new development.....so their use should not create additional costs to new development”.

The requirement, in all cases, for a commuted sum equivalent to 30 years maintenance to be provided is not justified, it would add cost to a development and in many cases effectively duplicate on site maintenance carried out by a site owner / developer / landlord or tenant.

For example, if the biodiversity net gain was achieved through a ‘green roof’, that would be maintained in the future by the occupier or owner/landlord of the building. A 30 year maintenance contribution should not be provided.

In addition, it is often the case that biodiversity enhancements can be achieved through careful selection of planting species within a soft landscape scheme. As above, maintenance of the landscaping would be carried out by the future occupier / owner of the site and therefore is an on-going maintenance cost which the occupier or owner of the site would incur in any event.

It is not the case that those parts of a site often used to achieve biodiversity enhancement would then be adopted by the Council and the cost of management of that space would fall on the public purse in the same way as would occur for some public open space (POS) provision on housing developments that may be adopted by a Council.

As drafted, the policy would result in a further development cost added to the overall site development cost and one which would in any event often be duplicated by the site owner in managing the site and maintaining elements such as soft landscaping.

The inclusion of a 30 year commuted sum for maintenance is therefore not justified and should be removed from the policy wording. As currently worded the plan is not positively prepared or justified and therefore is not “sound”.



Our Ref: JWID3103/L021

20th October 2021

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

By Email Only

Dear Sir/ Madam

BASSETLAW LOCAL PLAN: PUBLICATION DRAFT (REG 19) LOCAL PLAN (AUGUST 2021)

We act on behalf of Lidl (Great Britain) Limited and have been instructed by them to make representations to the Bassetlaw Local Plan: Publication Draft Plan.

Emerging Draft Bassetlaw Local Plan

The emerging Bassetlaw Local Plan is currently at Publication Draft Plan stage (Reg 19), with consultation on the Draft running until 21st October 2021.

We previously made representations on behalf of Lidl on the previous draft (Reg 18) Bassetlaw Local Plan (January 2021) and Focussed Consultation (June 2021).

As with the previous draft the new Reg 19 Publication Draft Plan sets out the Council's development strategy, policies and proposals to guide development in the District up to 2037 and once adopted will replace the Bassetlaw Core Strategy & Development Management Policies Development Plan Document (2011).

Previous representations sought changes to the following proposed policies, as numbered in the January & June 2021 (Focussed Consultation) versions of the Plan:

- Policy ST14: Town Centres, Local Centres, Local Shops and Services
- Policy ST42: Biodiversity & Geodiversity; and
- Policy ST52: Climate Change Mitigation & Adaptation.

We have reviewed the proposed wording of the above policies in the new Publication Draft Plan, now numbered as below, and continue to raise concerns and object to the proposed wording for the reasons set out below. Our current representation therefore relates to:

- Policy ST13: Town Centres, Local Centres, Local Shops and Services
- Policy ST40: Biodiversity & Geodiversity; and
- Policy ST50: Climate Change Mitigation & Adaptation.

Policy ST13: Town Centres, Local Centres, Local Shops and Services (page 77)

Policy ST13 – Criteria (5) –states as follows:

“Development in the local centres will be supported where it would, individually or cumulatively with other permitted development not adversely affect the vitality and viability of the centre, or any other centres in within the hierarchy”

We object to the wording of Criteria (5) as the policy test is whether ‘significant adverse impact’ would arise and not whether a proposal would “not adversely affect” the vitality and viability of a centre as a whole.

Paragraph 91 of the NPPF (July 2021) makes this clear when stating that where an application is likely to have a ‘significant adverse impact’ on one or more of the considerations in paragraph 90 of the Framework (i.e. impact on investment or vitality and viability of a centre), it should be refused.

The relevant test is therefore ‘significant adverse’ and not ‘adverse’ as currently worded in draft Policy ST13.

In addition, and provided a proposed development is ‘within’ the local centre, trading impact on other facilities in that ‘local centre’ is not a material planning concern as it is located ‘within’ the centre and therefore in a policy preferred location.

