

Bassetlaw District Council Response to Inspectors Matters, Issues and Questions

Matter 4 – Priority Regeneration Areas

4 November 2022

(Issue 4)

Please note: Where the Council is proposing changes to policies or reasoned justification in the submitted plan these are detailed in the responses as follows:

- Additional and new text proposed underlined
- ~~Deleted text~~ proposed strike through

(Policies ST5 and ST6)

Issue 4 – Are the provisions of the plan in relation to the Priority Regeneration Areas justified and consistent with national policy?

- 4.1 Are the assumptions of the amount of development to be delivered through the Workshop DPD justified and based on sound evidence? Having regard to the constraints imposed in relation to development in the flood plain, are the projected timescales for delivery of the plan and development proposed within it soundly based?

BDC Response:

The Plan envisages that 649 dwellings will be provided by draft allocations in the Workshop Central DPD over the plan period. The trajectory for the delivery of these sites is set out in BDC-01 Appendix 3.

Site capacity has been assessed having regard to planning applications and density assumptions as set out in the LAA, 2022 [BG-030]. The delivery assumptions for development are based on the approach in paragraphs 5.6-5.16 and Appendix 3 of the Council's Five Year Housing Land Supply Statement [SS-019].

Assessment of the suitability, availability and developability of these sites is set out within the Workshop Central DPD Land Availability Assessment, 2021 (DPD-013). This included consideration of constraints to development in relation to flood risk as per the Strategic Flood Risk Screening Assessment, June 2021 [DPD-011].

The Workshop Central DPD Sustainability Appraisal (SA), 2021 [DPD-002] assessed all sites against a set of sustainability objectives, including for flood risk and climate change adaptation.

This aimed to minimise the risk of flooding to new development through the application of the Sequential and Exception tests, and to ensure that the Council is directing development away from areas at risk of flooding where appropriate. Where significant and irreconcilable flood risk issues have been identified in the LAA [DPD-013], the Workshop Central DPD Strategic Flood Risk Screening Assessment, 2021 [DPD-011] and SA [DPD-002], the sites were discounted.

However, paragraph 6.25 of the SA [DPD-002] explains that in exceptional circumstances, a few sites, where there is the potential for some flood risk, have been taken forward because the Council consider that their allocation would help to meet wider DPD vision and objectives – specifically 1- 4 and 11 - 13 as well Local Plan vision and objectives 1, 2, 4 and 11 and contribute to the delivery of enhanced catchment wide flood mitigation measures via the Environment Agency's proposed River Ryton Flood Management Scheme. This was agreed as appropriate in the Environment Agency Statement of Common Ground for the Local Plan [SCG-013].

Of the 18 sites in this category, only 5 are expected to contribute to delivery in the 5 year period to March 2028 (as per the Council's response to the Inspectors Initial Questions 8 [BDC-01]). None are located within flood zones. Further specific information on the deliverability of these sites is set out in BDC-01 Appendix 2.

The Council therefore considers the development assumptions are justified and soundly based.

- 4.2 In relation to Policy ST6 is there sufficient evidence to demonstrate that the site can be viably redeveloped and served by appropriate infrastructure? Does the policy provide sufficient guidance in relation to future land uses to enable the regeneration of the site?

BDC Response:

The NPPF paragraph 23 refers to Broad Locations. As the term implies this is a relatively large area of land at a specified location where future development of an acceptable type and scale could be appropriate in the long term. Policy ST6 identifies the Former Cottam Power Station site as a broad location; within the defined boundary identified by Figure 11 [in SUB-010] future development uses could be acceptable subject to the provisions of that policy being met.

The identification of a 'Broad Location' does not imply that the whole area should be developed, rather that within this wider area, development would subsequently be identified and allocated to specific land uses taking account of local needs, existing physical and environmental constraints and features.

This aligns with the Housing and Economic Land Availability Assessment PPG which states that a 'broad location can be considered suitable if it would provide an appropriate location for development when considered against relevant constraints and their potential to be mitigated.' (Paragraph: 018 Reference ID: 3-018-20190722, Revision date: 22 07 2019)

The Land Availability Assessment (LAA) 2022 [BG-030] considers site constraints, supplemented by evidence within the Sustainability Appraisal [PUB-024] and the wider evidence base. In the Council's view, this collective evidence demonstrates that the sites existing constraints and its scale indicates a realistic and flexible approach to long term plans should be taken.

The landowners propose that Cottam is suitable for mixed used development. At this stage, Policy ST6 does not identify an appropriate specific mix of land uses. It is considered this provides the landowners with a greater degree of flexibility to positively respond to the site's existing constraints, emerging market needs and the Local Plan evidence base by addressing the provisions of Policy ST6 through a robust masterplanning process informed by a range of technical assessments. It is considered that this will ensure that, at Local Plan Review, further consideration can be given to the location's role in the future Plan.

In June 2022, in response to the Local Plan, Second Addendum, 2022 [PUB-023] the landowners [SA-NRF021] stated that they 'are clear that the redevelopment of the Site is achievable and commercially viable' and is undertaking further evidence base work to 'to add further credibility to the Site's future redevelopment, in turn informing the next

stage of masterplanning work and influencing a potential change in policy as part of the next local plan review process’.

4.3 Are policies ST5 and ST6 otherwise justified and consistent with national policy?

BDC Response:

Policy ST5 and Policy ST6 are considered to be consistent with paragraph 9 of the NPPF, in that they guide development towards a sustainable solution, but take local circumstances into account, to reflect the needs and opportunities of each area. Both policies provide a positive framework to encourage sustainable growth in the long term, having regard for local policies for regeneration (NPPF paragraph 82 (a)).

