

# **Bassetlaw District Council Response to Inspectors Matters, Issues and Questions**

## **Matter 6 – Housing Allocations**

**4 November 2022**

(Issue 6)

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 16 –28)**

### **Issue 6 – Are the proposed housing allocations justified, effective, developable, deliverable, in line with national policy and otherwise soundly based?**

Note: This matter focusses on the merits of individual site allocations, the process for selecting site allocations is dealt with in Matter 2.

- 6.1 Do the sites allocated for residential development provide an appropriate range of sites in terms of their type and size?

#### **BDC Response:**

The Council considers that the sites allocated within Policy ST15 provide an appropriate range of small, medium and larger sites. Site allocations in the plan will be expected to deliver an approximate net number of dwellings as identified in the relevant site-specific policy. To make the best use of available land, this should form part of an appropriate density across each site, reflecting site context and location, in accordance with Policy ST30.

The sites allocated range from 5 – 1250 residential units. This includes a mix of sites on previously developed land, sites on underused land within the urban area, and also a number of sites on greenfield land.

Whilst most site allocations are for solely residential use, some are for a mix of uses (integrated with employment or leisure uses for example). Most site allocations are required to provide on-site affordable housing units, with HS3 requiring 100% of its units as low cost / affordable units.

All sites are required to provide a mix of types of units as part of the allocation, with the exception of HS10 which is expected to deliver apartments only. Specialist housing will be delivered on a number of sites including HS1 and HS13 as guided by the comprehensive masterplan frameworks (in accordance with Policy ST58).

The Council considers that the allocations for residential development as set out in Policy ST15 will provide an appropriate range of sites in terms of their type and size.

- 6.2 Is the site allocated as an urban extension at Peaks Hill Farm sound, and in particular:

- a) Are the various requirements set out in in the policy clear, justified and effective?

#### **BDC Response:**

National policy sets out a range of provisions for the allocation of sites to have regard to including; flood risk, transport, accessibility, landscape and biodiversity. At each stage in the plan-making process, the robust evidence available to the Council has helped to shape the policy framework within Policy 16, so the criteria are considered justified by local, up to date evidence, which positively respond to local character and context.

The site and its policy have also been considered through the Sustainability Appraisal (summarised in Table 5.2) [PUB-024]. The assessment, including the recommended mitigation within Appendix 6 [of PUB-024] has informed the policy criteria.

As such, the Council considers the requirements within Policy 16 (with the proposed modifications) to be unambiguous; the provisions set out therein are to be considered as expectations to be addressed as part of developing proposals for each allocation. This includes the evidence that can be expected to be required as part of submission of a planning application.

b) Have the site constraints, indicative yield, development mix and viability considerations been adequately addressed?

**BDC Response:**

The Land Availability Assessment 2022 (LAA) [BG-030] assesses site constraints; it is considered these have been robustly assessed through the evidence base, including the Sustainability Appraisal 2022 [PUB-024] and the Infrastructure Delivery Plan 2022 [BG-041], following engagement with relevant statutory consultees and infrastructure partners. As such, the Council considers that the site constraints have been adequately addressed within Policy 16.

Site capacity assumptions are set out in the LAA [BG-030]. At the point of submission the Council considered that the development mix could be appropriately accommodated on site. However, through the site promoters' masterplanning process it is now considered that the amount of employment land should be reduced. It is now proposed that 6.6ha of employment land is appropriate to support the demands of the local employment market and the level of jobs identified within the HEDNA Addendum 2022 [SS-024]. As within the submission Plan [SUB-010] the employment land is still expected to come forward over two Plan periods. As such, the Council proposes a modification to Part 1 of Policy 16 (see below).

The site promoters have undertaken pre-application engagement with the Council; it is considered that the site constraints, indicative yield and development mix (with the proposed modification below) have been adequately assessed.

As such, as required by the Plan-Making PPG, it is considered that Policy 16 (taken with the proposed modification) for site HS1, provide 'sufficient detail...to provide clarity to developers, local communities and other interested parties about the nature and scale of development' (Paragraph: 002 Reference ID: 61-002-20190315 Revision date: 15 03 2019).

Viability is considered below.

c) Is there sufficient evidence to demonstrate that the site can be implemented and that all necessary infrastructure and mitigation measures required to support it are achievable and can be delivered?

