

Report to Bassetlaw District Council

**by Anne Jordan BA(Hons) MRTPI
and Alison Partington BA(Hons) MA MRTPI**

Inspectors appointed by the Secretary of State

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Planning and Compulsory Purchase Act 2004 (as amended)

Section 20

Report on the Examination of the Bassetlaw Local Plan 2020 – 2038

The Plan was submitted for examination on 18 July 2022

The examination hearing was held between 29 November and 13 December 2022,
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Abbreviations used in this report

A1 LA	Bassetlaw A1 Logistics Assessment
AA	Appropriate Assessment
dpa	Dwellings per Annum
DPD	Development Plan Document
EDNA	Bassetlaw Economic Development Needs Assessment 2019
EVS	Economic Viability Statement
FEMA	Functional Economic Market Area
GC	Garden Community
GTANA	Gypsy and Traveller Accommodation Needs Assessment
HEDNA	Bassetlaw Housing and Economic Development Needs Assessment
HLSBP	Housing Land Supply Background Document
HRA	Habitats Regulation Assessment
IDP	Infrastructure Delivery Plan
LAA	Land Availability Assessment
MLP	Minerals Local Plan
MM	Main Modification
NP	Neighbourhood Plan
NPPF	National Planning Policy Framework
PMA	Property Market Area
PPG	Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites
SA	Sustainability Appraisal
SM	Standard Methodology
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
SUDS	Sustainable Urban Drainage Systems
WPVA	Whole Plan Viability Assessment

Non-Technical Summary

This report concludes that the Bassetlaw Local Plan 2020-2038 (the Plan) provides an appropriate basis for the planning of the Bassetlaw District Council Area, provided that a number of main modifications [MMs] are made to it. Bassetlaw District Council has specifically requested that we recommend any MMs necessary to enable the Plan to be adopted.

Following the hearing, the Council prepared schedules of the proposed modifications and, where necessary, carried out sustainability appraisal (SA) and habitats regulations assessment (HRA) of them. The MMs were subject to public consultation over a six-week period. In some cases, we have amended their detailed wording and/or added consequential modifications where necessary. We have recommended their inclusion in the Plan after considering the SA and HRA and all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- Reducing the objectively assessed need for housing in the District from 10,476 homes over the Plan period to 9,720.
- Introducing an updated housing trajectory.
- Modifications to remove a cap to development within rural settlements and the provision of criteria against which applications outside settlement boundaries will be considered.
- Revisions to housing and employment site allocations to update the Plan in light of changes since submission and to reflect updated evidence on site capacity.
- Modifications to differentiate between the types of development which will be considered acceptable at employment sites in urban and rural areas, including large brownfield sites in rural areas.
- Requiring masterplans for the strategic housing sites (and some others).
- Modifications to reflect changes in the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 relating to Class E.
- Alterations to site-specific policies to ensure their effectiveness.
- Rewording policies to ensure they are positively prepared.
- Adding or deleting explanatory text to guide development.
- Setting a new monitoring regime to include objectives, targets and key indicators.
- A number of other modifications to ensure that the Plan is positively prepared, justified, effective and consistent with national policy.

Introduction

1. This report contains our assessment of the Bassetlaw Local Plan in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is compliant with the legal requirements and whether it is sound.
2. The revised NPPF published in December 2023, includes a transitional arrangement in paragraph 230 which indicates that, for the purpose of examining this Plan, the policies in the September 2023 NPPF will apply. Similarly, where the Planning Practice Guidance (PPG) has been updated to reflect the revised NPPF, the previous versions of the PPG apply for the purposes of this examination under the transitional arrangement. Therefore, unless stated otherwise, references in this report are to the September 2023 NPPF and the versions of the PPG which were extant prior to the publication of the December 2023 NPPF.
3. The National Planning Policy Framework 2023 (paragraph 35) (NPPF) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
4. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound and legally compliant plan. The Bassetlaw Local Plan 2020-2038, submitted in July 2022, is the basis for our examination. It is the same document as was published for consultation in August 2021, with amendments published for consultation in January 2022 and the Second Addendum published for consultation in May 2022, which reflects the removal of the proposed Garden Village. Insofar as they relate to matters unchanged between the three versions of the document, we have taken account of representations made in all three rounds of 'Regulation 19' consultation.

Main Modifications

5. In accordance with section 20(7C) of the 2004 Act the Council requested that we should recommend any **MMs** necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. Our report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM0.1**, **MM0.2** etc, and are set out in full in the Appendix.
6. Following the examination hearing sessions, the Council prepared a schedule of proposed MMs and, where necessary, carried out a SA and HRA of them. The MM schedule was subject to public consultation for six

weeks. We have taken account of the consultation responses in coming to our conclusions in this report and in light of this we have made some amendments to the detailed wording of the MMs and added consequential modifications where these are necessary for consistency or clarity. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and SA/HRA that has been undertaken. Where necessary we have highlighted these amendments in the report.

Policies Map

7. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted Local Plan. In this case, the submission policies map comprises the set of plans identified as Bassetlaw Local Plan 2020-2038 Composite Policies Maps, July 2022 [SUB013].
8. The policies map is not defined in statute as a development plan document and so we do not have the power to recommend MMs to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map.
9. These further changes to the policies map were published for consultation alongside the MMs as MOD002 Policies Map Schedule.
10. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in the Bassetlaw Local Plan 2020-2038 Composite Policies Maps, July 2022 and the further changes published alongside the MMs.

Context of the Plan

11. The Bassetlaw Local Plan is proposed to replace the Bassetlaw Core Strategy and Development Management Policies Development Plan Document (December 2011). The new Plan together with the Nottinghamshire and Nottingham Waste Core Strategy (December 2013), the Nottinghamshire Minerals Local Plan (March 2021) and made Neighbourhood Plans will form the development plan for the District.
12. Bassetlaw is the northern most district in Nottinghamshire. It borders districts that form part of South Yorkshire, Derbyshire, Lincolnshire as well

as Nottinghamshire. It is a largely rural district, although around two-thirds of the population live in the three main towns: Worksop, Retford and Haworth & Bircotes. It is bisected north-south by the A1, and east-west by the A57 which provide it with good connectivity.

13. The District contains a number of sites designated for their biodiversity and geodiversity importance including a prospective potential Special Protection Area (ppSPA), Sites of Special Scientific Interest (SSSIs) and National Nature Reserves and has a strong woodland heritage. The District also contains a significant number of heritage assets including Conservation Areas, Listed Buildings, Scheduled Monuments, and Registered Parks and Gardens.
14. As a former mining district it has several legacy sites, some in rural locations. The District also has three former power stations along the Trent which have either been decommissioned or are nearing decommissioning. These present long-term challenges in bringing the sites into appropriate reuse.

Public Sector Equality Duty

15. We have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included our consideration of several matters during the examination including the provision of sites for Gypsies, Travellers and Travelling Showpeople [Policy ST32] and the provision of specialist housing [Policy ST31] for those who need accessible and adaptable homes. In this way the disadvantages that they suffer would be minimised and their needs met in so far as they are different to those without a relevant protected characteristic. There is also no compelling evidence that the Bassetlaw Local Plan, as a whole, would bear disproportionately or negatively on them or others in this category.

Assessment of Duty to Co-operate

16. Section 20(5)(c) of the 2004 Act requires that we consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
17. The Council has engaged with adjoining local planning authorities, Nottinghamshire County Council and the prescribed bodies on all relevant strategic matters from an early stage in Plan preparation as documented in the Council's "Duty to Cooperate Compliance Statement 2022 [DTC-006]. The strategic matters identified as being relevant to the preparation of the Plan include the housing requirement, identifying the District's economic needs including the identification of an employment site to meet sub-

regional needs, the regeneration of former power station sites at Cottam and High Marnham, infrastructure delivery including the A57 improvement plan, and identifying the accommodation needs of Gypsies and Travellers. For each strategic matter the statement sets out how the Council has sought to cooperate, the actions taken, outcomes and any ongoing co-operation.

18. Statements of Common Ground have been provided which set out areas of agreement with key bodies and organisations in relation to the Plan and these provide a good indication of the ongoing contact and areas of agreements or otherwise made with Duty to Co-operate bodies during the Local Plan process on key strategic matters, or where discussions and work may be ongoing.
19. No authorities have formally requested Bassetlaw to accommodate any of their own development needs. At an early stage of plan preparation Sheffield City Council raised concerns relating to the amount of housing and employment development the Plan seeks to accommodate. We note that the Council sought to respond to concerns raised by Sheffield City Council in later iterations of the Plan. We are therefore satisfied that the early concerns raised by Sheffield City Council do not amount to a failure to comply with the duty.
20. We are satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has therefore been met.

Assessment of Other Aspects of Legal Compliance

21. The Plan has been prepared in accordance with the Council's Local Development Scheme.
22. Consultation on the Plan and the MMs was carried out in compliance with the Council's Statement of Community Involvement [BG-008].
23. The Council carried out an SA of the Plan [PUB-024], prepared a report of the findings of the appraisal, and published the report along with the Plan and other submission documents under regulation 19. The SA was updated to assess the MMs [MOD-003].
24. The Habitats Regulations Screening and Appropriate Assessment (AA) Report May 2022 [PUB-026] sets out that a full assessment has been undertaken. The Screening concluded that the potential for in-combination effects as a result of changes in water quality and quantity upon the Humber Estuary SAC, SPA and Ramsar site was uncertain. However, the

AA concluded that the effects of the Local Plan would be negligible, given the distance from the European sites and the number of large towns along the river outside the District. In addition, policies in the Plan would provide mitigation measures to protect water quality.

25. The screening assessment also identified potential effects as a result of increased recreational pressure at Birklands and Bilhaugh SAC, particularly in proximity to the Sherwood Forest Visitor Centre. The AA concluded that as a result of protections provided by the Plan policies and individual site allocations, adverse effects on integrity of the SAC can be ruled out, both as a result of the Plan alone and in-combination with other plans and programmes. In addition, the supporting text commits to continuing to work with partner bodies to understand and monitor recreational impacts at Birklands and Bilhaugh SAC and Sherwood Forest ppSPA, to ensure that they are appropriately protected and conserved. As such, no adverse effects on integrity of any European site would occur as a result of the Plan.
26. The Development Plan, taken as a whole, includes policies to address the strategic priorities for the development and use of land in the local planning authority's area. These policies are identified throughout the Plan with the prefix ST.
27. The Development Plan, taken as a whole, includes policies designed to ensure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change. Policy ST50 is a wide-ranging policy which sets out a range of measures to achieve both climate change mitigation and adaptation. Policy ST51 makes provision for renewable energy generation in the District. These are dealt with below in Issue 10 of the report.
28. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

Assessment of Soundness

Main Issues

29. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, we have identified twelve main issues upon which the soundness of this Plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.

30. Throughout the Plan the Council have referred to supporting documents at the end of each chapter. In some cases, these were updated during the course of the examination. Where applicable we have referred to these updated documents in the relevant chapters. As it is not necessary and is not specific in relation to which part of the NPPF is being referred to **MM0.7** deletes reference to the NPPF in the footnotes throughout.

Issue 1 – Is the spatial strategy and distribution of development set out in the Plan based on robust evidence and is it justified and effective?