As currently worded, the policy is not consistent with national policy in the NPPF and is not positively prepared as it seeks to restrict development through the application of a test which goes beyond that set out in national policy. The proposed wording of Policy ST13, criteria 5, is therefore not justified as it seeks to limit development beyond the terms of national planning policy in the NPPF. The plan is therefore not “sound”.

In light of the above, the following element should be deleted from the policy wording “not adversely affect the vitality and viability of that centre” and replace with the following text in order to amend the wording of criteria (5) to the following:

“Development in the local centres will be supported where it would, individually or cumulatively with other permitted development, not lead to significant adverse impact on the vitality and viability of other centres within the hierarchy”

Policy ST13 – Criteria (10) deals with circumstances where proposals come forward for the change of use or loss of any premises or land currently or last used as a local shop (Class Ea or F2a) outside the retail hierarchy. Such changes of use or loss of premises will only be supported where it can be demonstrated that:

*“a) there is sufficient equivalent provision in the catchment area; and
b) the applicant has provided clear evidence that the property has been openly marketed without a successful conclusion for a period of not less than 12 months on terms that reflect the lawful use and condition of the premises”*

The retail sector is dynamic and constantly evolving as has been evident in the past decade since the major recession and growth of internet based shopping. It is considered that such change is occurring across all retail sectors and in all locations.

It is considered that, as currently worded, Criteria (10) is onerous in seeking that where such changes of use / loss of premises are likely to occur two considerations are applied in every situation.

Whilst criteria (a) is understood given the desire to ensure that the loss of a unit does not result in no local provision in an area, to also automatically require at least 12 months marketing in every situation is considered onerous and could lead to a longer term vacancy of a unit. Provided there is other equivalent provision in the area there should be no reason why the change of use / loss of premises should not be permitted.

If there is no equivalent provision in the catchment area then evidence of marketing for at least 6 months could be applied to confirm there is no interest in the unit for the local shop type use. It is considered that 12 months is too extensive a period and if there is any local demand, this should be clear over a 6 month period.

As worded, it is considered that Criteria (10) is not positively prepared or justified and as a consequence the Plan is not "sound".

The requirement for evidence of marketing on every occasion is onerous and puts a burden on a potential occupier of a vacant unit in an area. In addition, such shops are not located in a policy defined 'centre' and therefore are not afforded any specific policy protection under the NPPF.

In light of the above, the wording of criteria (10) should be amended to the following:

***"Proposals for the change of use or loss of any premises or land currently or last used as a local shop (Class Ea or F2a) outside the retail hierarchy will be permitted provided that:
a) there is equivalent provision in the catchment area; or
b) the applicant has provided clear evidence that the property has been openly marketed without a successful conclusion for a period of not less than 6 months on terms that reflect the lawful use and condition of the premises"***

Policy ST40: Biodiversity & Geodiversity – page 150

The Draft Plan sets out the purpose of Policy ST40 'Biodiversity & Geodiversity' which seeks, amongst other things, to achieve biodiversity net gain that will leave the District's biodiversity assets in a better state than currently exists. The policy seeks to reflect what is still emerging legislation and not law in the draft Environment Bill 2019.

It is noted the Publication Draft Plan (paragraph 8.6.18) acknowledges that it is expected that biodiversity net gain can be achieved through good design of new development with features such as sustainable drainage or tree planting.

Criterion (3) & (4) of the policy relates to 'Biodiversity Net Gain' specifically and states:

"(3) All new development should make provision for at least 10% new biodiversity gain on site, or where it can be demonstrated that for design reasons this is not practicable, off site through a financial contribution."

(4) A commuted sum equivalent to 30 year maintenance will be sought to manage the biodiversity assets in the long term.”

Our client supports the general thrust of Policy ST40 in seeking to provide protection to designated biodiversity and geodiversity sites and recognises the important role that biodiversity and geodiversity play in delivering sustainable development.

However, we wish to object to criterion (3) & (4) of the emerging policy on a number of grounds.

In the first instance it seeks to apply biodiversity net gain of 10% to all new development.

This could not only reduce developable area to an extent it affects viability of a site, but could result in a further cost to development also affecting viability, particularly if the site was previously developed land with contamination issues.

The added cost of providing biodiversity net gain over and above the cost of regenerating a site could well affect delivery of development in the future and indeed could be a factor that would discourage development of more costly sites from coming forward.