## **BDC Response:**

Appendix 2 of the Infrastructure Delivery Plan (IDP) [BG-041] sets out the necessary infrastructure and mitigation required to support the delivery of HS1. As evidenced the necessary infrastructure relates to five categories: education, health, green infrastructure, transport and utilities.

- **Education:** Policy 16 requires 2.5ha of serviced land and an appropriate financial contribution towards enabling a 2FE secondary school satellite facility on site. The Local Education Authority in a draft Statement of Common Ground [SCG-010] confirm that the provisions for delivery of education infrastructure within the IDP 2022 [BG-041] have been generated by the LEA, are appropriate and are sufficient to meet demands from the development. The site promoters' concept plan and pre-application engagement indicates that the school can be accommodated on site.
- **Health:** Policy 16 requires an appropriate financial contribution towards enabling off-site primary and acute healthcare services to mitigate impacts generated from the development. The NHS Bassetlaw CCG is the Local Health Authority for Bassetlaw, and agrees in a Statement of Common Ground [SCG-007] that the provisions for acute and primary health care facilities within the IDP 2022 [BG-041] have been generated by the CCG and are sufficient to meet the demands from the relevant development.
- **Green infrastructure and community facilities:** a range of evidence including for landscape, trees and woodland and heritage have informed the policy approach. This evidence has informed the indicative yield as well as the parameters for the application, including suitable mitigation and blue / green infrastructure for the site, including protection and enhancement of woodland on site. The site promoters' concept plan and pre-application engagement indicates that the green infrastructure and community facilities identified by Policy 16 can be accommodated on site.
- **Highways and transport:** the Bassetlaw Transport Study, May 2022 (BTS) [TI-017] assessed the cumulative impact of new development in Bassetlaw and identified highway mitigation necessary to improve transport infrastructure over the Plan period, in line with paragraph 104 of the NPPF. This identified the need for off-site highway improvements required to mitigate the site's impacts at junctions within the locality (as identified within Policy 16 l).The BTS [TI-017] identified the need for a new distributor road which is capable of accommodating public transport and a marked cycle lane. The site promoters' concept plan and pre-application engagement indicate the technical specification for the distributor road on site is advanced and is achievable.
- **Utilities:** the Infrastructure Delivery Plan Baseline Assessment 2020 [TI-007] and Update 2021 [TI-001] indicate that the indicative yield and development mix can be accommodated within the utilities network and that connection to facilitate development in a timely manner is achievable.

Viability is considered below.

The Council considers that an urban extension of this scale will be delivered in phases, and that the infrastructure provision will be aligned to reflect the growth apportioned to each phase. As such the Council is of the view that there is sufficient evidence to demonstrate that all necessary infrastructure and mitigation measures required to support it are achievable and deliverable.

A Statement of Common Ground is being finalised with the site promoters which will be uploaded to the Examination Library before the hearings.

d) Is there evidence that the development of the allocation is viable and developable during the plan period?

**BDC Response:**

The Whole Plan Viability Assessment 2022 [PUB-028] site specific assessment includes all of the general cost allowances for, inter alia, biodiversity net gain, accessibility standards and building regulation construction standards as well as site specific allowances for infrastructure contributions and affordable housing. The assessment indicates a positive viability margin beyond a reasonable developer profit return, having allowed for all stated cost and developer contribution factors so the allocation is deemed viable during the plan period.

The housing trajectory submitted with the Council's response to Initial Inspectors Questions [BDC-01] states that the housing at HS1 is expected to commence on site within the first 5 years from adoption. The site promoters have undertaken an EIA Scoping and pre-application engagement, and indicate a planning application is expected to be submitted following the Local Plan hearings, to enable housing to be delivered in line with the housing trajectory. As such, the Council consider that there is sufficient evidence that the development of the allocation is viable and developable during the plan period.

e) Are there any omissions in the policy, and is it sufficiently flexible?

**BDC Response:**

As identified above, to enable the effective delivery of necessary infrastructure the following modifications are proposed:

Policy 16: Site HS1: Peaks Hill Farm, Worksop

1. Land at Peaks Hill Farm, Worksop, as identified on the Policies Map will be developed for approximately 1080 dwellings, approximately 5ha of employment land and supporting infrastructure as identified by the Infrastructure Delivery Plan<sup>7</sup> in this plan period; with the balance of housing and ~~a further 40 dwellings, 5.6ha~~ of employment land and associated infrastructure, thereafter as part of a safe, sustainable, quality living and working environment.