Policy ST1 - Spatial Strategy

31. Bassetlaw Vision and Objectives (Chapter 4) sets out how the Plan will provide jobs and homes to meet future needs. The objectives also identify the need to support transition to net zero, protect and enhance the natural environment and provide for the social and transport infrastructure required to serve existing and future development. In particular, the Plan seeks to support a step change in the local economy by promoting diverse and sustainable economic growth including the sensitive regeneration of brownfield land. The objectives are not explicit that large scale inward investment should be in sustainable locations close to the main towns and transport corridors and so do not reflect national policy as set out in the NPPF. **MM4.2** is necessary to address this.
32. Policy ST1 of the Plan begins by setting out how these aims and objectives will be delivered through the spatial strategy. For effectiveness, to ensure that the policy acknowledges that development can occur outside settlements and to address grammatical errors, **MM5.20a** and **MM5.20b** make changes to part a) of the policy. Subject to these changes the social, environmental and economic priorities for delivering sustainable development in the District set out in the policy reflect those in the NPPF.
33. The Spatial Strategy Background Paper August 2021 [SS-004] sets out how the Spatial Strategy in the Plan was informed by a number of rounds of consultation. An Initial Draft Bassetlaw Plan was consulted upon in 2016, with further consultations on the Plan in January 2019, January 2020, November 2020 and a further focussed consultation in June 2021.
34. The SA was carried out iteratively at each stage of the plan-making process since 2016, with the findings being taken into account by the Council alongside other relevant factors to inform decision making. The respective SA documents set out the identification of the spatial strategy, the alternatives considered through the plan-making process, and the reasons for discounting alternatives. The SA considers options for the location and proportion of development which are considered below. The

SA also considered different options for the amount of housing and employment land the Plan should provide. These are considered below in the relevant sections.

35. The 2022 SA [PUB-024] sets out that initially 6 spatial options in relation to the distribution of development were appraised. In addition to a “no change” option of maintaining the current strategy the Council also considered a new hierarchy based on functional geography, the option of focusing new development along the A1 corridor, the option of new or expanded rural settlements, and the option of large-scale urban extensions. The final option was a hybrid option which comprised elements from several of the other options. This hybrid strategy used a settlement hierarchy based on scale, role, service provision, land availability and opportunities for investment and growth of settlements and was the option the Council chose to initially take forward.
36. Two additional alternative spatial options were later identified. Option 7 considered the equitable distribution of growth and ranked each settlement in Bassetlaw by size, based on the number of existing dwellings allocating planned growth commensurate to settlement size up to a cap of 20%. Larger settlements would thereby deliver the greatest number of new homes, with the potential for a degree of uplift for all settlements.
37. Option 8 is described as “Parallel Strategies”. This approach allocated growth in relation to settlement size with development delivered at levels which takes into account the function of settlements. This option also proposed large scale development that follows the principles of Garden Villages. Option 8 was ultimately selected as being the most appropriate. However, although the potential for a Garden Community (GC) was considered in later iterations of the Plan, this was removed in 2022 as part of the site proposed was found to be no longer available.
38. The Plan as submitted is based on a version of the “Parallel Strategies” approach. The SA shows that those options which combine elements of each strategy – Option 6 hybrid and Option 8 parallel strategies score most highly across all objectives. This is not surprising as it seems to us that Options 2-5 are not realistically intended to be exclusive approaches. Instead, an approach which combines the most advantageous elements of a number of options is a perfectly valid one as it is through the appraisal process that those elements are identified.
39. Whilst we note that the removal of the GC has in effect provided yet another variation on the strategy, given our conclusions in relation to housing supply, and the fact that the GC would not, at best estimate, have delivered housing until the end of the Plan period, we do not consider that its removal undermines the chosen approach. By choosing to distribute

development across a range of sources the non-delivery of one element does not jeopardise the overall strategy and the Council's approach is a sound one. For clarity **MM0.5** and **MM11.1** remove reference to the GC throughout the Plan.

40. The SA also appraised 5 options relating to the distribution of amounts of housing in the District with varying proportions considered within Worksop, Retford, Haworth & Bircotes, Rural Bassetlaw and the GC. The SA shows that although some outcomes are finely balanced, a strategy which focuses most development at the District's largest settlements of Worksop, Retford, and Harworth & Bircotes, with a significant proportion spread across the most sustainable rural settlements was found to be most sustainable. The work also shows that delivery of a proportion of development through a new settlement would also deliver some benefits.
41. The Main Towns are considered to be the most sustainable locations for growth in the District. Worksop as the principal town is allocated most growth, Retford as a main settlement will also accommodate growth. Harworth & Bircotes is identified as a main town with a focus on ongoing regeneration. The Plan does not allocate land at Harworth & Bircotes. The town has seen significant growth in recent years and the level of existing commitments already account for a significant proportion of the proposed development in the District. We are therefore satisfied that the approach of not allocating further sites at the settlement is a sound one. We are also satisfied that the approach of locating most development at the largest settlements is consistent with the NPPF and is also sound.
42. The strategy in rural areas is informed by the Rural Settlement Study [SS-002], the Land Availability Assessment (LAA) [BG-030], and the Infrastructure Delivery Plan Baseline Assessment [TI-001]. It promotes a settlement hierarchy which aims to distribute development in a sustainable manner across the District. The Rural Settlement Study differentiates between the relative sustainability of rural settlements and their potential to accommodate growth. It categorises all rural settlements in Bassetlaw based on their size, facilities, and the level of service/infrastructure provision available. The Council reviewed the hierarchy during the Plan-making process to take account of consultation feedback. We consider the hierarchy to be robust and up to date.
43. Policy ST2 identifies which Large and Small Rural Settlements will accommodate growth over the Plan period. Large Rural Settlements are identified as being suitable for 20% growth over the Plan period and Small Rural Settlements are identified as having capacity for the lower amount of 5%. Settlements not identified within either category are considered to lie within the countryside.

44. We note the views of some, who dispute the placement of some settlements in the hierarchy, or the level of housing identified for each. However, as both of these will have been arrived at via professional judgements based on a range of considerations, neither the hierarchy nor the proportion of homes assigned within it can ever be entirely internally consistent. Therefore, as a general guide to the proportions of development appropriate to each settlement we consider the figures of 20% and 5% to be soundly based.
45. We note that when considered alongside existing permissions, and in the light of the removal of the GC, the Plan would not exactly replicate the proportions of development which were considered in the original SA, with a higher percentage of growth in Retford and the rural settlements. Nevertheless, most growth is proposed in Worksop, as the largest settlement. Furthermore, the growth in rural settlements comes almost entirely from extant permissions and neighbourhood plan allocations, with only one site allocated in the Plan in a rural settlement. We are therefore satisfied that the strategy for how development is distributed across the District to be reasonable and justified.
46. The preparation of the Plan included an assessment within the SA of various levels of housing and employment growth. We set out below our conclusions in relation to the proposed amounts of housing and employment to be brought forward in this Plan. Notwithstanding this, in relation to housing numbers and how they might be accommodated, an initial 5 options were considered in 2016. The lowest amount was 299 dpa (effectively a no-change approach as this was based on average completions over the last 10 years leading up to 2016). The highest was 636 dpa – based on projections in the Sheffield City Region Economic Plan. This was later refined to 4 in 2019 ranging from 306 – 493 dpa. In 2020, to reflect the inclusion of the strategic employment site and associated employment related housing need, 4 options were considered ranging from 530 to 646 dpa. These options were tested alongside the Objectively Assessed Need derived using the SM at the time of 288 dpa.
47. The resulting SA is finely balanced but unsurprisingly, higher levels of housing provision scored more highly when assessed against the Housing Indicator. Transport, Air Quality and Climate Change Indicators also scored more favourably. This is based on the assumption that higher housing numbers – linked to increased employment provision - will lead to reduced need to travel to employment by the private car. The lower Objectively Assessed Need based figure scored more highly in relation to most other indicators, due to the reduced amount of development proposed in this scenario.

48. In relation to employment development 3 options were tested at an early stage of the Plan-making process. These were “no allocations”, “allocations to reflect market demand” and “large scale aspirational growth”. The SA as undertaken identifies most positive effects for Option 2 – market demand. However, this is based on the assumption that only Option 2 will allocate a specific quantity of land. It is therefore identified as having positive effects in a number of areas that the other options do not, as it considers that only Option 2 will reduce uncertainty about the deliverability of sites or facilitate avoidance or mitigation of potentially significant negative effects arising from this. In response to this and in identifying a strategic employment site at Apleyhead, the Plan seeks to mitigate such impacts, and we have taken this into account in considering the findings of the SA.
49. The levels of housing and employment development ultimately proposed in the Plan and set out below are a consequence of the emphasis the Council have chosen to put on regeneration and economic growth to address identified needs in the District. This is consistent with the Plan's core objectives. Furthermore, the strategy of meeting the housing needs arising from sub-regional employment is clearly consistent with both the objectives of the Plan and with the NPPF.
50. Through the SA work the Council has identified that higher levels of development are likely to have greater environmental impacts but will also bring greater economic and, to a lesser extent, social benefits. The SA of early stages of the Plan has therefore been valuable in identifying where mitigation measures were likely to be necessary. We also note that further SA has been undertaken as part of the site selection methodology for all housing and strategic employment sites which also informs the policies in the Plan. Further SA work has also been carried out on each Local Plan Policy throughout the development of the Plan, including following modification post-examination. We are therefore satisfied that the site selection process was informed by the SA throughout the Plan-making process.
51. The Site Selection Methodology [SS-025] provides details of the site selection process that was undertaken. The LAA [BG-030] identified a range of sites, including those within/adjacent to each town. In line with the NPPF, all suitable, available and achievable brownfield/underused land within the development boundary was first identified. As this was insufficient to meet identified need then edge of settlement sites were considered in Worksop and Retford as main settlements.
52. Given the appropriate decision to limit further growth in Haworth & Bircotes, and to limit growth in rural settlements to proportionate amounts, it is logical that the “balance” of development should be accommodated in

edge of settlement sites in Worksop and Retford. We note here that provision of a GC would present a valid alternative option, but the spatial strategy adopted in the Plan must be deliverable. We have no evidence before us that a GC would be deliverable within the lifetime of the Plan be it the one initially selected by the Council or an alternative strategic site. Furthermore, the Plan meets the identified housing and employment needs of the District without the GC.

53. The Plan allocates 7 sites in Retford that over the Plan period are expected to deliver over 1,400 new dwellings. In light of this, to determine the likely transport impacts of this scale of development and to identify appropriate mitigation, the Retford Transport Assessment [TI-018] assessed the likely impact of this amount and distribution of development on the surrounding highway network. The baseline assessment, which considered transport impacts without the development of any of the allocations, found that 7 junctions within the Retford area will be over capacity by 2038.
54. The assessment then looked at the same junctions post-development, with and without mitigation. It is clear that without mitigation the situation on these identified junctions would be made measurably worse by the Plan allocations. Additional impacts were also predicted at a further 2 junctions. Of these 9 junctions, 6 can be provided with mitigation to address the identified capacity issues. Physical constraints at 3 junctions¹ would prevent effective mitigation at these locations.
55. We have considered whether the likely extent of these impacts would be so severe as to indicate the amount of development allocated within Retford to be unsustainable. The impact on the above junctions would be worsened by the effects of development. However, in addition, 4² other junctions in the town would, as a result of mitigation, be improved over baseline conditions. We are also mindful that the Transport Assessment takes a worst-case scenario. Given the wider sustainability benefits of locating development close to available public transport links and available services, we are satisfied that the potential traffic implications of housing allocations in Retford do not undermine the spatial strategy in the Plan, or the allocations within it.