It is recognised the Draft Environment Bill proposes the mandatory requirement for net biodiversity gains in development, whilst the National Planning Policy Framework (2021) also references biodiversity net gain, with paragraph 180 noting that when determining applications, opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity.

The NPPF has been recently updated and current policy in the NPPF (2021) does not necessitate a percentage requirement for net biodiversity gain. Therefore, the proposal to do so under the Reg 19 Publication Draft Local Plan is at odds with the recently updated NPPF in setting such a figure and with no flexibility in recognition of where this may not be unachievable on certain sites.

The Publication Draft Plan also sets out that this requirement has been considered as part of the Bassetlaw Whole Plan Viability Assessment, however following a review of the Assessment it is unclear where the requirement for 10% net biodiversity gains has been factored into development costs. This is particularly relevant in the context of the concern raised above where redevelopment of previously developed vacant land is marginal in viability terms.

The NPPF (2021) requires that local plans are aspirational but ‘deliverable’ (paragraph 16) and that in order to be ‘sound’ they are effective and justified, providing an appropriate strategy which is based on proportionate evidence (paragraph 35).

In our view Policy ST40 is not ‘justified’ and raises viability concerns such that we are of the view that it proposes an onerous and arbitrary approach which offers little flexibility for consideration of site characteristics or viability, whereas the provision of an element of net gain would still be in accordance with the recently updated National Planning Policy Framework (2021).

As the policy currently stands in the context of national guidance, we are of the view that Policy ST40 is not deliverable, particularly given viability considerations for many new development proposals, particularly on brownfield land.

We therefore consider reference to a 10% net biodiversity requirement should be removed from Policy ST40 which should be amended to reflect the wording of the NPPF (2021) in order to provide flexibility to ensure that development is deliverable.

With the exclusion of the 10%, the wording of **criteria (3)** could still apply to 'all new development' as its aspiration subject to whether such provision is practicable and viable. This would be addressed on a case by case basis.

We further object to the proposed policy on the basis of the addition in the policy wording (**criteria 4**) to the need for a commuted sum equivalent to 30 years maintenance to manage the biodiversity assets in the long term. This would be a further cost to the developer, raising further viability concerns over new developments coming forward.

In the event that a financial contribution is agreed as being necessary for off-site enhancements rather than on site provision, a financial contribution should not be provided incorporating a separate commuted maintenance sum as well. It is not clear how maintenance would be factored in to any off-site contribution and in our view it should not be factored in. In those circumstances any off site contribution should be a single one off payment.

In addition, if provision is made on site to address biodiversity net gain, this should not then also include a contribution towards future maintenance. As highlighted at paragraph 8.6.18 of the supporting text, the Council clearly envisage that *"In general, it is expected that biodiversity net gain can be achieved through good design of new development.....so their use should not create additional costs to new development"*.

The requirement, in all cases, for a commuted sum equivalent to 30 years maintenance to be provided is not justified, it would add cost to a development and in many cases effectively duplicate on site maintenance carried out by a site owner / developer / landlord or tenant.

For example, if the biodiversity net gain was achieved through a 'green roof', that would be maintained in the future by the occupier or owner/landlord of the building. A 30 year maintenance contribution should not be provided.

In addition, it is often the case that biodiversity enhancements can be achieved through careful selection of planting species within a soft landscape scheme. As above, maintenance of the landscaping would be carried out by the future occupier / owner of the site and therefore is an on-going maintenance cost which the occupier or owner of the site would incur in any event.

It is not the case that those parts of a site often used to achieve biodiversity enhancement would then be adopted by the Council and the cost of management of that space would fall on the public purse in the same way as would occur for some public open space (POS) provision on housing developments that may be adopted by a Council.

As drafted, the policy would result in a further development cost added to the overall site development cost and one which would in any event often be duplicated by the site owner in managing the site and maintaining elements such as soft landscaping.

The inclusion of a 30 year commuted sum for maintenance is therefore not justified and should be removed from the policy wording. As currently worded the plan is not positively prepared or justified and therefore is not "sound".