The Council considers the approach taken by Policy ST5 is further justified as it directly responds to the vision and objectives of the Local Plan, particularly objectives 1, 4, 6 and 11, which aim to make effective, sensitive use of previously developed land in sustainable locations (particularly for housing) through the spatial strategy in Policy ST1, whilst Policy ST6 is also considered to align with objective 1, 4 and 11. As such both are in accordance with the NPPF and the principles of sustainable development, particularly paragraph 124, which at d) asks that when considering the effective use of land policies should consider promoting regeneration or change.

The approach taken to Policy ST5 is justified and consistent with national policy, in that it provides a strategic policy framework within which an area-specific DPD can be produced. The DPD will provide the detailed planning guidance to promote development that assists in the regeneration of Worksop Central.

Policy ST5 and the emerging Worksop Central DPD, 2021 [DPD-014] and Policy ST6 are considered to be robustly justified in that the Council has considered and consulted upon a range of evidence base documents specific to the issues and opportunities within Worksop Central and Cottam Power Station during the plan making process.

4.4 Are there any omissions in the policies and are they sufficiently flexible?

BDC Response:

The Council considers Policy ST5 to have sufficient flexibility to provide a positive policy framework within which the production of a DPD can take place. However, in accordance with paragraph 82 (d) of the NPPF, it recognises that there may be opportunities for growth and regeneration within the DPD area, that contribute to the objectives of the area wide regeneration, prior to the adoption of the Worksop Central DPD.

As such, the following modifications are proposed to Policy ST5 and the supporting text to clarify the operation of the policy framework and provide consistency with national policy and internal consistency with other Local Plan policies including Policy ST1.

Paragraph 5.4.5 Regenerating Worksop Central is a long-standing aspiration of the Council. The strategy aims to build on ~~the recently developed funding successes~~ for a training facility at Bridge Court (The WASH) and to ~~the create~~ business incubator space at Middletons – to re-focus the purpose of the town’s core to contain a more vibrant mix of uses including commercial, leisure, tourism, education and cultural

facilities. A more concentrated retail offer will be maintained. The housing offer will be diversified so that more people are able to live and/or work in this sustainable central location.

Add new paragraph 5.4.8: The Council recognises that there may be opportunities for the regeneration of land and buildings prior to the adoption of the Worksop Central DPD. Where these circumstances occur, the development of land should contribute positively towards enhancing the social, economic and environmental sustainability of the area.

POLICY ST5: Worksop Central

1. Land in Worksop Central, as defined on the Policies Map, is ~~been~~ identified as a Priority Regeneration Area where comprehensive regeneration and growth is expected to take place for the plan period 2020-2040.

2. An area-specific Worksop Central Development Plan Document (DPD) will set out the nature, form, design, development and mix of uses delivery framework for development proposals within this area will be to address the following requirements:

a) the provision of approximately 725 dwellings by 2038 will provide an appropriate mix of house types, sizes and tenures to achieve approximately 725 dwellings through completed sites, sites with planning permission and new site allocations to achieve a balanced and inclusive community;

3. New development within the Worksop Central boundary, as identified on the Policies Map, proposed in advance of the adoption of the Worksop Central DPD will need to demonstrate through a Design and Access Statement that the proposal will not prejudice the delivery of the requirements in Part 2 of this Policy.

To ensure that Policy ST6 is not mis-used (e.g. by an early application for development of the broad location) and to give greater certainty to the landowners and the local community about the future role of the location, it is considered that the policy (rather than within paragraph 5.4.20) should clarify that only at Local Plan Review will development in this location be re-visited. This allows a proper level of assessment to take place, to inform the mix of uses proposed for the site and to ensure that the mitigation proposed is justified.

New Part 4:

To enable robust masterplanning to take place and to ensure the site allocations in this plan are given the opportunity to come forward first, the status of the former Cottam Power Station site will only be re-visited at Local Plan Review by 2028.

Paragraph 5.4.20

The Council is committed to continuing to work with the landowners, developer partners and the local community to agree a masterplan framework, phasing and infrastructure plan for this key regeneration location. This will involve the requirements of Policy ST6 being met. On that basis, the Council will re-visit the status of the broad location through the Local Plan Review process, in the first instance by 2028. Additional evidence and up to date information will shape future Local Plan reviews. The requirements of Policy ST6 will need to be met in full to facilitate further detailed discussions relating to the long term future of the site.

- 4.5 Are the Council's proposed modifications to these policies and the supporting text necessary for soundness?

BDC Response:

M1.20 is proposed to align the housing requirement and the extent of the Plan period with Policy ST1. It is proposed for consistency with national policy and for internal consistency with Policy ST1. Therefore it is considered these changes are justified in order to produce an effective local plan and the modifications are necessary to enhance soundness.

M1.22, M1.25 were in response to representations received from Gerald Eve LLP and Pegasus Group following consultation of the Publication Version of the Local Plan for clarification purposes, and to strengthen consistency with national planning policy. Therefore it is considered these changes are justified in order to produce an effective local plan and the modifications are necessary to enhance soundness.

M1.21 is a grammatical change and is not considered necessary for soundness.

M1.23, M1.24 are proposed to clarify the implementation effectiveness of the policy and are not necessary for soundness.