¹ Source BDC040. A620 Hospital Road / A638 North Road / Amcott Way / Hallcroft Rd, Retford, A638 Arlington Way / Grove Street, Retford and A638 Arlington Way / A638 London Road / Carolgate, Retford.

² Source BDC040. The junctions identified as being over capacity in 2038 without Local Plan development but under capacity following mitigation arising from the Plan are J6 A620 Babworth Road/B6420 Mansfield Road/A620 Straight Mile/Sutton Lane, J7 A620 Babworth Road/Ordsall Road, J9 A620 Amcott Way/A620 Moorgate/A638 Arlington Way and J14 A638 London Road/Whitehouses Road.

56. With respect to the allocation of 2 new strategic sites at Peaks Hill Farm and Ordsall South, we are satisfied that all appropriate account was taken of the LAA and SA in relation to the proposed site allocations and reasonable alternatives and that the process took proper account of the wider evidence base in relation to considerations including landscape, flood risk and heritage. Furthermore, we note that the Whole Plan Viability Assessment (WPVA) [PUB-028] indicates that these sites are viable and capable of delivering necessary infrastructure to facilitate such development and to serve local communities. We consider the deliverability of these sites later in the Report.
57. With the exception of a site in Tuxford, (Policy 28) the Plan makes no specific allocations within the large rural settlements, relying instead on the allocation of rural sites through the neighbourhood plan (NP) process. We recognise that a significant proportion of the sites in large rural settlements already have permission or are already allocated within existing NPs. In this regard, whilst there may be other rural sites that could be appropriately developed, we find no deficiency with the approach taken by the Council in relation to the proportion and distribution of development within the large rural settlements.
58. Accordingly, we are satisfied that the site selection process has been competently undertaken and the conclusions the Council reached in relation to it are soundly based. Furthermore, we do not consider that the spatial strategy is undermined by the mix of sites selected.
59. Taking all the above into account we are satisfied that the Council has undertaken a soundly based approach to identifying land for new development which will provide a realistic and deliverable distribution of new housing development. The distribution proposed in the Plan is consistent with the settlement hierarchy and is justified and the spatial strategy is soundly based.

Policy ST2 – Housing Growth in Rural Bassetlaw

60. Policy ST2 deals with the matter of housing growth in rural Bassetlaw. The policy seeks to apportion appropriate amounts of development to each settlement, based on whether the village is considered to be a Large Rural Settlement or a Small Rural Settlement. Those settlements not identified are considered to be in the countryside for the purposes of the policy, as per Policy ST1. Within Large and Small Rural Settlements, growth above the amount specified in Policy ST2 will only be supported if the development comes forward in a NP, or support is demonstrated through community-led consultation and meets one of a number of other specified criteria, such as the property is a rural worker's dwelling or is a building of exceptional quality. The growth amount is to be based on a

percentage uplift of the size of the settlement on 13th August 2018 – when the data was collected.

61. As set out above, we consider the categorisation of settlements and the growth requirement to be soundly based. We also recognise that in some settlements, such as those impacted by flooding or other constraints, a lower growth figure will be appropriate. To make explicit the reasons for not implying a blanket requirement across all settlements **MM5.22c** and **MM5.23** make changes to the supporting text to reiterate the reason for the varying growth amounts in different settlements. These changes are necessary for effectiveness and thus soundness.
62. However, as drafted the maximum housing allocations in the policy are overly restrictive and inconsistent with the NPPF, which recognises that rural development can enhance the vitality of rural communities. Although the amounts specified in the policy serve the important function of identifying the local housing requirement for the purposes of neighbourhood planning, we see no valid reason why they should function as a ceiling for otherwise appropriate development in settlements. For this reason, these figures should function as a minimum and should be updated to reflect the size of the settlement at the start of the Plan period. We are satisfied that setting a minimum figure would not alter the NP requirements, and that the provisions set out within the Plan for monitoring, which we discuss below, would provide an effective means of ensuring that these requirements remain clear over the Plan period. We set out below how development within NP areas has been accounted for within the housing trajectory.
63. For the Plan to be effective, the following amendments to the Policy and the supporting text are necessary. **MM5.16a**, **M5.16b** and **MM5.22a** (in part) make clear in the supporting text that the growth figures are minimum requirements. **MM5.29a** (in part) makes the same change to the wording of the policy. **MM5.22a** and **MM5.24** make clear the purpose of the growth figure is to inform neighbourhood planning and for consistency **MM5.22b** (in part) changes the base date for calculating the growth figure to 1 April 2020, the start of the Plan period. **MM5.22a** (in part), **MM5.14m** and **MM5.29a** (in part), make changes to the policy and supporting text to reflect the updated figures.
64. Policy ST2 as drafted only applies to development within settlement boundaries and doesn't recognise that some settlements in the hierarchy do not have a settlement boundary. We do not consider this to be a failing of the Plan and note that this matter could be addressed within NP if local communities wished to do so. Nevertheless, the policy needs to recognise this variation and to be effective **MM5.17**, **MM5.26a** and **MM5.29b** (in part) address this. The policy also suffers from some omissions and the wording

in places lacks clarity. For the policy to be effective **MM5.29b** (in part) updates the criteria f) and g) to include references to making use of underutilized land and the use of design codes respectively and along with **MM5.21a**, **MM5.22b** (in part), makes drafting changes to improve legibility.

65. Furthermore, the policy does not provide a coherent approach to how development outside settlement boundaries will be assessed. For the policy to be effective **MM5.21b** to the supporting text makes clear that development at settlements not in the hierarchy should be considered to be in the countryside for the purposes of Policies ST1 and ST2. For clarity and effectiveness, **MM5.25** recognises that development on unallocated sites in rural settlements will make a contribution to meeting the District's housing requirement. For effectiveness, **MM5.27** to the supporting text and **MM5.29c**, **MM5.29d** and **MM5.29e** to Policy ST2 provide a cogent set of criteria against which the decision maker can consider schemes for development in the countryside. These include a criterion to assess proposals that involve the loss of best and most versatile agricultural land which was omitted from the original policy.
66. Lastly, in light of the removal of the maximum figure and the provision of effective criteria to assess development outside settlements, the requirement to demonstrate community support for development is overly restrictive, unnecessary, and is not consistent with national policy. To ensure the Plan is effective **MM5.26b** therefore removes the requirement for schemes to demonstrate community support.

Conclusion

67. Subject to the Main Modifications identified above the Plan's overall spatial strategy is based on robust evidence, is justified and likely to be effective. In this regard it provides a pragmatic and soundly based development strategy for Bassetlaw over the Plan period.

Issue 2 – Is the identified housing requirement in Policy ST1, justified and consistent with national policy?

68. Policy ST1 sets out a strategic aim to deliver 10,476 new homes in the period 2020 to 2038 which equates to 582 dwellings per annum (dpa). This is significantly in excess of the local housing need figure derived from the SM as set out in national guidance, which was 288 dpa when the Plan was prepared. Neither the cap nor the urban centre uplift applies to Bassetlaw.
69. We set out below why we consider the levels of employment provision in the District to be appropriate. The substantial uplift in the housing requirement above the SM aims to facilitate significant amounts of

employment related housing need, intended to ensure that an adequate working population is available nearby to take account of the number of additional jobs that the Plan aims to accommodate. The Bassetlaw Housing and Economic Development Needs Assessment (HEDNA) [SS-024] calculates that the employment provision in the Plan will generate between 9,852 and 11,354 jobs over the Plan period³. When allowances are made for double jobbing and the availability of existing unemployed to fill jobs, as well as rates of commuting, this equates to an increase in the economically active population of between 7,573 and 9,210. Based on the calculations in the HEDNA this would equate to between 9,136 and 10,163 new households or 523 – 582 dpa⁴.

70. The employment related housing need is based on a number of assumptions. We consider the assumptions made about the baseline outlook, economic activity rates, unemployment and double jobbing to be accurate. The figure is expressed as a range due to varying assumptions relating to the extent to which housing provision should seek to minimise out-commuting by providing housing to match job projections and also replicate existing census out-commuting. Having regard to the findings of the SA in relation to air quality and transport impacts, we are satisfied that the general approach adopted by the Council of addressing commuting is a sound one.
71. However, the jobs calculations are based on assumptions regarding the likely amount of employment floorspace the Plan will provide which is multiplied by estimated employment ratios of the number of workers this will generate. We consider these to be an over-estimate and during the examination the Council undertook a further assessment [BDC-50] which took into account anomalies in projections at allocated sites EM008b, EM001, EM002, EM007, EM008a, and SEM1.
72. As with the original report the additional work took into account assumptions relating to the latent labour supply of people returning to work after the pandemic. The report concluded that the total additional jobs likely to be generated would be around 10,385. When the previously applied factors were taken into account, if homes were to be provided to match job projections to avoid reliance on in-commuting, this equates to a requirement of 540 dpa. This level of household growth would be below the number of new homes built in recent years, although notably higher than the longer-term average level of completions.
73. The Council argue the original figure should be retained to provide an additional buffer to mitigate uncertainty in the baseline outlook or

³ Table 2.4 of the Bassetlaw Housing and Economic Development Needs Assessment (HEDNA) [SS-024]

⁴ Assuming a 1:1 commuting rate.

uncertainties in forecasting. Predicting household growth is not an exact science, and whilst we are satisfied that a very substantial uplift over the SM local housing need figure is required, we find no compelling basis for a requirement that exceeds the revised figure. Whilst the assumptions may have a margin of error, we are conscious that requirements, could, in the event, also be lower than the economic assumptions predict. Having regard to the findings of the work undertaken during the examination, we therefore find a lower figure of 540 dpa to be soundly based.

Delivering the identified need for affordable homes

74. Affordable housing need is assessed in the HEDNA [SS-007]. This is based on robust and up to date evidence and identifies that 214 affordable dpa will be needed across the Plan period. The need is identified across the Plan area and is predominantly for rented housing.
75. The WPVA [PUB-028] tested a range of affordable housing delivery options between 10 and 30% alongside a range of infrastructure contributions on both brownfield and greenfield sites. The work determined that a differential rate was most appropriate with a requirement of 25% for greenfield sites and 20% for brownfield sites. We are satisfied that the assessment is robust and that the conclusion that an affordable housing requirement set at this level will be viable is soundly based. This requirement is set out in Policy ST29.
76. If allocations in the Plan are developed in accordance with Policy ST29 this would provide approximately 680 affordable dwellings from site allocations (paragraph 7.17.19 [of SUB-010] over the Plan period. The Council also advise that 316 affordable units have been completed in the District [PUB-004], a further 123 dwellings are currently being developed and an additional 687 units have planning permission and are expected to be delivered by 2025/26.
77. Even if all these affordable dwellings come to fruition, the District will not meet all of its affordable housing need over the Plan period. However, there is no requirement in planning guidance for the Plan to fully meet the identified affordable housing need. We are of the view that ST29 has appropriately identified a proportionate contribution to addressing affordable housing needs whilst not undermining deliverability of market housing.
78. Although the allocation of more market housing may help to address the affordable housing needs, we have already concluded that the housing requirement figure is based on a robust assessment of the need for new housing in Bassetlaw and any further housing would, as such, not be justified. The housing requirement provides for a significant uplift of

housing numbers above SM and the SM includes within it an uplift to address affordability. Furthermore, given that housing sites will at most deliver 25% affordable housing, every affordable home would require 3 times as many market homes to be built. There is no convincing evidence that there is a need for this level of market housing or that such a strategy would deliver the necessary number of affordable homes. We are therefore not persuaded that a further uplift in the housing requirement is justified on this basis.