2g) a multifunctional, coherent and connected green/blue infrastructure network designed to promote climate resilience and to include:

- i. ~~7.6 ha~~ of publicly accessible open space as identified by the Infrastructure Delivery Plan<sup>7</sup>, to include the land between Carlton Road and the woodland to the east. The future management and maintenance shall be agreed through a planning application;
- ii. the retention of ~~approximately 8.1ha~~ of existing woodland and important hedgerows, as well as replacement planting for trees lost to development of at least equal amenity and ecological value of a local provenance. This should be informed an arboriculture management plan to ensure their positive integration and enhancement;

Paragraph 7.2.1: Situated on the northern edge of Worksop, Peaks Hill Farm (in Figure 14) adjoins an existing residential area to the south and Existing Employment Site EES10: Carlton Forest, to the north-east. The site (~~53~~ 63.7 ha) provides an opportunity to create a sustainable and well integrated urban extension – for approximately 1120

dwellings and approximately ~~10.6ha~~ 6.6ha of employment land - to significantly contribute to Worksop's housing and local business needs in this plan period and the next. The site will have good access to a range of local employment, retail and community facilities within the planned development and Worksop itself.

Paragraph 7.2.6: Complementing this will be the delivery of employment land ~~—the principle has been agreed through a planning permission—~~ allocated by Policy ST7 for up to 5ha in this plan period with a further ~~5.6ha~~ of employment land thereafter, expected to create approximately 1000 jobs including in the green technology sector<sup>10</sup>.

The Council considers that the requirements for Policy 16 (with proposed modifications) provides a clear framework to guide the sustainable development of HS1 over the Plan period. The Policy is considered to be sufficiently flexible to allow for changes to be made and to allow for issues to be overcome that are unknown at the time of plan preparation. Additionally, the site allocation policy would be expected to be considered alongside other policies that address specific matters (as per Paragraph 1.15.1 of the Local Plan). As such, the policy provides clear, justified parameters within which a planning application would be considered, but expects the masterplan framework, associated documents and technical assessments to confirm the detailed approach.

f) Are the main modifications suggested to the Policy necessary to make the plan sound?

**BDC Response:**

The justification for modification M1.38 is proposed for clarification purposes to strengthen the implementation effectiveness of the plan.

The justification for modification M1.39 is proposed in response to representations received from Inovo Consulting and The Woodland Trust following the consultation of the publication version of the local plan for clarification purposes and to strengthen consistency with national 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.

The justification for modifications M1.41, M1.43 is considered necessary for clarification purposes to address representations received from Nottinghamshire County Council, and Inovo Consulting following consultation of the publication version of the local plan to strengthen consistency with the evidence base. Therefore it is considered these changes are justified in order to produce an effective local plan and the modifications are necessary to enhance soundness.

The justification for modification M1.42 is proposed in response to representations received from IBA Planning following the consultation of the publication version of the local plan to aid implementation of the 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.

6.3 Are the other 4 housing allocations in Worksop sound, and in particular:

a) Are the criteria set out in in the policies clear, justified and effective?

**BDC Response:**

It is considered that the criteria within Policies 17-20 relating to housing sites HS2-HS5 are clear, justified, based on proportionate evidence, and are effective.

National policy sets out a range of provisions for the allocation of sites to have regard to including; flood risk, transport, accessibility, heritage and biodiversity. At each stage in the plan-making process, the robust evidence available to the Council has helped to shape the policy framework for each site, so the criteria are considered justified by local, up to date evidence, which positively respond to local context.

All sites and their policies have been considered through the Sustainability Appraisal (summarised in Table 5.2) [PUB-024]. The assessments, including the recommended mitigation within Appendix 6 [of PUB-024] has informed the policy criteria.

All the sites are either brownfield or underused land within the urban area of Worksop, specifically the Manton area. The Council considers that all are capable of contributing to meeting an identified local housing need, positively contributing to the ongoing regeneration of this part of the town. The policy criteria are considered justified in contributing to that aim, in accordance with NPPF paragraph 124 that asks that the Local Plan promote the effective use of land, achieve appropriate densities; and, support the desirability to promote regeneration and change.

