

Bassetlaw District Council Response to Inspectors Matters, Issues and Questions

Matter 11 – Healthy Communities

4 November 2022

(Issue 11)

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 ST44 – Policy 49)

Issue 11 – Does the Plan set out a positively prepared strategy and policies for healthy communities which is justified, effective and consistent with national policy?

- 11.1 Are the requirements in ST44(2) for all residential developments 50+ houses to submit a Rapid Health Impact Assessment Matrix justified and consistent with national policy?

BDC Response:

The Council considers the requirements of Policy ST44 (2) to be justified and consistent with national policy. As per paragraph 92 of the NPPF, the policy will promote healthy, inclusive and safe places, and enable and support healthy lifestyles, considered important as there are identified local health and well-being needs in the District. This is evidenced within the Bassetlaw Health Profile 2019 [EX-019] and the Nottinghamshire Joint Strategic Needs Assessment 2020 [EX-007], which identifies that there are marked differences in the physical and mental health of Bassetlaw residents compared to that elsewhere in Nottinghamshire and England.

To aid the determination of site-specific requirements, Policy ST44(2) provides that Health Impacts Assessments (HIAs) on sites of 50+ will be required to establish a proposal's health-related impacts and determine appropriate mitigation requirements. In Bassetlaw, this is justified by Appendix 2 of the Nottinghamshire Spatial Planning and Health Framework 2019-2022 [EX-026] and the updated Joint Health and Wellbeing Strategy for Nottinghamshire 2022-2026 [EX-027].

This approach is further justified by the requirements set out in paragraph 133 of the NPPF, which asks Local Planning Authorities to make 'appropriate use of' tools such as 'assessment frameworks'. National policy adds that such tools are 'important' (paragraph 133) for significant projects such as larger scale housing developments. In the Bassetlaw context housing proposals of 50 + units is considered to be consistent with the provisions of the NPPF.

- 11.2 Is the approach of protecting existing community facilities in ST45 justified and consistent with national policy? Will it be effective in both retaining valuable facilities and making effective use of land and buildings?

BDC Response:

The Council considers that the approach of protecting existing community facilities (as defined by the Local Plan Glossary) in Policy ST45 to be justified and consistent with national policy.

The policy approach is justified by the Infrastructure Delivery Plan Baseline Update 2021 [TI-001] and the Rural Settlement Study Update 2021 [SS-002], which recognises that there is pressure on local services across the urban and rural areas, particularly schools, doctors' surgeries and community facilities, and identifies the need to provide facilities for all groups of the community, including disabled people and young people in the urban and rural areas.

As per Paragraph 93 a) of the NPPF, Part 1 of the Policy positively supports the provision of new or extended community facilities, where they meet an identified need. Additionally Part 3 of ST45 resists the loss of a community facility in accordance with Paragraph 93 c) of the NPPF. Overall, the provisions of Policy ST45 are also considered to provide an appropriate, robust mechanism to help promote prosperous rural economies as per Paragraph 84 d) of the NPPF, important as Bassetlaw has a significant rural area.

It is considered that Policy ST45 will be effective in both retaining valuable facilities and making effective use of land and buildings. Part 2 specifically supports the co-location of facilities, thereby making positive use of land and buildings, whilst Part 3 will consider loss where it would lead the significant improvement of, or replacement of an existing facility. It is considered Part 4 provides a robust mechanism to retaining valuable facilities and land in Bassetlaw.

- 11.3 a) Are requirements in ST46 for the provision of open space on sites of 100+ dwellings and by other major residential developments justified by evidence and is the policy consistent with National Planning Policy Framework?

BDC Response:

The Council considers that the requirements for on-site open space on sites of 100+ dwellings to be justified and consistent with the NPPF. Policy ST46 seeks to ensure residents have appropriate access to sufficient quantity and quality open space to meet their needs, including through the provision of new space in association with new development.

The Open Space Assessment Update 2020 [HC-002] robustly considers in detail the quantity, quality and accessibility of existing provision and where shortfalls exist. The standards table (Page 11 [of HC-002]) calculates the overall provision standard/1000 people per open space typology at 2020, which has informed criteria 1b) of Policy ST46. HC-002 concluded that whilst overall provision of open space is sufficient to meet local needs, it does vary across Bassetlaw, and by open space type.