In light of the above we therefore suggest the following wording to replace Criteria (3) and (4) of Policy ST40:

“All new development should seek to promote opportunities for securing net biodiversity gains preferably on site, or where it can be demonstrated that for design reasons this is not practicable, off site through a financial contribution”.

Policy ST50: Reducing Carbon Emissions, Climate Change, Mitigation and Adaption – page 174

Policy ST50 ‘Reducing Carbon Emissions, Climate Change, Mitigation and Adaption’ sets out a range of criteria seeking to ensure that consideration is given to how new developments will reduce carbon emissions, and mitigate against and adapt to the impacts of climate change through design by demonstrating they have considered a number of broad aspects.

Our client recognises the need to ensure development is sustainable and adaptable and therefore supports the general thrust of Policy ST50 which accords with the aspirations of the NPPF (2021) in meeting the challenges of climate change.

Our client still has concerns with regard to what is now criterion (d) within part (1) of Policy ST50. The policy seeks as follows:

1. ***“(d) Requiring compliance with relevant national building standards such as meeting BREEAM very good-excellent standards,”***

Criterion (1)(d) of Policy ST50 continues to provide limited flexibility in the application of BREEAM and the potential to adopt other measures demonstrating that sustainable development can be achieved.

For example, a number of new office and employment buildings are often designed to be EPC ‘A’ rated. That and other measures are available in the construction sector to ensure that sustainable buildings are constructed.

BREEAM provides a checklist approach which is not always successful in achieving a sustainable development outcome and which can sometimes inadvertently set unachievable standards for development sites of varying characteristics.

For example, sites with little in the way of existing ecology or indeed a site which was cleared for a variety of reasons prior to development being promoted, may be unable to score points associated with an area such as ecological mitigation and subsequently cannot meet the required BREEAM standards.

Furthermore, as previously highlighted in representations made, there are other measures that can be used to ensure a sustainable building is constructed with the climate change agenda taken into account.

We therefore consider Policy ST50 (1)(d) is still too prescriptive in its requirement for BREEAM without proper recognition that there are other sustainable design alternatives such as EPC ratings or other design measures which equally will secure sustainable design and development.

The policy does not provide sufficient flexibility in criterion (1)(d) for scenarios where delivery of BREEAM or other sustainable design standards are not viable. The policy does therefore not go far enough to ensure that development is ‘deliverable’ under its application. It is not ‘positively’ prepared and therefore as it stands, the Plan is not “sound”.

Our client therefore requests greater flexibility is incorporated into Policy SP50 to allow for consideration of other alternative sustainable design measures to be provided by development and to ensure that the plan is successful in allowing development to be deliverable.

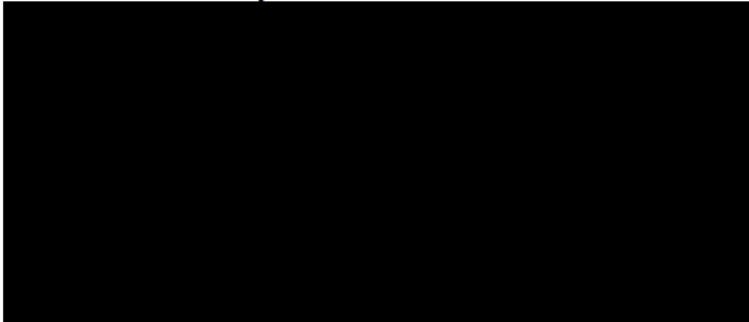
As previously, we suggest that criterion (1)(d) is amended as below:

“Requiring compliance with relevant national building standards such as meeting BREEAM very good-excellent standards or equivalent”.

The proposed amendments to Policy SP50 criteria (1)(d) would ensure consistency with the NPPF (2021) by adopting a sustainable but deliverable approach (paragraph 16) which is effective (paragraph 35) in ensuring the delivery of development.

We trust the above is sufficient to support the amendments proposed.

Yours sincerely



REF030



From:

To:

Cc:

Subject:

Attachments:

20 October 2021 16:12

The Bassetlaw Plan

Bassetlaw Local Plan - representations on behalf of EDF

211020-EDF_Cottam-BDC_LP_Publication_2021-Final_Form.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

Good afternoon,

In response to the current public consultation regarding the Bassetlaw Local Plan Publication Version, please find attached a completed form of representation prepared and submitted on behalf of Gerald Eve LLP's client, EDF, in respect of its former power station in Cottam.