As such, the Council considers Policies 17-20 (with the proposed modifications) to be unambiguous; the provisions set out therein are to be considered as expectations to be addressed as part of developing proposals for each allocation. This includes the evidence that can be expected to be required as part of submission of a planning application.

The sites have been considered with regard to suitability, availability and potential for development over the plan period, and the overarching deliverability has been tested through the Whole Plan Viability Assessment 2022 [PUB-028]. Viability is considered further below.

The Council considers that the requirements for Policies 17-20 provide a clear framework to guide the sustainable development of each allocation over the plan period. Additionally, each site allocation policy would be expected to be considered alongside other policies that address specific matters (as per Paragraph 1.15.1 of the Local Plan). As such, each policy provides clear, justified parameters within which a planning application would be considered, but expects the masterplan framework, associated documents and technical assessments to confirm the detailed approach.

b) Have the site constraints, indicative yield, development mix and viability considerations been adequately addressed?

**BDC Response:**

The Land Availability Assessment 2022 (LAA) [BG-030] assesses site constraints; it is considered these have been robustly assessed through the evidence base, including the Sustainability Appraisal, and in discussion with relevant statutory consultees and infrastructure partners. The Council considers that the site constraints have been appropriately addressed by the policy criteria.

Site capacity assumptions are set out in the LAA [BG-030]. The development mix is considered appropriate to enable local housing needs to be met, infrastructure requirements to be met and/or to address site constraints. This has been informed by the evidence base including, the Infrastructure Delivery Plan 2022 [BG-041], the

Housing and Economic Development Needs Assessment 2022 [SS-024] and the Sustainability Appraisal 2022 [PUB-024].

As such, as required by the Plan-Making PPG, it is considered that Policies 17-20 [of SUB-010], taken with the proposed modifications provide 'sufficient detail...to provide clarity to developers, local communities and other interested parties about the nature and scale of development' (Paragraph: 002 Reference ID: 61-002-20190315 Revision date: 15 03 2019).

Viability is considered further below.

c) Is there evidence that the development of the allocations is viable and developable during the plan period?

**BDC Response:**

The typology tests within the Whole Plan Viability Assessment 2022 [PUB-028] for sites HS2, HS3 and HS5 indicate a positive viability margin beyond a reasonable developer profit return, having allowed for all stated cost and developer contribution factors so the sites are deemed be viable and developable within the plan period.

The site specific assessment of HS4 (former Manton Primary school [in PUB-028]) as a brownfield site indicated a marginal negative viability margin of -£64,213 but it is considered that in context with a £21Million development this is not considered to render the scheme unviable or undeliverable. The Infrastructure Delivery Plan 2022 [BG-041] sets out the Council's approach to prioritisation of infrastructure [developer contribution] requirements should deliverability be identified as a concern at planning application stage. It is considered that this approach will enable all essential constraints to be appropriately mitigated whilst facilitating a viable scheme, thereby delivering sustainable development.

The housing trajectory submitted with the Council's response to Initial Inspectors Questions [BDC-01] states that the housing on each site is expected to commence within the first 5 years from adoption.

Sites HS2, HS4 and HS5 are owned by Nottinghamshire County Council; a draft SOCG [SCG-010] states that the sites are expected to be released for development to facilitate housing in line with the housing trajectory submitted as part of the Initial Inspectors Questions [BDC-01].

Site HS3 is owned by BDC. A revised planning application is pending consideration. As per the Council's response to the Initial Inspectors Questions [BDC-0] the Council have agreed to dispose of the land and it is considered that the planning application will be considered by Planning Committee in Autumn 2022.

As such, the Council considers the policy requirements for the proposed allocations to be developable during the plan period: in that the sites have been identified by the Local Plan evidence base including the Sustainability Appraisal [PUB-024], the LAA [BG-030] and other relevant evidence, to be 'in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged' (NPPF, 2021, Glossary p66).

d) Are there any omissions in the policies, and are they sufficiently flexible?

**BDC Response:**



To clarify expectations for site delivery of brownfield land, rather than referencing the requirement for surface water management through the supporting text, the Council consider a modification is required to relevant site specific policies. It is considered this change is justified in order to produce an effective local plan and the modifications are necessary to enhance soundness.

a surface water management scheme which incorporates an appropriate Sustainable Drainage System (SuDS), informed by a Flood Risk Assessment. Whole life management and maintenance arrangements must be agreed through the planning application process;

This new criteria is proposed for Policies 17-19

The Council considers that each policy is sufficiently flexible to allow for changes to be made and to allow for issues to be overcome that are unknown at the time of plan preparation. As such, the policies provide clear, justified parameters within which a planning application would be considered, but expects the masterplan framework, associated documents and technical assessments to confirm the detailed approach.

e) Are the main modifications suggested to the Policies necessary to make the plan sound?