As such, HC-002 is considered to be in accordance with paragraph 98 of the NPPF, which asks such policies are based on robust and up to date assessments of open space need and opportunities for new provision.

The NPPF (paragraph 98) adds that information from the assessment should be used to determine what open space is needed, which plans should look to accommodate. To make effective use of land (as required by the NPPF) the Council in the Open Space Assessment Update 2020 [HC-002] considers that improving the quality, and multi-functionality, of existing open space a priority (paragraph 1.13). Paragraph 5.01 states that improving 'both access and provision of various open space typologies throughout Bassetlaw, is a priority; better use should be made of existing open spaces...'

As such, paragraph 9.3.7 [of SUB-010] seeks new open space only where it is necessary on site to deliver a sustainable community, where the new space is evidenced by the Open Space Assessment Update 2020 [HC-002] and/or where practically it can be accommodated on site. Following consideration of the potential for site allocations to accommodate new open space, on balance, the Council considers in the Bassetlaw context, that 100+ dwellings is an appropriate threshold to support a sustainable community, and where new multifunctional open space can be physically and viably accommodated on site.

It is considered that Policy ST46 Part 1 b) recognises that other major residential developments should only contribute to improving the quantity and quality of open space where there is a deficiency, via a developer contribution.

The Whole Plan Viability Assessment 2022 [PUB-028] site assessments include 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 (including open space) and affordable housing. These indicate a positive viability margin beyond a reasonable developer profit return, having allowed for all stated cost and developer contribution factors so the approach is considered justified.

b) Are the proposed main modifications to supporting text needed for soundness?

BDC Response:

The modification at M1.92 is in response to representations received from Spawforths and Pegasus Group following consultation of the publication version of the local plan, for clarification purposes for internal consistency within the local plan, and for conformity with national planning policy to reflect the extension of the plan period to provide for a 15 year period (within PUB-015). 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 modification at M1.93 is proposed as a factual change to delete reference to the Bassetlaw Garden Village as a consequence of part of the site being withdrawn by one landowner in March 2022, to be internally consistent with Policy ST1 and the remainder of the local plan.

11.4 a) Is the approach is protecting existing sport and recreational facilities in ST47 justified and consistent with national policy? Will it be effective in both retaining valuable facilities and making effective use of land and buildings?

BDC Response:

The Council considers that the approach of protecting existing sport and recreational facilities in Policy ST47 to be justified and consistent with national policy. The Bassetlaw Playing Pitch Strategy 2019 [HC-003 and HC-004] and the Built Sports and Recreation Facilities Strategy 2021 [HC-001] are considered to provide a robust and up to date assessment of the need for sport and recreation facilities, as required by the NPPF (paragraph 98). They identify shortfalls in some categories of playing pitches and minimal shortfall in some typologies of built sport facilities to accommodate current and future demand across Bassetlaw over the Plan period. As such, it is considered that the approach in Policy ST47 to protect existing sports facilities is entirely justified.

This is considered to be in accordance with Paragraph 99 of the NPPF which guards against the unnecessary loss of existing sport and recreational buildings and land, including playing fields. Part 4 of Policy ST47 is considered to be in accordance with the national policy provisions (a-c)).

The Council consider that Policy ST47 will be effective in both retaining valuable facilities and making effective use of land and buildings. Part 1 protects facilities and land, and supports their appropriate enhancement, whilst Part 3 seeks community use at new facilities/land where appropriate rather than seeking additional facilities. Part 4 clearly only permits the loss of buildings and land in exceptional circumstances where there is no longer an identified need for sport, or, where equivalent of better replacement facilities are provided, or where the proposal is for an alternative sport use. Collectively, the provisions of Part 4 are expected to provide a robust mechanism to make effective use of land/buildings.

b) Are the proposed main modifications to supporting text needed for soundness?

BDC Response:

The modification to M1.94 should be read with that to modification M1.95. It is not necessary for soundness but help to strengthen the implementation effectiveness of the policy.

11.5 Are the proposed main modifications to Policy 49 and the supporting text needed for soundness?

BDC Response:

The modification to M1.96 is to be internally consistent with the spatial strategy and support understanding of the Council's justification for Policy 49.