I trust the attached is in order; however, please let me know if you require anything further or wish to discuss.

I would be grateful if you could confirm receipt of the representation by return of email please.

Kind regards,

Senior Associate

DPAGE@geraldve.com

Gerald Eve LLP
No 1 Marsden Street
Manchester, M2 1HW
www.geraldve.com



GERALDEVE



So, what does ESG look like?

Please consider the environment before printing this email – we are ISO 14001 certified.

Gerald Eve LLP is a limited liability partnership registered in England and Wales (registered number OC339470) and is regulated by RICS. The term partner is used to refer to a member of Gerald Eve LLP or an employee or consultant with equivalent standing and qualifications. A list of members and non-members who are designated as partners is open to inspection at our registered office 72 Welbeck Street London W1G 0AY and on our website.



Bassetlaw Local Plan 2020-2037

Publication Version Representation Form September to October 2021

Please submit electronically if possible to 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 Alternatively this form can be completed and returned as an e-mail attachment to 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

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 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|

[Redacted]

Signature:

[Redacted]

Date:

20 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): EDF

Address: Cottam Power Station, Retford

Postcode: DN22 0NP

Tel:

Fax:

Email:

2. Agent Details (if applicable)

Agent:

[REDACTED]

Organisation (if applicable): Gerald Eve LLP

Address: No. 1 Marsden Street, Manchester

Postcode: M2 1HW

Tel: 0161 259 0477

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: Gerald Eve LLP on behalf of EDF

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

Policy: Policy ST6

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.

Gerald Eve LLP ("Gerald Eve") is appointed by EDF to submit this representation on its behalf to Bassetlaw District Council (BDC or "the Council") as part of the current consultation regarding the Bassetlaw Local Plan Publication Version (August 2021) (BLPPV), and specifically in respect of its former power generation site at Cottam Power Station, Outgang Lane, Retford DN22 0NP ("the Site").

This submission follows previous representations submitted in February 2020 and January 2021 during earlier rounds of public consultation, and also following our communications with BDC over the last few years regarding the Site's future.

These representations relate to Policy ST6: Cottam Priority Regeneration Area, as set out between pages 54-58 of the BLPPV.

As the Council is aware, EDF has made various representations as part of the Local Plan process in favour of promoting the Site as a sustainable and deliverable location for a new rural settlement. EDF's representations of February 2020 included the submission of a vision document including an indicative masterplan that provided details of how such a settlement could be delivered whilst ensuring that the critical site infrastructure and access rights could be maintained for the continued operation of the Cottam Development Centre (CDC) for the foreseeable future. The masterplan within the vision document included the provision of 1,600 residential homes, a new local centre, a primary school, sports and recreation facilities, approximately 15 hectares of employment-generating uses and the potential for new infrastructure such as a rail link and marina.

Following that consultation, the Council amended the Site's emerging policy by changing its status to a 'broad location', rather than a development allocation. The implication of this change meant that the focus of delivery would be towards the end of the local plan period and beyond, rather than relying on the Site's delivery during the early and middle phases of the plan period. The main reasons for making this change related to concerns held by the Council and key stakeholders around the provision of new infrastructure to serve the development (e.g. road and public transport capacity etc) and the protection of rights and infrastructure to continue serving the CDC.

EDF submitted further representations to the Council during the consultation on the Draft Local Plan in January 2021 (as well as letters of representation submitted between consultation periods) with the aim of reassuring the Council that such matters had been fully considered, either through negotiations with the operator of the CDC or by demonstrating that site-specific due diligence had been completed by a prospective developer of the Site.

As part of this current consultation on the BLPPV, the Council has amended the Site's emerging policy further by removing any reference to specific land uses or the intended scale of development that may be appropriate within the broad location. It is understood the reason for this further change relates to the Council's most recent evidence regarding strategic flood risk matters, which was not previously available during earlier versions of the local plan. However, this change leaves the Site's emerging designation without any detail or guidance in respect of appropriate land uses and/or scale of development. The lack of detail would result in an absence of certainty, which has potentially significant implications for the marketing and future disposal of the Site to a developer.