79. Policy ST1 and the supporting text set out the housing requirement and the relative proportions of development in each settlement. Due to our conclusions in relation to the housing requirement, to ensure the Plan is positively prepared, the policy and supporting text needs to be updated to reflect the revised figures. **MM0.4** updates the total housing requirement throughout the Plan. **MM0.2** updates the annual housing requirement throughout the Plan. **MM5.7, MM5.12f, MM5.14a** update references to the housing requirement within the supporting text. **MM5.20c, MM5.20d, MM5.20e** and **MM5.20f** update the housing requirement in Policy ST1.
80. Furthermore, the supporting text to Policy ST1 makes a number of references to the proportions of dwellings to be delivered from various sources. These figures require updating to reflect completions since the Plan was drafted, and also to reflect our conclusions in respect of Issue 3 in relation to housing allocations and Issue 4 in relation to Worksop Central Priority Regeneration Area. In order that the Plan is accurate, and therefore effective, **MM5.14b – m** update figures relating to the housing requirement, commitments, allocations and completions.
81. Finally, the supporting text to Policy ST1 makes reference to the need for appropriate infrastructure to support the level of development set out in Policy ST1. For clarity and effectiveness, and to reflect the updated Infrastructure Delivery Plan (IDP), **MM5.18** and **MM5.19** update the supporting text. Also for effectiveness **MM0.1** corrects a typographical error throughout the Plan clarifying that the Plan period is 2020 – 2038, rather than to 2037. The schedule of modifications also contains **MM5.15** which deletes a paragraph of text. This appears to be a typographical error in the Schedule and is not required for soundness. We are satisfied that no prejudice would result from the retention of the text within the Plan and so have deleted it from the schedule of modifications.

Conclusion

82. In conclusion, subject to the above-mentioned modifications, the Plan's housing requirement figure is based on robust evidence and is justified and consistent with national policy.

Issue 3 – Are the housing allocations positively prepared, justified and effective?

Site Allocation Selection Process

83. The Bassetlaw Local Plan Site Selection Methodology (Update May 2022) [SS-025] details the process by which the sites allocated in the Plan for residential development, as well as for employment and mixed used development, were appraised and selected against possible alternatives. The document comprehensively sets out details of the formulation of the list of potential sites and the 4 stage assessment process utilised to assess potential sites at various stages of the Plan's production. It also explains how the SA and HRA as well as other parts of the evidence base were used in the process of assessing reasonable alternative sites. For each of the sites the appendices set out reasons for the site's inclusion or exclusion from the submitted Plan. This evidence demonstrates that the sites were selected against possible alternatives using a robust and objective process. The background text to Chapter 7 of the Plan sets out how the Council decided when sites would come forward for development. The section refers to the wrong background document and also omits to reference the planning status of the site. For clarity and to ensure the Plan is effective, **MM7.2** and **MM7.3** are necessary to provide this information.
84. Accordingly, we are satisfied that they are all, in principle, justified, although a number of MMs are needed to address detailed soundness issues, as set out below.

Overarching Issues

85. The Plan has 13 policies allocating sites for housing. For clarity **MM2.1** makes explicit that site specific policies relate to those sites without planning permission. The objectives also identify the need to support transition to net zero, protect and enhance the natural environment and provide for the social and transport infrastructure to serve existing and future development. Each policy is accompanied by a plan showing the site and supporting text addressing the site and its surroundings, constraints and opportunities, design and other guidance. These follow a similar format and as a result there are a number of identical main modifications that are required to many of the policies or their supporting text and so for conciseness these are set out first below.
86. Policies 16, 21 and 27 make reference to the need to consider the requirements of the Nottinghamshire Minerals Local Plan (MLP) with regard to minerals safeguarding areas. This requirement is not necessary, as the provisions of the MLP have already been taken into account in the selection and allocation of each site within the Plan. In the interests of

effectiveness **MM0.11** therefore removes this reference from each of the site allocation policies.

87. For clarity and thus the effectiveness of the policies, it is necessary to change the wording of the supporting text and the introduction of part 2 of all the policies so that it highlights that delivery of the site needs to be consistent with the infrastructure requirements set out in Policy ST58. In each policy the subtitle above part 2a is amended so that it says "reflects local character". **MM7.12, MM7.14b, MM7.17, MM7.18a, MM7.21, MM7.22b, MM7.25, MM7.26a, MM7.30, MM7.31b, MM7.37, MM7.38a, MM7.43a, MM7.45, MM7.46a, MM7.48, MM7.49a, MM7.52, MM7.53a, MM7.56b, MM7.62b, MM7.67, MM7.68a** make these changes.
88. To ensure appropriate sustainable drainage within developments and so to ensure the effectiveness of the policy in this respect, it is necessary for a new criterion to be added to part 2 of policies 17 -19, 22-24 and 26, **MM7.18b, MM7.22c, MM7.26b, MM7.43b, MM7.46b, MM7.49b** and **MM7.56d**, and for an additional paragraph to be added to the supporting text for policies 18, 19 and 22 to provide the justification for this. **MM7.20, MM7.24** and **MM7.42** make these changes.
89. As submitted, policies 16-21, 23-25 and 28 contain criteria that identify that a financial contribution will be necessary for various social and community facilities. For the Plan to be justified it is necessary for these criteria to be removed and replaced with a criterion that requires the development to provide such facilities to mitigate its own impacts. **MM7.14j** and **MM7.14l**, **MM7.18d** and **MM7.18e**, **MM7.22e** and **MM7.22f**, **MM7.26d** and **MM7.26e**, **MM7.31d** and **MM7.31e**, **MM7.38h** and **MM7.38i**, **MM7.46d** and **MM7.46e**, **MM7.49c-e**, **MM7.53b** and **MM7.53c**, **MM7.68d** and **MM7.68e** make these changes. The supporting text refers to these requirements but omits to reference site HS3 and should for clarity refer to planning obligations rather than developer obligations. **MM7.5** makes these changes and is necessary for clarity and so effectiveness.
90. The supporting text for all the policies except Policy 16 set out that the site was identified as suitable for housing in the LAA and also identifies when it is likely to be deliverable. This is superfluous and likely to go out of date and so in the interest of effectiveness it is necessary to delete this. **MM7.15, MM7.19, MM7.23, MM7.27, MM7.33, MM7.40, MM7.44, MM7.47, MM7.50, MM7.54, MM7.57** and **MM7.63** make these changes.
91. It is appropriate that the development of the larger housing allocations is guided by a masterplan. However, for the effectiveness of the policy the reference to this should be at the start of the policy rather than the end and so **MM7.14b, MM7.26a, MM7.38a, MM7.53a, MM7.62b** and **MM7.68a**

amend part 2 of Policies 16, 19, 21, 25, 27 and 28 accordingly. **MM7.4** sets out this requirement within the supporting text to the Chapter, also for effectiveness.

Housing allocations in Worksop (Policies 16-20)

92. The Plan makes 5 allocations in the Worksop area. These comprise a large site proposed as an urban extension to the north of the town and 4 smaller sites located in the Manton area, to the south-east. However, over the Plan period these will be complemented by delivery on committed sites and allocations that are likely to come forward within the Worksop Central Development Plan Document. In the light of this we consider that the town will be provided with a good range of sites in terms of their geographic spread, as well as a mix of types of housing that they will provide. In this respect we consider the Plan to be positively prepared and justified.

HS1: Peaks Hill Farm (Policy 16)

93. Peaks Hill Farm is proposed as an urban extension to Worksop which will provide not only housing and employment land but supporting infrastructure and mitigation measures both on and off site. In total, over the lifetime of the development, it is expected to deliver 1,120 dwellings and 6.5ha of employment land. The allocation is consistent with the spatial strategy and the site will make a significant contribution to the supply of housing.
94. The WPVA [PUB-028] shows the site to be viable and deliverable and this is supported by the site promoters' own assessment. Extensive technical assessments and studies have already been completed and an application for outline planning permission was submitted in November 2023. From the evidence before us we are satisfied that the necessary infrastructure and mitigation measures can be delivered and that the site will remain viable.
95. Nonetheless, given the complex nature of a development of this size, and the extent of both on and off-site infrastructure which will need to be in place to facilitate the development, the development of 1080 dwellings on this site in the Plan period is not justified and we consider a precautionary approach should be taken to rates of delivery, both within the first 5 years and over the Plan period as a whole. We have therefore reduced the contribution expected from the site to 655 dwellings within the Plan period which reflects a more realistic lead in time and a more realistic annual delivery rate. **MM13.16** makes the necessary changes to the trajectory in relation to both its contribution to the 5-year housing land supply and over the Plan period as a whole and consequential changes are made to references within the policy, the supporting text and elsewhere in the Plan

to the amount of housing the site is expected to deliver over the Plan period. These changes are contained in **MM7.9**, **MM7.14a**, **MM0.8** and are necessary for effectiveness.

96. Furthermore, to ensure clarity and effectiveness it is necessary to amend the wording of **MM7.14a** from that consulted on so that it sets out the overall capacity of the site in addition to what will be delivered in the Plan period and provides greater clarity regarding when the road across the site will be delivered.
97. The location of the site between the northern edge of Worksop and Carlton in Lindrick and the need to maintain a green gap between these two distinct settlements, increases the importance of the role of green infrastructure, and the need to ensure the development takes account of local landscape character. To ensure that the policy is effective and not overly prescriptive in this regard, **MM7.14c and e-h** are necessary to modify parts 2a) and 2g) of the Policy. Given that Policy 41 provides protection for ancient and veteran trees, we do not consider it is necessary for the veteran Beech tree on the site to be specifically mentioned in the policy. However, to ensure the policy is justified we have amended the wording of **MM7.14c** from that consulted on, by removing reference to "permanent" as the development of this site cannot ensure the adjacent Green Gap remains permanently open.
98. As the need for intrusive site investigations will depend on the outcome of the geophysical survey, it is necessary for **MM7.14d** to adjust the wording of part 2c) of the policy for effectiveness. For clarification, and thus the effectiveness of the policy, **MMs7.14i and k** are needed to modify parts 2i) and 2k) to indicate that the local centre and community hub to serve the development are to be provided on site.
99. In terms of the potential highway impacts of the development, we are satisfied that the supporting evidence demonstrates that adequate mitigation can be provided to existing junctions, and that this can be assessed further in the site-specific Transport Assessment to accompany the planning application. However, part 2l) of the policy as it stands is overly prescriptive and would not allow changes that may emerge in the masterplanning process and the Transport Assessment and Travel Plan. Therefore, to ensure the policy would be effective and consistent with the NPPF, it is necessary for **MMs7.14m-q and MM7.13** to make a number of amendments to this part of the policy and to paragraph 7.2.17 of the supporting text respectively.
100. In addition, for clarity and thus the effectiveness of the policy, a number of amendments are required to correct factual errors in the policy and

supporting text in relation to the size of the site and the amount of employment land that will be provided. These changes are made in **MM7.8**, **MM7.10**, and **MM7.14a**. For the same reason **MM7.11** is necessary to add a sentence to the supporting text that clarifies the amount of developable land on the site.