The justification for modifications M1.44, M1.45, M1.46, M1.49 is considered necessary for clarification purposes to address representations received from Nottinghamshire County Council following consultation of the publication version of the local plan to strengthen consistency with the evidence base. Therefore it is considered these changes are justified in order to produce an effective local plan and the modifications are necessary to enhance soundness.

The justification for modification M1.47 and M1.48 are considered to be a grammatical correction to be internally consistent between Policies 17-20.

The justification for modification M1.49 was in response to representations received from Nottinghamshire County Council following consultation of the publication version of the local plan, for clarification purposes. Therefore it is considered these changes not necessary for soundness but help to strengthen the implementation effectiveness of the policy.

6.4 Is the site allocated as an urban extension at Ordsall South sound and in particular:

a) Are the criteria set out in in the policy clear, justified and effective?

**BDC Response:**

It is considered that the criteria within Policy 27 relating to housing site HS13 are clear, justified, based on proportionate evidence, and effective.

National policy sets out a range of provisions for the allocation of sites to have regard to including; flood risk, transport, accessibility, landscape and biodiversity. At each stage in the plan-making process, robust evidence available to the Council has helped to shape the policy framework, so the criteria are considered justified by local, up to date evidence, and which positively respond to local character and context.

The site and its policy have also been considered through the Sustainability Appraisal (summarised in Table 5.2) [PUB-024]. The assessment, including the recommended mitigation within Appendix 6 [of PUB-024] has informed the policy criteria.

As such, the Council consider Policy 27 (with the proposed modifications) to be unambiguous; the provisions set out therein are to be considered as expectations to be addressed as part of developing proposals for the allocation. This includes the evidence that can be expected to be required as part of submission of a planning application.

b) Have the site constraints, indicative yield, development mix and viability considerations been adequately addressed?

**BDC Response:**

The Land Availability Assessment 2022 (LAA) [BG-030] assesses site constraints; it is considered these have been robustly assessed through the evidence base, including the Sustainability Appraisal [PUB-024] and the Infrastructure Delivery Plan [BG-041], following engagement with relevant statutory consultees and infrastructure partners. As such, the Council considers that the site constraints have been adequately addressed within the policy criteria.

Site capacity assumptions are set out in the LAA [BG-030]. The development mix is considered appropriate to enable local housing needs to be adequately addressed and to accommodate the level of infrastructure and services considered necessary to meet the needs of a new sustainable community of this scale in this location. This has been informed by the evidence base including, the Infrastructure Delivery Plan 2022 [BG-041], the Housing and Economic Development Needs Assessment 2022 [SS-024] and the Sustainability Appraisal [PUB-024].

The site promoters have undertaken a pre-application community consultation; it is considered that this demonstrates that the indicative yield and development mix can be adequately accommodated on site, and that the site constraints will be adequately addressed.

As such, as required by the Plan-Making PPG, it is considered that Policy 27 (taken with the proposed modifications) for site HS13, provides 'sufficient detail...to provide clarity to developers, local communities and other interested parties about the nature and scale of development' (Paragraph: 002 Reference ID: 61-002-20190315 Revision date: 15 03 2019).

Viability is considered below.

c) Is there sufficient evidence to demonstrate that the site can be implemented and that all necessary infrastructure and mitigation measures required to support it are achievable and can be delivered?

**BDC Response:**

Appendix 2 of the Infrastructure Delivery Plan, May 2022 (IDP) [BG-041] sets out the necessary infrastructure and mitigation required to support the delivery of HS13. As evidenced the necessary infrastructure relates to five categories: education, health, green infrastructure/community facilities, transport and utilities.

