

Bassetlaw Local Plan Examination, Vistry Group Ltd, 4th November 2022

Hearing Statement – Matter 2 – Vision & Objectives, Spatial Strategy & Location of New Development, and the Site Selection Process (Policies ST1 and 2)

Issue 2 – Are the provisions of the plan in relation to the Spatial Strategy & Location of New Development justified and consistent with national policy?

Response to Inspector's Question 2.1:

1. The proposed spatial strategy and development distribution set out in the Publication Version (**SUB-010**) is not soundly based for the following reasons.
 - It is unclear how and why decisions were made to select the preferred spatial strategy and how this was informed by the SA/SEA process. The six options originally tested in 2016 and two subsequent options in 2019 are relatively abstract with little detail on the spatial distribution and quantum of development to specific settlements. How decisions can then be made to select one option over another is then uncertain – i.e. which of the eight options was preferred in sustainability terms and is now being taken forward as part of the Publication Version of the plan? On this basis it is difficult to correlate the SA process with the preferred strategy taken forward in the Plan.
 - It is unclear how and why decisions were made on the selection of site allocations at specific settlements – i.e. why particular parts of a settlement were preferred compared with others and how evidence informed these decisions (see response to Inspector's Question 2.6 for further details).
2. The ability for the new Plan to address key priorities for Bassetlaw and its Vision and Objectives through to 2038 is clearly limited given that the 76% of the Policy ST1 requirement for 10,476 dwellings (582dpa) is already completed, committed or allocated via Neighbourhood Plans. In terms of housing provision, the scope and effect of the new plan through to 2038 is therefore relatively narrow, centred on 13 allocations for just 2,742 dwellings (1,332 dwellings to Retford, 75 dwellings to Tuxford and 1,335 dwellings to Worksop), plus a windfall allowance of 1,200 dwellings.
3. At 2,742 dwellings, new allocations total just 26% of the total housing need (10,476 dwellings). Previously the Council had sought to allocate 3,332 via new allocations,

which included 590 dwellings from the Bassetlaw Garden Village, so 31% of the needs were met via new allocations (refer January 2022 Plan, **PUB-015**). However, the Garden Village was a late removal from the plan and no replacement allocations were identified. The consequences of not providing replacement or alternative allocations to address the removal of the Garden Village was not considered through the SA.

4. The need for a more positively prepared plan which helps to boost the supply of homes, deliver affordable homes and meet the needs of specific groups - centred on a more significant uplift to the LHN, additional allocations and reduced reliance on windfalls - is further explained in Vistry Group's Matter 5 Statement (Housing Requirement) and Matter 7 Statement (Housing Land Supply).
5. In response to **Question 2.1(a)** the Plan's effectiveness in addressing the Vision and Objectives at section 4 is constrained given the new Plan's narrow scope, need for a further uplift to the LHN and additional allocations. This otherwise hinders the ability to "*meet local housing needs and aspirations of all residents*" (strategic objective 2) and support a "*step change in the local economy*" by providing new homes at the key employment centres (strategic objective 3). The sustainability of directing 32% of the District's growth to the rural area at the expense of more sustainable locations is also at odds with strategic objective 11 (supporting Bassetlaw's transition to a net zero district) and the conclusions of the SA¹.
6. Negative impacts against these strategic objectives could clearly have been minimised via the SA process as NPPF32 requires. With respect to the delivery of affordable housing, locations and sites could have been selected where local needs and the ability to realise policy-compliant levels of affordable provision are greatest, and new homes directed to the most sustainable and accessible locations in proximity to jobs and employment. The SA does not enable any interrogation or understanding of how such decisions were made.
7. In response to **2.1(c)** it is unclear how the pattern of development proposed will meet the needs of larger settlements, such as Retford. According to the 2020 HEDNA one fifth of the District's population live in Retford², a town that has seen the

¹ The SA (**PUB-024**) is clear regarding the 'negative impacts' of the rural growth distribution proposed under Policy ST2 given increased reliance on the car and related emissions and climate change implications (refer SA paras. 7.27, 7.40 and 7.46 for example). Further negative impacts are identified in SA Appendix 5, at pages 303, 306 and 307.

² Para 2.2, page 9, HEDNA, **SS-007**

strongest population growth³ and has the highest proportion of residents in need of social/affordable rented housing⁴. The HEDNA concludes that the highest need for affordable homes per 1,000 population is at Retford – Table 36, page 64⁵. As well as being a highly sustainable location on the East Coast Mainline, Retford is considered the ‘second economic hub of the District’ outside of Workshop, with 7,800 jobs, 15% of the District’s total⁶. The sustainability of Retford is identified throughout the SA as a Main Town at the top of the ST1 settlement hierarchy (see SA paras 6.37 and 6.100-103, as well as the sustainability references in the Submission Plan, at 5.1.48-5.1.49) (refer relevant extracts at Appendix A).

8. There is no evidence to suggest that the new allocations totalling 1,332 dwellings will be sufficient to meet the town’s needs through to 2038, or indeed what levels of growth were tested and considered for Retford as part of an assessment of reasonable alternatives through the SA.

Response to Inspector’s Question 2.2:

9. The settlement hierarchy in Policy ST2 already appears redundant given the consenting of sites and Neighbourhood Plan allocations which have already taken place, as explained in the Housing Land Supply Position, Housing Trajectory and Windfall Allowance Paper (**SS-026**)⁷, the only exception being the proposed 75-dwelling allocation at Tuxford (Site HS14: Land off Ollerton Road, Tuxford⁸).
10. As explained in response to Question 2.1, whether this was the right strategy, informed by a robust SA/SEA and assessment of reasonable alternatives - particularly in relation to climate change and air quality objectives and reducing the need to travel by car - remains unjustified.