Other Housing Allocations in Worksop

101. Policies 17-20 for the allocations in the Manton area are all brownfield sites, all owned by either the District or the County Council. Although each is sound in principle, the policies as drafted suffer from some issues and errors.
102. Policy 17 relates to HS2 – Bassetlaw Pupil Referral Unit. This is expected to deliver approximately 20 dwellings, and so the requirement for a Transport Statement in part 2g) of the policy is overly onerous and is not proportionate. **MM7.18f** removes this requirement. In addition, to ensure consistency with national policy **MM7.18f** also amends part 2gi) so that it indicates that safe access should be provided for pedestrians as well as vehicles and cyclists. To correct a factual error **MM7.16** and **MM7.18c** amend paragraph 7.3.5 of the supporting text and part 2c) of the policy so that they refer to an administration rather than an education facility. These changes are necessary in the interests of clarity and thus effectiveness.
103. Policy 18 relates to HS3: Radford Street. The policy is overly prescriptive in relation to the transport improvements that may be required and how they will be identified. **MM7.22g** amends the wording of part 2e) to clarify the transport improvement schemes that are required. In addition, for clarity, **MM7.22a** and **MM7.22d** makes some minor changes to the wording of part 1 and part 2b) to improve the legibility of the policy. These changes are necessary for the policy to be effective.
104. Policy 19 relates to HS4: Former Manton Primary School. The policy as drafted suffers from some errors that undermine its clarity and therefore its effectiveness. **MM7.26c** which modifies the wording of part 2c) in relation to the open space requirement and **MM7.26f** and **MM7.26g** which amend the wording of part 2g) in relation to the transport improvements required are therefore necessary to ensure the policy is effective.
105. Policy 20 relates to HS5: Talbot Road. The policy refers to a minimum site capacity of 15 dwellings, although the Council accept that development in or around that number would be likely to be appropriate. Therefore, for consistency and clarity, and thus effectiveness, it is necessary for **MM7.31a** and **MM7.28** to amend the wording of part 1 and paragraph 7.6.4 of the supporting text so they refer to 'approximately' rather than 'at least'. Also, to ensure the clarity and effectiveness of the policy **MM7.31f**

and **MM7.31g** modify the wording of part 2g) particularly to clarify that the footway needs to be provided on both sides of the link road, and **MM7.31c** and **MM7.29** make some detailed changes to part 2c) and the supporting text to clarify the requirements expected to facilitate development of the site. These changes will ensure that the policy is effective and therefore sound.

106. Whilst the evidence indicates the sites to be deliverable and viable, due to the proximity of the sites we consider it is unlikely that the market would be able to sustain all 4 sites in such close proximity being delivered at a similar time as is currently shown in the 5-year housing land supply. We note that HS3 has planning permission, that a contractor has been appointed and the site has been cleared. As a result, to be accurate it is necessary to amend the trajectory to show the delivery of housing earlier. The other sites still need to be marketed and have planning permission applied for, so we consider the Council's assumption in the trajectory for all of these to be delivered within 5 years to be overly optimistic. Consequently, it is necessary for the trajectory to be amended to show delivery towards the end of the 5-year period and beyond. These changes are shown in **MM13.16** and are necessary in the interests of clarity and effectiveness.

Housing Allocations in Retford and Tuxford (Policies 21- 28)

107. The Plan allocates 7 sites in Retford that over the Plan period are expected to deliver over 1,400 new dwellings.

HS7: Trinity Farm (Policy 21)

108. Trinity Farm is located adjacent to an existing housing site that is currently under-construction. The WPVA [PUB-028] shows the site to be viable and deliverable. The site promoter has indicated that background work is already taking place on the site and that the site will be progressed as a second phase to the development of the adjacent site. As such, we consider there is a reasonable prospect of the site starting to deliver housing within the next 5 years and so it is necessary to amend the trajectory accordingly. To ensure the development of the site integrates well with the current housing development to the south, it is necessary for the effectiveness of the policy for **MM7.38e** and **MM7.36** to modify the wording of part 2g) and the supporting text to ensure appropriate connections between developments. These changes are necessary in the interests of clarity and effectiveness.

109. To provide consistency with the wording of the policy, **MM7.32** sets out that the figure of 305 dwellings is an estimate of capacity and is necessary for clarity and so effectiveness. In addition, to ensure the Plan is positively

prepared **MM7.38b** amends the wording of part 2c) of the policy in relation to how any development on the site responds to the infrastructure around and crossing the site.

110. To provide clarity, and thus to achieve effectiveness, a number of modifications are necessary to the policy and in some cases to the relevant supporting text as well. Therefore: i) **MM7.34** and **MM7.38c** make changes to the supporting text and to part 2c) of the Policy to clarify the requirements with regard to the archaeological assessment; ii) **MM7.35** and **MM7.38f** make changes to the supporting text and part 2h) of the Policy to clarify the open space requirements; iii) **MM7.38g** modifies part 2i) of the Policy to clarify the landscaping requirements; and iv) **MM7.38d** amends the wording of part 2f) of the Policy to correct a grammatical error.
111. To improve the effectiveness of the policy it is necessary for **MMs7.38j-n** to make a number of amendments to part 2k) of the Policy to clarify the transport and connectivity requirements and to ensure the development can respond to the site-specific transport assessment that will be required at the planning application stage.

HS8 – HS12 (Policies 22 – 26)

112. HS8: Milnercroft (Policy 22) is a small Council owned site expected to deliver 5 affordable dwellings as well as a community garden. As submitted the access shown for the site is inadequate, so for the policy to be justified, revisions to the site boundary are needed. **MM7.39** replaces Figure 20 in the supporting text with a plan showing this revised boundary. **MM7.43d** amends the wording of part 2d) of the Policy so the requirements for the access are clearly set out. The Policy requires that allotment space lost as a result of the development will be re-provided in the locality. However, it is unclear how this will be secured. For clarity and effectiveness, it is necessary for **MM7.43c** and **MM 7.41** to modify the wording of part 2b) of the Policy and supporting text to make clear that this should be through engagement with the relevant Council service.
113. The allocation of HS9: Former Elizabethan High School (Policy 23) provides the opportunity to redevelop a long-standing vacant site within a residential area. However, the terms of the policy as drafted are imprecise in relation to open space and transport infrastructure provision. To ensure clarity, and thus the effectiveness of the policy **MM7.46c** is required to modify the wording of part 2d in relation to the open space requirements and **MMs7.46f-i** are necessary to clarify the requirements in terms of transport infrastructure.
114. The same amendments are needed to clarify the transport requirements for Policy 24 (HS10: St Michael's View) and so for the effectiveness of that

policy **MMs7.49f-i** are necessary. The estimated site capacity is consistent with a development of apartments which would be suitable for this site given its location relatively close to the town centre and would provide the opportunity to diversify the housing mix in the area. Subject to these modifications we are therefore satisfied that the allocation is soundly based.

115. HS11: Fairygrove (Policy 25) is a 2.7 hectare site in the South of Retford. It is identified for the development of around 61 dwellings. As drafted the policy requires a transport assessment, but this is disproportionate, taking into account the extent of development proposed. Accordingly, **MM7.53d** and **MM7.51** modify the wording of part 2g) and the related supporting text so they refer to the need for a Transport Statement rather than a Transport Assessment. In addition, for the effectiveness of the policy it is necessary for **MMs7.53e-i** to amend the wording of part 2g) to clarify the transport infrastructure requirements for development.
116. HS12: Station Road (Policy 26) is a small brownfield site with an estimated capacity of 5 dwellings. The site lies within a Conservation Area and within the setting of a Listed Building. However as there is no compelling evidence that the site is likely to be of archaeological importance the need for an archaeological assessment is not justified. **MMs7.56c** and **MM7.55** amend the wording of part 2b) of the policy and the relevant supporting text accordingly. In addition, due to the size of the site the requirement in part 2c) of the policy for a Transport Statement is not justified. **MM 7.56e** amends the wording of part 2c) accordingly. Lastly, for clarity, and thus effectiveness, it is necessary for **MM7.56a** to modify the wording of part 1 in relation to the IDP.
117. The evidence indicates that the above sites will be developable and viable. However, apart from HS11, none of them have a developer attached to the site. In addition, the 3 that are either owned by the Council or County Council still need to be marketed. We therefore consider that the Council's assumption in the trajectory for the delivery of these sites is overly optimistic. Consequently, it is necessary for the trajectory to be amended to show a delivery over 3 years rather than 2 for HS11, and that delivery of the other 4 sites will be towards the end of the 5-year period and beyond as shown in **MM13.16**. This change is necessary for clarity and effectiveness.

HS13: Ordsall South (Policy 27)

118. Ordsall South is proposed as an urban extension to the south of Retford which will provide housing together with supporting infrastructure and mitigation measures both on and off site. With regards to transport, the supporting evidence demonstrates that adequate mitigation can be

provided to the majority of existing off-site junctions. However, the Retford Transport Assessment [TI-018] also indicates that after mitigation the cumulative impacts of proposed development in Retford will result in 3 junctions in the town having worsened traffic conditions at the end of the Plan period. This is over and above that expected by baseline conditions. This would amount to increased congestion during AM and PM peak flows towards the end of the Plan period.

119. We have set out above within Issue 2 why we consider the amount of development to be taken forward within Retford to be sustainable. Nonetheless, we have carefully considered whether the allocation of Ordsall South is justified having regard to the identified traffic impacts. In coming to a view, we are mindful that the identified traffic impacts in Retford are cumulative and relate to roundabouts in the town centre. From the evidence put to us during the examination, [BDC-031, BDC-038, BDC-040, BDC-046, BDC-047] and at the hearing, we note that if development of the extent proposed was to come forward on a different site, or a number of smaller sites around Retford, this would also give rise to both cumulative and direct traffic impacts and given the nature of the junctions within the town centre, not all of these would be able to be fully mitigated.
120. We are satisfied that subject to modification the Policy will allow the Council to seek all necessary and appropriate mitigation to address off-site highways impacts. The extent of such mitigation will be informed by a site-specific transport assessment. Whilst we note that not all off-site impacts are capable of mitigation, having regard to the extent of effects identified the residual cumulative impacts of the development would not be severe. We are satisfied that having regard to the thorough process the Council went through in selecting Ordsall South for development against reasonable alternatives [SS-004, PUB-024, BG-030 and SS-025] the selection of the site for development is a sound approach.
121. The WPVA [PUB-028] shows the site to be viable and deliverable and this is supported by the site promoters' own assessment. In addition, an outline application has already been submitted for the site. From the evidence before us we are satisfied that the necessary infrastructure and mitigation measures can be delivered and that with these the site will remain viable. As a planning application for the site has been submitted and is well advanced, we consider it is likely that delivery on the site will be able to start earlier than anticipated. Therefore, it is necessary for effectiveness to amend the housing trajectory through **MM13.16** to show this and as a consequence to increase the overall number of houses that the site will deliver within the Plan period. As a result of this, **MM7.62a**, **MM 7.57** and **MM0.9** are needed for effectiveness to amend part 1 of the policy, the supporting text and references elsewhere in the Plan and to update the number of houses expected to be delivered within the Plan period.