Whilst EDF maintains the view that the redevelopment of the Site could commence during the plan period, earlier than anticipated by draft Policy ST6, it is recognised that there is further work and consultation to be completed with a number of key stakeholders to ensure the sustainable redevelopment of the former power station site.

EDF has concerns that the evolution of the Site's emerging policy designation may now be unsound as a result of the sequence of changes noted above, with the resulting lack of prescription conflicting with the tests of soundness as follows:

- **Justified** - the evidence that has been prepared and submitted by EDF as part of the local plan process in respect of the Site's future redevelopment is considered to be sufficient for the purposes of indicating appropriate land uses within the emerging broad location Policy ST6. The exclusion of any guidance on the appropriate types or mix of land uses is not considered to be justified.
- **Effective** - in the absence of any reference to appropriate land uses, emerging Policy ST6 is unlikely to be as effective in informing a sustainable and deliverable programme of regeneration, which may, ultimately, result in the Site not being regenerated.

Continue on a separate sheet if necessary

It is EDF's position that the conflicts with the tests of soundness can be overcome by amending Policy ST6 to include a list of land uses that are considered to be appropriate, in principle, in this location; however, in light of the recent strategic flood risk evidence, it is recognised that the scale of development or quantum of individual land uses should be reserved at this time in favour of further site-specific technical assessment being completed in consultation with the Council. Adopting this approach would provide greater certainty for a prospective developer in preparing a framework masterplan for the Site, whilst ensuring flood and other technical matters could be robustly addressed prior to a planning application being submitted.

The following list of land uses is considered to be appropriate for inclusion within Policy ST6. It is therefore proposed that, in order to make the policy sound, the following text is inserted as a new 'point 3' as follows (the current 'point 3(a-k)' would be renumbered as point 4(a-k)):

"3. Appropriate land uses for inclusion within the masterplan framework may include:

- *Residential uses, including market and affordable homes, care and other specialist residential uses*
- *Employment-generating uses, including home-working, offices, light industry, manufacturing and logistics*
- *Local centre, including small-scale retail, local services, food & drink and leisure uses*
- *Primary school*
- *Public open space, sports and recreation facilities*
- *New transport infrastructure, including potential rail link and marina."*

The proposed amendment to Policy ST6 would provide a prospective developer with enough certainty to bring forward a framework masterplan for the Site. Moreover, this level of certainty regarding appropriate land uses would assist a developer in designing a deliverable and commercially viable regeneration proposal informed by the requisite suite of technical assessments and stakeholder engagement.

EDF welcomes the retention of the former Cottam Power Station within the Council's Local Plan Publication Version as a Priority Regeneration Area but proposes some minor amendments to Policy ST6 to avoid conflict with the national tests of soundness, as well as providing greater certainty for the future redevelopment of the Site.

We trust that the above representations will be fully considered in advance of submitting the Local Plan for Examination in Public and we would be happy to discuss matters further if the Council has any queries or requires clarification in respect of EDF's position.

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

It is proposed that, in order to make the policy sound, the following text is inserted as a new 'point 3' as follows (the current 'point 3(a-k)' would be renumbered as point 4(a-k)):

"3. Appropriate land uses for inclusion within the masterplan framework may include:

- Residential uses, including market and affordable homes, care and other specialist residential uses*
- Employment generating uses, including home-working, offices, light industry, manufacturing and logistics*
- Local centre, including small-scale retail, local services, food & drink and leisure uses*
- Primary school*
- Public open space, sports and recreation facilities*
- New transport infrastructure, including potential rail link and marina."*

It is also noted that there are currently two sub-sections numbered as '5.4', both on page 51 and page 54. For clarity, it is suggested that the '5.4' on page 54 should be deleted, retaining only the sub-heading of "Cottam Priority Regeneration Area".

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:

The Cottam Priority Regeneration Area is a significant brownfield redevelopment opportunity that is expected to assist the Council in meeting its development requirements in the long term. As it is noted in the draft policy as a 'Priority' area, it is essential that EDF has the ability to discuss the soundness of the policy wording and the merits of the broad location overall with the Inspector, as well as having the ability to provide points of clarification as may be necessary during hearing sessions.

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.