Response to Inspector’s Question 2.3:

11. As set out in response to Question 2.1, it is unclear and unjustified how spatial options and reasonable alternatives were tested as part of the SA process and why decisions were then made on the selection of the preferred spatial option and the selection of specific sites.

³ Para 2.8, page 13, HEDNA, **SS-007**

⁴ Table 3.2, page 61, HEDNA, **SS-007**

⁵ Table 36, page 64, HEDNA, **SS-007**

⁶ Para 1.6, page 7, Economic Development Needs Assessment – Part one, January 2019, **SS-010**

⁷ Para 3.9, page 5 (**SS-026**).

⁸ Page 108, Publication Version (**SUB-010**).

12. The spatial options and alternatives that were tested are relatively 'abstract' and difficult to understand and compare, particularly given the lack of any spatial detail in terms of growth distribution quantum (number of homes, amount of employment land etc.) and how this relates to specific settlements.
13. For this reason, the 'reasonable alternative' of truly maximising development in the most sustainable locations – i.e. the main towns - so as to avoid negative impacts with respect to private car use, climate change, emissions and air quality has not been justified or tested through the SA process.
14. The SA (**PUB-024**) explains that in 2016 six alternative spatial options were considered for distributing growth within the District (para. 2.18, page 18), tested as part of the 2016 Interim SA. The 2016 Interim SA does not appear to have been presented to the examining Inspectors as an examination document, and the 2022 SA submitted for examination does not explain or summarise what the options entailed or what was selected and why. Two further options appear to have been identified and considered in the 2019 SA (**BG-018**), but how these were appraised and influenced decision-making on the final strategy also remains unclear.

Response to Inspector's Question 2.4:

15. As explained above, the decision regarding the level of growth to be planned for rural settlements appears to have already been made given previous consenting and Neighbourhood Plan allocations. Whether this was the right strategy is SA/SEA terms and against achievement of the Plan's Vision and Objectives remains open to question, particularly given the various negative impacts identified throughout the SA with respect to climate change, air quality and reducing the need to travel by car.

Response to Inspector's Question 2.5:

16. No comments.

Response to Inspector's Question 2.6:

17. The allocation of sites is not based on a robust or objective, lacking justification under NPPF35(d)'s test of soundness. Taking the example of Vistry Group's site at Retford (LAA071 Tiln Lane), this was rejected as a 'reasonable alternative' as part of the SA Appendices (**PUB-024**⁹) on the basis that when compared with other sites it performed poorly with respect to access to public transport, being more than 700m

⁹ Appendices, page 577

from the nearest bus stop. Landscape/townscape and heritage matters are also referred to as reasons why the site was rejected.

18. However, the SA is incorrect insofar as bus services are concerned. The site clearly adjoins the bus stop provided as part of neighbouring development at Matilda Drive, service no. 123 which provides frequent services into Retford.
19. With respect to landscape matters, the proforma at page 340 of the SA Appendices (**PUB-024**) notes that the site is in a landscape area classified to 'conserve', with a condition of 'very good' and a 'moderate' sensitivity. Significant negative impacts are then identified. However:
 - In Retford, preferred site allocation HS11 Fairy Grove Nursery (LAA127) has 'significant negative' impacts for landscape and townscape, in a landscape area of 'high' sensitivity' (compared to 'moderate' for LAA071)¹⁰. How these sensitivities are to be addressed are not considered or addressed in the justification for selecting the site, despite this being a material reason for rejecting LAA071.
 - The SA does not reflect the latest conclusions of the LAA where the landscape/townscape matters previously raised had been dealt with via amendments to the scheme to satisfaction of officers. Pages 43-44 of the LAA Appendices (**BG-030**) makes this clear, where mitigation via a landscape-led approach to the masterplan was accepted.
20. With respect to heritage, as pages 43-44 of the LAA makes clear the only conservation issues raised related to the setting of two non-designated assets (i.e. the lowest tier under the NPPF). Whilst 'significant negative effects' are concluded in the SA:
 - The officer accepts that impacts can be mitigated through a landscape-led masterplan, following scheme amendments and submissions made to previous stages of plan-making by Vistry Group. This *is not* reflected in the SA's conclusions regarding 'significant negative' impacts for LAA071.
 - In any event, numerous sites are proposed for allocation in the setting of *designated* heritage assets and within Conservation Areas, including proposed allocations HS11, HS13, HS12, HS7, HS1 and HS14.
21. The approach to the treatment of landscape/townscape and heritage matters is clearly inconsistent as part of the site selection process and SA, as demonstrated via

¹⁰ Refer pages 345 and 578 of the SA Appendices (**PUB-024**).

the treatment of LAA071 as an example. Furthermore, the SA is based on incorrect information, insofar as bus service provision is concerned.

Response to Inspector's Question 2.7:

22. No comment.

Response to Inspector's Question 2.8:

23. For the reasons explained above, policies ST1 and ST2 are not justified and conflict with national policy.

Response to Inspector's Question 2.9:

24. No further comments – refer climate change and air quality matters raised above insofar as how this was considered as part of the preferred spatial strategy and testing of reasonable alternatives.

Response to Inspector's Question 2.10:

25. No comment.

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November 2022