Furthermore, to ensure clarity and thereby effectiveness we have amended the wording of **MM7.62a** from that consulted on so that it sets out the site's overall capacity of 1250 dwellings of which 960 are to be delivered in the Plan period.

122. In addition, for clarity and thus the effectiveness of part 1 of the policy, it is also necessary for **MM7.62a** to clarify that the supporting infrastructure needs to be in accordance with the IDP. However, it is not necessary for soundness to indicate that the supporting infrastructure will be secured by a Section 106 agreement as ST58 and paragraph 7.1.12 already cover the mechanisms that can be used to secure infrastructure.
123. The nature of the site as an urban extension to Retford that abuts open countryside increases the importance of the role of green infrastructure, and the need to ensure the development takes account of local landscape character and contributes to, and benefits from the green gap between Retford and Eaton. Criteria within the policy set out various requirements to ensure the provision of the landscaping of the site and a country park. However, to ensure that the policy is effective and not overly prescriptive in this regard, **MMs7.62c - h** and **MM7.59** are necessary to modify parts 2a) and 2f) and the related supporting text. Given that Policy 41 provides protection for ancient and veteran trees, we do not consider it is necessary for the notable Oak tree on the site to be specifically mentioned in the policy. However, to ensure the policy is justified we have amended the wording of **MM7.62c** from that consulted on, by removing reference to "permanent" as the development of this site cannot ensure the adjacent Green Gap remains permanently open.
124. The policy refers to on and off-site infrastructure requirements. For clarification, and thus the effectiveness of the policy: i) it is necessary for **MM7.62a** to clarify in part 1) that the supporting infrastructure needs to be in accordance with the IDP; ii) **MMs7.62i - k** are needed to modify parts 2g), 2h) and 2i) to indicate that the local centre, health hub and community facility required to serve the development need to be provided on site; and iii) **MM7.62m** is necessary to modify the wording in relation to the land to be provided for the primary school on site.
125. Part of the site is currently owned by Retford Golf Club and used as a training range. The requirement in the policy for the development to make a financial contribution to the Golf Club to compensate for this loss is not justified and would not necessarily result in the provision of any replacement facilities. Therefore, for the policy to be justified it is necessary for **MM7.62l** and **MM7.58** to remove this requirement from part 2j) and the related supporting text and to highlight that the loss will be mitigated by alternative sports provision on the site.

126. As submitted part 2m) of the policy is overly prescriptive and would not allow changes that may emerge in the masterplanning process and the site-specific transport assessment and travel plan. Therefore, to ensure the policy is justified, effective and consistent with the NPPF it is necessary for **MMs7.62n-s** and **MM7.60** and **MM7.61** to make a number of amendments to this part of the policy and to related paragraphs of the supporting text.
127. Subject to these modifications we are therefore satisfied that the allocation is soundly based.

HS14: Ollerton Road (Policy 28)

128. Ollerton Road, Tuxford is a 2.9 ha site which is proposed to provide around 75 homes. Due to the size of the proposed development the requirement for a Transport Assessment in part 2h) is not justified and so **MM7.68f** and **MM7.66** are required to amend the policy and related supporting text accordingly. In addition, the policy suffers from some omissions which undermine the clarity and therefore the effectiveness of the policy: i) **MM7.68c** and **MM7.64** are necessary to clarify the requirements in part 2c) and the related supporting text with regard to the archaeological assessment requirements; ii) **MM7.68b** and **MM7.65** are needed to clarify the wording relating to the landscaping requirements in part 2b) and relevant supporting text; and iii) **MMs7.68g and h** are necessary to clarify the transport infrastructure requirements in part 2h).
129. Whilst there is a reasonable prospect of the site coming forward for delivery within the Plan period, as the site still needs to gain planning permission and there is no known developer for the site, the Council's assumption that delivery will start by 2026-27 is overly optimistic, and so it is necessary in the interest of clarity and thus effectiveness to amend the trajectory through **MM13.16** to show a delay in the start of delivery to the following monitoring year.

Other Sites

130. It may well be the case that there are other suitable sites in the District that are also capable of being developed, and some of those may also be reasonably related to the settlement hierarchy. However, it is the Council's responsibility to prepare the Plan and, for the reasons set out earlier, the approach set out in ST1, ST2 and ST15 is sound.
131. Policy ST15 sets out all the allocated sites for development and identifies their approximate capacity and likely delivery over the Plan period. In light of our findings above as to the likely rates of delivery at Peaks Hill Farm and Ordsall South, **MM7.6** is necessary to update the number of dwellings

expected to be delivered through Local Plan allocations for effectiveness. **MM7.7** corrects an error in the site area figures in the Policy. This table should also be updated to reflect the revised delivery figures at Peaks Hill Farm and Ordsall South and so for the Policy to be effective we have altered **MM7.7** from that in the advertised schedule to reflect this.

Conclusion

132. Subject to the required main modifications detailed above the housing allocations are positively prepared, justified and effective.

Issue 4 – Is the Plan's approach in relation to Priority Regeneration Areas positively prepared, justified and effective?

Policy ST5 - Worksop Central

133. The Plan identifies 2 Priority Regeneration Areas, in line with the Council's objective to support the sensitive regeneration of previously developed vacant and underused sites. The spatial strategy also directs a proportion of growth to central Worksop. A Development Plan Document (DPD) for the area is currently at Regulation 18 stage and sets out a strategy for bringing town centre sites into viable use for housing and employment, alongside the provision of physical, social and environmental infrastructure, including the provision of a flood management scheme to address flooding issues along the river Ryton. These aims are consistent with both the objectives of the Plan and policy in the NPPF, which supports the development of brownfield and under-utilised land and buildings, and recognises that residential development can play an important role in ensuring the vitality of town centres.

134. Policy ST5 relates to central Worksop. Worksop Town Centre has a number of brownfield sites which are suitable for reuse. However, it is clear from the evidence put to us in relation to potential flood works for the river Ryton that proposals for a flood management scheme are at an early stage. These works have the potential to impact upon the redevelopment of a number of potential sites in the town centre. Furthermore, a holistic strategy for the necessary infrastructure and environmental improvement works to the town centre as a whole is not at an advanced stage. It is therefore appropriate that these detailed matters are dealt with in a separate part of the Local Development Scheme for the District, and that they do not delay the progress of the Plan. We consider it appropriate that the Plan sets out the area that the DPD will cover and provides criteria which the DPD will address.

135. However, the policy as drafted suffers from some omissions and drafting errors that undermine its efficacy. Together **MM5.31a**, **MM5.31b**,

MM5.31d, MM5.31f, MM5.31h and MM5.31i make drafting changes to aid the legibility of the policy. **MM5.31e** makes changes to define good design and **MM5.31g** qualifies that development should be of high quality. **MM5.31j** provides direction to the decision maker in relation to schemes in advance of the DPD being adopted and is necessary for the Policy to be effective. Together these changes are necessary in the interests of clarity and effectiveness.

136. Notwithstanding this, and taking into account our concerns relating to the timescale for delivery of the flood management scheme, and the potential for some of the identified sites to be removed or altered following public consultation, we consider the evidence of housing delivery through development to be allocated in the DPD to be in parts unreliable and we cannot conclude that the full figure of 700 dwellings will be realised. It is our view that only sites which have permission, or have compelling evidence to support an assumption that a site will be realised, such as grant funding at the Priory Wharf site, should be included within the housing trajectory. These are Land at Gateford Road Car Park and Land at Newcastle Avenue. For this reason, as set out above, we have included only 238 dwellings within the town centre in the local plan housing supply. **MM5.30** and **MM5.31c** which explain this are therefore necessary for the Plan to be justified.

Policy ST6 - Cottam Priority Regeneration Area

137. Cottam Priority Regeneration Area is made up of the site of the former Cottam Power Station. The site lies on the river Trent and includes the former power station lagoons. It lies partly within Flood Zones 2 and 3 and includes substantial amounts of brownfield land. Part of the site also comprises a local wetland wildlife site. Parts of the site are believed to be unstable and require decontamination. National Grid also have infrastructure assets on the site which will need to be accommodated in any future masterplan. The adjoining Cottam Development Centre is also expected to remain operational for the lifetime of the Plan.
138. As a brownfield site of substantial size the regeneration and positive reuse of the site is a priority for the Council. This is consistent with the aims of the NPPF to support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land. Furthermore, the landowners [SA-NRF021] 'are clear that the redevelopment of the site is achievable and commercially viable'. However, it is recognised that the restoration of the site presents challenges. The LAA 2022 [BG-030] and the SA [PUB-024] both indicate the site faces significant constraints and is not expected to come forward for development during the Plan period.

139. Nevertheless, it is appropriate that the site is identified as a broad location for future growth. This does not indicate that all of the area identified will come forward for development, a significant proportion of the site may be most appropriately re-used for habitat creation and protection, recreation and flood risk mitigation. The identification of the broad location indicates that appropriate land uses will subsequently be identified and allocated taking account of site constraints and local needs. Policy ST6 therefore appropriately identifies the broad location and sets out relevant requirements for future regeneration.
140. However, the policy as drafted suffers from some omissions and errors that undermine its effectiveness. **MM5.33**, **MM5.34b**, **MM5.34c**, **MM5.34d**, **MM5.34e**, **MM5.34f**, **MM5.34g**, **MM5.34h**, **MM5.34j**, **MM5.34k** and **MM5.34l**, make changes to aid the legibility of the policy. Along with **MM5.34a** and **MM5.33** which also clarify that the site is expected to come forward beyond Plan period. **MM5.34b** also makes clear that development will be required to be consistent with Policy ST58 which requires the provision of all necessary infrastructure to support the development.
141. **M5.32** updates the date of the transport assessment. **MM5.34i** makes changes to improve the legibility of the policy in relation to potential transport impacts. In addition to making changes to aid legibility, **MM5.34e** also requires that any development proposal is supported by a scheme for archaeological assessment and mitigation. This is necessary to ensure the policy is effective.
142. The policy includes a criterion to “give consideration” to using the river Trent and the existing railway line for the transportation of construction and waste materials. However, whilst the aim of implementing sustainable transport during construction may in time form part of an acceptable Travel Plan, the criteria is vague and difficult to effectively quantify. **MM5.34m** therefore removes it from the policy.
143. Together these changes are necessary in the interests of clarity and effectiveness.

Conclusion

144. Subject to the required MMs detailed above, the policies for priority regeneration areas set out in the Plan provide a positively prepared strategy and are justified, effective and consistent with national policy.

Issue 5 – Has the Plan been positively prepared and is it justified, effective and consistent with national policy in relation to its provision for the supply of housing?