- **Education:** Policy 27 requires 1.5ha of serviced land and an appropriate financial contribution to support a 1FE primary and early years' facility on site. The Local Education Authority in a draft Statement of Common Ground [in SCG-010] confirm that the provisions for delivery of education infrastructure within the IDP [BG-041] have been generated by the LEA, are appropriate and are sufficient to meet demands from the development. The site promoters pre-application consultation indicates that the school is achievable on site.
- **Health:** Policy 27 requires provision on-site of a health hub including space for a general practitioners branch surgery and supporting community health care facilities. The NHS Bassetlaw CCG is the Local Health Authority for Bassetlaw, and agrees in a Statement of Common Ground [SCG-007] that the provisions for primary health care facilities within the IDP [BG-041] have been generated by the CCG and are sufficient to meet demands from relevant development. The site promoters' pre-application consultation indicates that the health hub is achievable on site.
- **Green infrastructure and community facilities:** a range of evidence including for landscape, trees and woodland, and flood risk have informed the policy approach. This evidence has informed the indicative yield/development mix as well as the parameters for the application, including suitable mitigation and blue / green infrastructure for the site, including the provision of a country park. The site promoters' pre-application consultation indicates that the green/blue infrastructure and community facilities identified by Policy 27 are achievable on site.
- **Highways and transport:** the Council considers that the Bassetlaw Transport Study (BTS) 2022 [TI-017] and the Retford Transport Assessment 2022 (RTA) [TI-018] provides a robust transport evidence base, in line with paragraph 104 of the NPPF to evidence relevant infrastructure requirements and mitigation measures. Although the proposed location of the site is adjacent to the existing urban area of Retford, the evidence has assessed the development assumptions and cumulative impact(s) based on all trips travelling off-site for daily needs as a worst-case scenario. Section 11.6 of the RTA [TI-018] identifies a series of on and off-site highway and sustainable transport mitigation measures. These measures have been designed to meet the 'nil detriment' test, where improvements return junction performance with Local Plan development to no worse than it would have been without Local Plan development at the end of the Plan period (2038).

The highway and sustainable transport mitigation measures identified within Policy 27 are considered achievable; they have been fully assessed in terms of whether they could be physically implemented within the existing transport network. Where there is no scope to provide any meaningful physical highway capacity improvements due to the limited space available adjacent to the junctions, enhanced public transport and promotion of active travel has therefore been proposed to help mitigate forecast traffic conditions at these locations, in accordance with paragraph 105 of the NPPF.

The Council consider the highway and sustainable transport mitigation measures are deliverable, because they have been costed and a methodology for proportioning costs across allocations has been identified. The scope and costs of these highway and sustainable transport mitigation measures have been considered in the Bassetlaw Whole Plan Viability Assessment [PUB-028] and identified within the IDP [BG-041].

- **Utilities:** the Infrastructure Delivery Plan Baseline Assessment 2020 [TI-007] and Update 2021 [TI-001] indicate that the indicative yield and development mix can be accommodated within the utilities network and that connection to facilitate development in a timely manner is achievable.

Viability is considered below.

The Council considers that an urban extension of this scale will be delivered in phases, and that the infrastructure provision will be aligned to reflect the growth apportioned to each phase. As such the Council is of the view that there is sufficient evidence to demonstrate that all necessary infrastructure and mitigation measures required to support it are achievable and deliverable.

A Statement of Common Ground is being finalised with the site promoters which will be uploaded to the Examination Library before the hearings.

d) Is there evidence that the development of the allocation is viable and developable during the plan period?

**BDC Response:**

The Whole Plan Viability Assessment 2022 [PUB-028] site specific assessment includes all of the general cost allowances for, inter alia, biodiversity net gain, accessibility standards and building regulation construction standards as well as site specific allowances for infrastructure contributions and affordable housing. The assessment indicates a positive viability margin beyond a reasonable developer profit return, having allowed for all stated cost and developer contribution factors so the allocation is deemed viable during the Plan period.

The housing trajectory submitted with the Council's response to Initial Inspectors Questions [BDC-01] states that the housing at HS13 is expected to commence on site within the first 5 years from adoption. The site promoters have undertaken a pre-application consultation, and indicate that a planning application is expected to be submitted in the short term to enable housing to be delivered in line with the housing trajectory. This is to be confirmed through a Statement of Common Ground which will be uploaded to the Examination Library prior to the hearings.

As such, the Council considers the policy requirements for the site allocation to be developable during the plan period.

e) Are there any omissions in the policy, and is it sufficiently flexible?

**BDC Response:**

No omissions have been identified.

