

**Barton Willmore, now Stantec on behalf of Howard (Retford) Limited**

**Examination into the Bassetlaw Local Plan**

**Matter 10: Local Character and Distinctiveness**

**Issue 10 - Does the Plan set out a positively prepared strategy and policies for local character and distinctiveness which is justified, effective and consistent with national policy?**

***Q10.1 Are the main modifications suggested to Policy ST35 and the supporting text necessary for soundness?***

1. Our Client has no comment to make in relation to this question.

***Q10.2 Is the suggested main modification to ST37 necessary for soundness?***

2. Our Client has no comment to make in relation to this question.

***Q10.3***

- a) Is the approach taken by policy ST38 consistent with the Framework and the aims of sustainable development? In relation to the location and extent of Green Gaps, are these supported by robust and up-to-date evidence?***
- b) Is the proposed use of buffer zones for the green corridors in ST39 justified and would they be effective? Is it supported by appropriate evidence? Does it duplicate other policies in the plan?***
- c) Are the suggested main modifications to Policy ST39 and the supporting text necessary for soundness?***

3. Our Client is of the view that the approach taken in relation to ST38 and the location of proposed Green Gaps is not consistent with paragraph 16 f) of the National Planning Policy Framework (NPPF). In this respect, Policy ST38 is not justified, effective, or consistent with national policy and cannot be found sound.
4. The location of Retford South-Eaton (GG7) and Retford West (GG8) Green Gap designations overlap with the Policy 27: Site HS13 Ordsall South. This dynamic is entirely illogical and causes unnecessary confusion. As submitted, land at the Ordsall South Site is subject to two conflicting policy positions, one which seeks to deliver comprehensive mixed-use development, and another which seeks to protect the landscape. The confusion caused by the new Green Gap designations at Ordsall South is heightened because the Green Gaps do not currently exist.
5. Our Client is fully supportive of the need to deliver development that is sensitive to landscape context and which can be integrated into the landscape through the use of green and blue infrastructure. However, this can be achieved through allocation policy provisions and comprehensive masterplanning in conjunction with stakeholders. For example, provision F(iii) of Policy 27 requires 'an in depth landscape buffer around the periphery of the site'. This policy provision captures the essence of Green Gap policy, ensuring a sensitive transition from the open countryside to urban area, and renders the Green Gap designations redundant.
6. If the Council maintains the need for a Green Gap, and that the Inspector considers it to be justified, then the Ordsall South Site should be excluded from the Green Gap, with the proposals map updated accordingly.

**Q10.4**

- a) *Would ST40 provide an effective framework to protect and enhance the biodiversity and geodiversity of the district? Is it justified by robust evidence including on viability?***
- b) *Are the potential impacts arising from development proposed in the plan on Clumber Park SSSI adequately addressed?***
- c) *Are the proposed main modifications to Policy ST40 and the supporting text necessary to make the plan sound??***

7. It is recognised that Policy ST40 states that 'The Council will seek to protect and enhance the biodiversity and geodiversity of the Bassetlaw where appropriate, including...' (additional suggested wording underlined). It is our Clients view that the words 'where appropriate' should be inserted to add a degree of flexibility to ensure that Policy ST40 doesn't unduly constrain development.
8. Point 3 of Policy ST40 sets out how all new development should make provision for at least 10% net biodiversity gain on site or off site through a financial contribution. However, this is not justified, effective, or consistent with national policy and cannot be found sound.
9. The NPPF sets out how development should contribute to enhancing the natural and local environment by providing net gains in biodiversity at paragraphs 174 and 179 but does not proscribe a particular % uplift. Moreover, the need to provide a 10% net gain in biodiversity comes from the Environment Act 2021. This Act has not passed secondary legislation and is therefore not law.
10. As such, at the present time, there is no basis for requiring a 10% gain in biodiversity and this element of Policy ST40 should be removed.

**Total Word Count (Excluding Questions): 495**