Housing Supply

145. The Plan sets out a housing trajectory within Appendix 3 detailing for each of the Plan's allocated sites and other permitted large sites, the number of dwellings anticipated to be completed over the Plan period. The Housing Land Supply Position, Housing Trajectory and Windfall Allowance Background Paper Updated May 2022 [SS-019] and the Five-Year Housing Land Supply Statement 2022 [SS-026] set out further the Council's position in relation to housing supply. The trajectory was later updated since the submission of the Plan for examination to reflect changes in completions and the deliverable supply.
146. Furthermore, following the Hearing sessions the Council provided further information in relation to housing delivery which is set out in the Housing Delivery Background Paper [BDC48 and BDC48a]. This included an updated trajectory which reflected changes in completions and deliverable supply since the submission of the Plan for examination. The supply position was further updated to include completions for the full 2022-23 period in June 2023. Accordingly, the base date for completions data used in the housing trajectory was updated during the examination to 31 March 2023. For effectiveness, **MM2.2** makes this clear. Within the first three years of the Plan period (2020-23) 2587 new dwellings were completed.
147. As detailed in Issue 1, the Plan's housing requirement figure should be based on an Objectively Assessed Need of 540 dpa which equates to a requirement over the Plan period 2020-2038 of 9,720 dwellings.
148. The trajectory credibly identifies the extant planning permissions on large and small sites. The Housing Land Supply Background Paper (HLSBP) [BDC-44] provides a thorough review of the major sites, including those with outline permission, and provides convincing evidence to support the inclusion of these sites within the housing trajectory. In light of the updated completions information the sites were reviewed to remove any lapsed permissions since the examination commenced. Following review, the contribution from major sites with permission is 4,281 dwellings. A further 528 dwellings have also been permitted on small sites.
149. The housing supply includes a number of sites that are "made" allocations in Neighbourhood Plans in the District. The updated supply calculations show that these contribute 244 dwellings to the housing supply. Having regard to the evidence within the HLSBP, we are satisfied that these

allocations are a reliable source of supply. However, if for some reason they do not come forward, the Neighbourhood Plan review process would be likely to identify alternatives in due course.

150. A further proportion of the supply is derived from site allocations in this Plan. We have set out under Issue 3 above our reason for why we consider this to be overstated. In reaching a view as to when these dwellings might come forward we have taken into account average lead in times within the District along with historic build out rates. Assumptions in relation to these matters will never yield an entirely accurate prediction of future trends. However, based on the evidence put to us during the examination, including that within BDC-048a, we find that the contribution from Local Plan allocations should be 2,387 dwellings.
151. Some sites identified within the emerging Worksop Central DPD are also included within the housing supply and we set out within Issue 4 above why we consider only some of these sites to be suitable for inclusion. Based on our conclusions we find that the likely contribution from DPD sites should be 238 dwellings.
152. The Council has included an allowance within their housing supply calculations for windfalls. The evidence put to us in the HLSBP shows that windfall rates fluctuate within the 10 years surveyed and although the historic average is higher than that adopted by the Council this will have been reliant to a certain extent on the introduction of permitted development rights for conversions. There is no evidence to support the view that such conversions will continue at historically high rates. Consequently, we consider that the Council's assumptions in relation to the contribution windfalls may make to housing supply are overly optimistic and that a lower and more cautious figure of 76 dpa is more accurate. This should be applied to all years beyond the 3 years of extant permissions – for a period of 12 years which would provide 912 dwellings over the Plan period.
153. In relation to the contribution to the supply from small sites, to avoid double counting, this should be based on extant permissions for small sites, excluding any completions. When averaged over a three-year period this amounts to 182 dpa or 546 dwellings over the Plan period. Whilst this calculation does not account for lapses in permission or variations year on year, taking into consideration the rather limited effects these matters would have on overall supply, in our view it would be an appropriate and proportionate approach.
154. The NPPF indicates that at least 10% of the housing requirement should be on sites no larger than one hectare. The trajectory shows that

development on small sites through completions and permissions alone would provide around 976 dwellings which exceeds 10% of the identified need in the District of 9720. In addition, further sites of less than 1 hectare are provided within NPs and the allocations in this Plan at HS2, HS5 and HS8, HS10 and HS12. We are therefore satisfied that the Plan meets the requirements of national Policy in relation to small sites.

155. The evidence and discussion at the hearing session demonstrates that, as detailed in Issue 4 above, some of the allocated sites may provide more homes than the minimum figures set out in the relevant policies on which the 11,195 dwellings supply figure has been calculated. Nonetheless, we are of the view that the updated trajectory provides a balanced and suitably precautionary approach to assessing likely supply.
156. The updated trajectory indicates that the Development Plan provides for at least 11,195 developable dwellings (2587 past completions + 4281 dwellings on large sites + 546 dwellings on small sites + 244 dwellings in NPs + 2,387 dwellings in LP allocations + 238 dwellings in DPD allocations +912 dwellings from windfalls). Against a Plan period requirement of 9720 dwellings without windfalls, this would provide a margin of supply over the requirement of 6%. If windfalls are taken into account this would provide a "buffer" of 15%. This level of 'headroom' above the OAN would support the Government's objective of significantly boosting the supply of homes, and ensure that a sufficient amount and variety of land can come forward where it is needed. **MMO.3** updates the housing supply figure throughout the Plan.
157. Allowing for a 10% buffer the trajectory demonstrates that there is currently a 7.2 year supply of deliverable housing land in Bassetlaw. The PPG advises that past "over-supply" is taken into account to off-set any shortfalls. Given the healthy supply that exists in the District with no shortfalls we have not needed to take into account past completions to find a 5 year supply. Nonetheless, it would be illogical to disregard past completions across the Plan period. In this regard, although the trajectory indicates that some years towards the end of the Plan period may provide less houses in a given year than 540 dpa, we are satisfied that taking into account the cumulative number of completions the calculated supply is a relatively cautious figure and that a deliverable supply of at least 5 years is likely to exist throughout the Plan period.
158. We recognise that in light of the healthy supply demonstrated not all of the allocations in the Plan are necessary to provide a five-year supply. However, we also recognise that there is a benefit in making these which in the short to medium term increase choice in the market allocations and in the longer term provide a consistent supply of housing beyond the Plan period. This is consistent with the NPPF objective of significantly boosting

the supply of homes. In this regard we consider the amount of housing provided for in the Plan to be consistent with the Plan's aims of supporting a step change in the economy and to ensure the District's housing stock meets local needs and so to be soundly based.

159. The Council have asked us to formally confirm the five-year housing land supply, in line with paragraph 74b of the Sept 2023 NPPF. The PPG⁵ states that in seeking to do so plan-makers should engage with developers and others with an interest in housing delivery at Regulation 19 stage. However, we do not have compelling evidence that the Council engaged in this way, and so are unable to confirm the five-year housing land supply in line with paragraph 74b. Nevertheless, the revised NPPF sets out that provided an adopted Plan has identified at least a 5-year supply of specific, deliverable sites at the time that its examination concluded, and the Plan is less than 5 years old, then Local Planning Authorities are not required to identify and update annually a supply of specific deliverable sites. With this in mind we are satisfied that the adopted Plan will identify at least a 5-year supply of specific, deliverable sites at the time its Examination concluded.

160. To update the Plan to reflect the revised figures and for effectiveness, a number of modifications are necessary as follows. **MM5.8** corrects the likely rates of delivery in the supporting text. **MM5.11** and **MM5.12a-e** provide revised figures in relation to completions, extant permissions, neighbourhood, DPD and Local Plan allocations and allowances for windfalls and small sites. **MM5.9** sets out that a 10% buffer is required to ensure supply is sufficiently flexible and robust. **MM5.10** corrects minor drafting errors to clarify how the Council will engage with developers to ensure appropriate delivery over the Plan period. **MM5.11** corrects the supporting text in relation to assumptions on housing supply across the Plan period.

Conclusion

161. The evidence indicates that the housing requirement figure across the Plan period is likely to be met and that an on-going five-year supply of deliverable housing land is likely to exist. Furthermore, we are satisfied that the Plan identifies at least a five-year supply of specific deliverable sites at the time the examination concluded.

162. In conclusion, subject to the above-mentioned modifications, the Plan provides for an adequate supply of housing land.

⁵ PPG para 010 reference ID 68-010-20190722

Issue 6 - Does the Plan set out positively prepared policies to meet affordable housing needs and the housing needs of other groups, which are justified, effective and consistent with national policy?

Policy ST29 – Affordable Housing

163. Affordable housing need is set out in section 1 of the report above. The Plan's requirements for affordable housing are set out in Policy ST29. We are satisfied that the WPVA [PUB-028] provides compelling evidence for the differing requirements sought on brownfield and greenfield land. The policy also sets out the tenure split for the affordable housing, which reflects both the findings of the HEDNA [SS-024] and national policy. However, the wording of this lacks clarity. **MM7.72a** more clearly sets out the tenure split for the affordable housing that would be provided and so is necessary for the policy to be effective.
164. In addition, for the effectiveness of the policy it is necessary for **MMs 7.72b** and **c** to make a number of alterations to parts 5 and 6 of the policy that provide greater clarity in respect of the implementation of affordable housing off-site. Furthermore, the figures set out in paragraph 7.17.12 of the supporting text are not necessary and will in time hamper the effectiveness of the policy. For effectiveness **MM7.69** and **MM7.70** amend this paragraph and remove the data respectively. In addition, for clarity and thus effectiveness, **MM7.71** is also necessary for effectiveness to update the figures in paragraph 7.17.19 so they align with the housing trajectory. **MM7.1** is also necessary for effectiveness to amend the introductory supporting text to Chapter 7 to reflect that the provision of affordable housing has been fully costed within the WPVA for the Plan.
165. Part 9 of Policy ST29 allows for lower levels of affordable housing should the Plan requirement be demonstrated to be unviable. We are therefore satisfied that the requirement set out in the Plan will not threaten the delivery of residential schemes and at the same time will maximise the amount of affordable housing provided. Subject to the above modifications we therefore consider the policy to be soundly based.

Policy ST30 – Housing Mix

166. Policy ST30 relates to the type and mix of housing to be provided which will be guided by evidence from the HEDNA [SS-007] taking into account local characteristics. Whilst part 1 of the policy is largely sound, as the ability to provide such a mix will not always be possible on smaller developments it is necessary for clarity and thus effectiveness for **MM7.75** to amend the wording of part 1 to reflect this.

167. Parts 2-4 of the policy aims to provide custom and self-build housing. Government support for this is reflected in the NPPF and the PPG. The number of individuals on the Council's register of people interested in custom and self-build housing has grown every year since 2016 and in 2022 there were 120 people registered. This growth is despite the fact the Council have given permission to, on average, 13 self-build houses a year.
168. In the light of this we consider that the policy's requirement for 2% of plots on sites of 100 or more houses to be set aside for such purposes for 12 months is reasonable and responds in a proportionate manner to the evidenced need. Although such sites may not appeal to some who wish to build their own home, for others they may. Moreover, whilst noting the issues raised regarding the potential practicalities of providing such sites, the Council highlighted that similar policies have been successful elsewhere in the country. For clarity and the effectiveness of the policy **MM7.73** and **MM7.74** are needed to amend the supporting text to highlight this and to provide clarity on what is covered by the term self and custom build.