The Council considers that Policy 27 (with the proposed modifications) provides a clear framework to guide the sustainable development of HS13 over the Plan period. The Policy is considered to be sufficiently flexible to allow for changes to be made and to allow for issues to be overcome that are unknown at the time of plan preparation. Additionally, the site allocation policy would be expected to be considered alongside other policies that address specific matters (as per Paragraph 1.15.1 of the Local Plan [SUB-010]). As such, the policy provides clear, justified parameters within which a planning application would be considered, but expects the masterplan framework, associated documents and technical assessments to confirm the detailed approach.

f) Are the main modifications suggested to the Policy necessary to make the plan sound?

**BDC Response:**

The justification for modification M1.64 is for grammatical purposes to strengthen the implementation effectiveness of the plan.

The justification for modification M1.65 is in response to representations received from The Woodland Trust following the consultation of the publication version of the local plan to strengthen consistency with national policy. Therefore it is considered these changes are justified in order to produce an effective local plan and the proposed modifications are necessary to enhance soundness.

The justification for modification M1.66 is to clarify the approach to be taken to implementation of the policy. Therefore it is considered these changes are justified in order to produce an effective local plan and the proposed modifications are necessary to enhance soundness.

The justification for modification M1.67 is to strengthen the implementation effectiveness of the plan.

The justification for modifications M1.68 is considered necessary to address representations received from Nottinghamshire County Council following consultation of the publication version of the local plan to strengthen consistency with the evidence base. Therefore it is considered these changes are justified in order to produce an effective local plan and the modifications are necessary to enhance soundness.

6.5 Are the other 6 housing allocations in Retford and the allocation in Tuxford sound, and in particular:

a) Are the criteria set out in in the policies clear, justified and effective?

**BDC Response:**

It is considered that the criteria within Policies 21-26 and Policy 28 relating to housing sites HS7-HS11 and HS14 (with proposed modifications) are clear, justified, based on proportionate evidence, and are effective.

National policy sets out a range of provisions for the allocation of sites to have regard to including; flood risk, transport, accessibility, landscape, heritage and biodiversity. At each stage in the plan-making process, the robust evidence available to the Council has helped to shape the policy framework for each site, so the criteria are considered justified by local, up to date evidence and respond to local context.

All sites and their policies have been considered through the Sustainability Appraisal (summarised in Table 5.2) [PUB-024]. The assessment, including the recommended mitigation within Appendix 6 [of PUB-024] has informed the policy criteria.

The Council considers that all are capable of contributing to meeting an identified local housing need, and/or make good use of land in sustainable locations either within or adjoining the urban area. The policy criteria are considered justified in contributing to that aim, in accordance with the NPPF (paragraph 124) that asks that the Local Plan to promote the effective use of land, achieve appropriate densities; and, support the desirability to promote change.

As such, the Council considers Policies 21-26 and Policy 28 (with the proposed modifications) to be unambiguous; the provisions set out therein are to be considered as expectations to be addressed as part of developing proposals for each allocation. This includes the evidence that can be expected to be required as part of submission of a planning application.

The sites have been considered with regard to suitability, availability and potential for development over the plan period, and the overarching deliverability has been tested through the Whole Plan Viability Assessment 2022 [PUB-028]. Viability is considered further below.

The Council considers that Policies 21-26 and Policy 28 provide a clear framework to guide the sustainable development of each allocation over the plan period. Each policy (with proposed modifications) is considered to be sufficiently flexible to allow for changes to be made and to allow for issues to be overcome that are unknown at the time of plan preparation. Additionally, the site allocation policy would be expected to be considered alongside other policies that address specific matters (as per Paragraph 1.15.1 of the Local Plan [SUB-010]). As such, the policy provides clear, justified parameters within which a planning application would be considered, but expects the masterplan framework, associated documents and technical assessments to confirm the detailed approach.

b) Have the site constraints, indicative yield, development mix and viability considerations been adequately addressed?

**BDC Response:**

The Land Availability Assessment 2022 (LAA) [BG-030] assesses site constraints; it is considered these have been robustly assessed through the evidence base, including the Sustainability Appraisal, and in discussion with relevant statutory consultees and infrastructure partners. The Council considers that the site constraints have been appropriately addressed by the policy criteria.

Site capacity assumptions are set out in the LAA [BG-030]. The development mix is considered appropriate to enable local housing needs to be met, infrastructure requirements to be met and/or to address site constraints. This has been informed by the evidence base including, the Infrastructure Delivery Plan 2022 [BG-041], the Housing and Economic Development Needs Assessment 2022 [SS-024] and the Sustainability Appraisal 2022 [PUB-024].

As such, as required by the Plan-Making PPG, it is considered that Policies 21-26 and Policy 28 (taken with the proposed modifications) provide 'sufficient detail...to provide clarity to developers, local communities and other interested parties about the nature and scale of development' (Paragraph: 002 Reference ID: 61-002-20190315 Revision date: 15 03 2019).

Viability is considered further below.

c) Is there evidence that the development of the allocations is viable and developable during the plan period?

**BDC Response:**

The typology tests within the Whole Plan Viability Assessment 2022 [PUB-028] for sites HS8 – HS10 and site HS14 indicate a positive viability margin beyond a reasonable developer profit return, having allowed for all stated cost and developer contribution factors so the sites are deemed to be viable.

A robust site specific assessment for HS7 and HS11 includes all of the general cost allowances for, inter alia, biodiversity net gain, accessibility standards and building regulation construction standards as well as site specific allowances for infrastructure contributions and affordable housing. The results indicate a positive viability margin beyond a reasonable developer profit return so the sites are considered to be viable.

The housing trajectory submitted with the Council's response to Initial Inspectors Questions [BDC-01] states that the housing on each site is expected to commence within the first 5-10 years from adoption.

A draft Statements of Common Ground with the landowners of sites HS9 and HS10 (Nottinghamshire County Council) [SCG-010] and discussions with the landowners of HS10, HS12 and HS14 confirm that the sites are expected to be released for development to facilitate housing in line with the housing trajectory submitted as part of the Initial Inspectors Questions [BDC-01]. A Statement of Common Ground is being finalised with the landowners of HS7 confirms the same, and is expected to be uploaded to the Examination Library prior to the hearings.

Site HS8 is owned by BDC. As per the Council's response to the Initial Inspectors Questions [BDC-01] the Council have agreed to dispose of the land to enable housing delivery in line with the trajectory.

As such, the Council considers the allocations to be developable during the plan period: in that the sites have been identified by the Local Plan evidence base including the Sustainability Appraisal [PUB-024], the LAA [BG-030] and other relevant evidence, to be 'in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged' (NPPF, 2021, Glossary p66).

d) Are there any omissions in the policies, and are they sufficiently flexible?

**BDC Response:**

To clarify expectations for site delivery of brownfield land, rather than referencing the requirement for surface water management through the supporting text, the Council consider a modification is required to relevant site specific policies. It is considered this change is justified in order to produce an effective local plan, consistency with local evidence, and the modifications are necessary to enhance soundness.

a surface water management scheme which incorporates an appropriate Sustainable Drainage System (SuDS), informed by a Flood Risk Assessment. Whole life management and maintenance arrangements must be agreed through the planning application process;

This new criteria is proposed for Policies 22, 23, 24, 26

The Council considers each policy is sufficiently flexible to allow for changes to be made and to allow for issues to be overcome that are unknown at the time of plan preparation. As such, the policies provide clear, justified parameters within which a

planning application would be considered, but expects the masterplan framework, associated documents and technical assessments to confirm the detailed approach.

e) Are the main modifications suggested to the Policies necessary to make the plan sound?

**BDC Response:**

The justification for modifications M1.57, M1.59, M1.63 and M1.69 is considered necessary for clarification purposes to address representations received from Nottinghamshire County Council following consultation of the publication version of the local plan to strengthen consistency with the evidence base. Therefore it is considered these changes are justified in order to produce an effective local plan and the modifications are necessary to enhance soundness.

The justification for modification M1.61 is considered to be a grammatical correction to be internally consistent between Policies 21-26 and Policy 28.

The justification for modification M1.55 and M1.56 was in response to representations received from Nottinghamshire County Council following consultation of the publication version of the local plan, to inform access arrangements which slightly amended the site boundary. Therefore it is considered these changes strengthen the policy framework and are necessary to enhance soundness.

The justification for modification M1.58, M1.60 and M1.56 was in response to representations received from Nottinghamshire County Council following consultation of the publication version of the local plan, to clarify mitigation measures associated with each site. Therefore it is considered these changes strengthen the policy framework and are necessary to enhance soundness.