Policy ST31- Specialist Housing

169. ST31 relates to the provision of various types of specialist housing. The need for such housing is clearly evidenced in the HEDNA 2020 [SS-007] which indicates continued growth in the elderly population in the District. It is anticipated that it will soon be a national requirement for new housing to meet part M4(2) of the Building Regulations, although there will be some exceptions to this and so to be consistent with national policy and for effectiveness, it is necessary for **MM7.77e** to amend part 3 of the policy. However, in the light of comments made in the consultation on the MMs, for clarity and effectiveness, we have concluded that the reference to Flood Zones within the Policy is not necessary and have amended the MM accordingly.
170. In addition, to improve the legibility and precision of the policy and in the interests of clarity and effectiveness, **MMs7.77a-d** and **f** make a number of other minor changes to the wording of the policy and **MM7.76** updates the figures in paragraph 7.19.7 of the supporting text to correct a factual error.

Policy ST32 – Sites for Gypsies and Travellers

171. Policy ST32 relates to sites for Gypsies and Travellers. The Gypsy and Traveller Accommodation Needs Assessment (GTANA) 2019 and subsequent updates in December 2021 and July 2022 [SS-018, SS-022 and SS-027] provide an assessment of the accommodation supply and need of the Gypsy, Traveller and Travelling Showpeople communities in the District. It distinguishes between those identified who meet the

definition in the PPTS⁶ and those who do not meet the definition (referred to as “ethnic” Gypsies”). The GTANA indicates that a total of 52 pitches will be required to meet the needs in the District of those meeting the ethnic definition of Gypsies and Travellers over the period 2019/20 to 2037/38. However, there is no requirement for any plots for Travelling Showpeople. To date 3 pitches have been provided leaving a residual requirement of 49 pitches over the rest of the Plan period. Of this, it is expected that 27 pitches are required by 2028/29. We are satisfied that the GTANA provides a robust evidence base and accords with national policy as updated.

172. The GTANA (July 2022) [SS-027] sets out how this need can be accommodated through the safeguarding of existing sites, regularisation of unauthorised developments, the intensification of sites, conversion of transit pitches to permanent ones and through new planning permissions. Through these methods it is estimated that a total of 57 pitches could be provided over the Plan period.
173. Policy ST32 sets out the need and allocates 5 sites where additional pitches can be provided, although to ensure the policy is justified by reflecting the latest evidence it is necessary for **MM7.79a** and **b**, **MM7.81a** and **MM7.81d** to update the figures in both the policy and the supporting text and for **MM7.78** to clarify that the provision is to meet the needs of all who meet the ethnic definition. **MM5.13** updates these figures as they appear in the Spatial Strategy Section of the Plan and **MM5.20f** updates these figures within Policy ST1. As such, we are satisfied that the Plan allocates sufficient pitches to meet the need for the 10-year period 2019/20 to 2028/29.
174. Part 2 of the policy sets out criteria by which other applications will be judged. For the effectiveness of the policy, it is necessary for **MM7.81f** to modify the wording of part 2 so it clarifies that these will also be used to determine applications for extensions to existing sites and the intensification of use of existing sites. **MM7.80** modifies the wording of the supporting text that relates to this. The sequential test set out in part 2b) would not accord with national policy and so it is necessary for **MM7.81g** to remove this and part 2a) which requires that new developments for Gypsy and Traveller sites address an unmet need.
175. For clarity and to ensure the effectiveness of the policy **MM7.81b** deletes part 1a) and **MM7.81j** replaces it with a new section at the end of the policy which will strengthen the protection of existing sites in line with the advice in the GTANA. In addition, to ensure the precision and legibility of

⁶ The PPTS was revised on the 19th December 2023. The updated PPTS is now aligned with those referred to as “ethnic gypsies” in the GTANA.

the policy and in the interests of clarity and effectiveness **MM7.81c**, **MM7.81e**, **MM7.81h** and **MM7.81i** make some other minor changes to the wording of the policy.

Policy 33 - Houses in Multiple Occupation and Policy 34 - Agricultural and Forestry Workers dwellings

176. Policy 33 relates to Houses in Multiple Occupation and includes criteria against which new proposals for this type of accommodation will be considered. However, so that the Plan is not devolving policy to other documents which are not DPDs **MM7.83b** is necessary to amend part 1c) to clarify that the provision of parking should be informed by, rather than be provided in line with the latest Nottinghamshire Parking Standards. To improve the effectiveness of the policy, it is necessary for **MM7.83b** to also confirm that viability and feasibility will be considered when assessing the provision of parking, and for **MM7.82** to modify the related supporting text in line with the modifications to the Policy. Furthermore, in the interests of clarity and thereby effectiveness **MM7.83a** corrects a grammatical error in the wording of part 1b).

177. Policy 34 relates to what are referred to as agricultural and forestry workers' dwellings. To ensure that Policy 34 accords with national policy **MM0.6** and **MM7.84 – MM7.87** ensure that both the policy and the supporting text refer to rural workers and rural enterprises rather than agricultural and forestry workers and enterprises.

Conclusion

178. Subject to the required MMs detailed above, the policies to meet affordable housing needs and the housing needs of other groups set out in the Plan provide a positively prepared strategy and are justified, effective and consistent with national policy.

Issue 7 – Are the provisions of the Plan in relation to the provision of employment land justified and consistent with national policy? Would the allocations meet anticipated needs over the Plan period and be otherwise soundly based?

The General Employment Requirement

179. Chapter 6 of the Plan sets out a strategy for promoting economic growth in the District. The HEDNA November 2020 [SS-007], the previous Bassetlaw Economic Development Needs Assessment (EDNA 2019), updated in May 2022 [SS-010 and SS-024] and the Bassetlaw A1 Logistics Assessment (A1 LA) updated in April 2022 [TI-014 and TI-016]

provide the background evidence on which the employment provision in the Plan is based. The HEDNA recommends using a completions trend land requirement for B2 and B8 uses but recommends maintaining a labour demand growth scenario for B1 needs. There appears to be a clear link between jobs growth in office related sectors and actual demand for offices, and we therefore agree that a labour-based model is appropriate to model B1 requirements. We note that since the work was carried out the Use Classes Order has been amended to include B1 uses within use class E(a) which also includes former classes A1, A2, A3, D1 and D2. There is no available data to model whether this change is likely to impact upon demand for B1 office space in the long term. However, as B1 demand makes up a limited proportion of the identified need in the District we are satisfied this recent change does not undermine the conclusions reached in the research.

180. The situation is less clear cut for other employment uses. The transport sector is a key jobs provider in the District and is expected to continue to be so. There are significant variations in logistics-based employment densities which mean that floorspace requirements may be growing whilst employment is static or declining. Furthermore, the changing requirements of logistics operators also increase the need to replace ageing stock that is no longer fit for purpose. In this context, jobs change becomes a less accurate indicator of floorspace demand and floorspace completions can be seen as a more reliable means of predicting future industrial and logistics needs.
181. The District has seen high levels of employment growth within the logistics sector in recent years and demand for B8 floorspace is very high. The supply of logistics space is identified to be at very low levels, with low levels of vacancy and rising rent levels, all of which are indicative of strong demand. We also note that if the authority were to plan for the lower labour-demand trend for industrial needs, it would mean providing a lower level of employment land than has historically been delivered or that is within the current supply of consented B2/B8 sites. The NPPF does not preclude the use of a completions trend approach and recognises that analysis based on the past take up of employment land can be used to forecast future needs. We are therefore satisfied that a completions trend approach is appropriate to model B2 and B8 land requirements in the District.
182. The HEDNA was further updated in April 2022 [SS-024]. In light of this, and taking into account the additional allocation of land for sub-regional need for logistics, we see no justification for the provision of a 10% buffer to the general employment requirement as provision is made to meet anticipated needs over the Plan period consistent with the NPPF. For this reason, and in order for the requirement to correlate with the Plan period,

MM6.1 sets out that the general employment requirement is 193.2ha for the Plan period. **MM6.2** provides additional context in relation to recent employment completions and is necessary for clarity and thus effectiveness. **MM5.1**, **MM5.2** and **MM5.20g** update background information in Chapter 5. Subject to these modifications we consider the general employment requirement in the Plan to be soundly based.

Sub-Regional Need for Logistics Floorspace

183. The A1 LA [TI-014] sets out that the A1 is now viewed by many as a viable logistics corridor due to saturation on the M1. It also sets out that Bassetlaw lies within a wider Property Market Area for logistics focusing on the A1 corridor, within which those looking for larger units, defined by the report as 100,000 sqft and above ranging to 1,000,000 sqft or more, have a sub-regional rather than local level area of search that go beyond typical travel to work areas or general functional economic market area boundaries. Within the PMA demand for warehousing is at an all-time high due to market restructuring and a move to online and e-commerce type deliveries. There is also increasing demand for larger units, higher units, and bespoke units for both logistics and manufacturing. At a sub-regional level the Sheffield City Region Strategic Employment Land Assessment: Summary Report 2019 [EX-021] identifies the potential for further land supply in Bassetlaw and Bolsover where strategic B8 land needs could be met, and which make the most of their areas' strategic road connectivity, whilst reducing the pressure for B8 land in other parts of the city region where other employment uses may be attracted.

184. The A1 LA identifies between an 9 to13 year supply of land for logistics across the whole PMA⁷. The inclusion of a large site within the District would contribute to meeting sub-regional needs. Furthermore, across the wider area the impact of large-scale provision in Bassetlaw will be unlikely to be adverse, as demand will exceed the known supply across the PMA. In this respect, we note that duty to cooperate partners do not have an in-principle objection to the provision of large-scale logistics in the District. The NPPF requires plans to recognise and address the specific locational requirements of different sectors, including provision for storage and distribution operations at a variety of scales and in suitably accessible locations. We are therefore satisfied that the approach taken in the Plan, to provide logistics floorspace that goes beyond a local requirement, is a sound one.

⁷ TI-016: Bassetlaw A1 Logistics Assessment Update, 2022. This supply position reflects additional sites coming into the supply pipeline both in Bassetlaw and across the wider property market area, including in South Kesteven.

Supply of Employment Land

185. The Employment Land Topic Paper [BDC-02] details how existing and potential employment sites in the Plan were identified, first in the 2019 EDNA [SS-010] and later updated in the LAAs of 2020 and 2022 [BG-013 and BG-030]. We are satisfied that the LAA provides a comprehensive assessment of the employment land available. It indicates that the existing range of operational employment sites across the District continues to play an important role in meeting the needs of existing businesses and most should continue to be protected. These are to be shown on the policies map.
186. All potential site allocations and reasonable alternatives, not including sites with permission, were considered by the SA [PUB-024]. The Site Selection Methodology Paper [SS-025] sets out the site assessment process for employment land by which sites were selected for allocation or discounted. With regard to the selection of a site for sub-regional needs, section 4 identifies the necessary attributes for such sites over those required for general employment sites. We are satisfied that the process of site identification and selection was robust, having regard to all available evidence, and was consistent with guidance in the PPG.
187. The Plan identifies 205.8ha of land as General and Larger Unit Employment Sites of which 163.7ha remains undeveloped. As the total provision of General and Larger Employment Sites exceeds the identified requirement, sufficient provision exists within the Plan area without further "general" allocations. Indeed, all general employment sites within the supply have planning consent.
188. However, by the time of the examination circumstances at a number of these had changed with development continuing on a number of sites. Updated assumptions had also been provided in relation to the amount of Gross Available Employment Land the sites in the Plan can provide. **MM5.1**, **MM5.3** and **MM5.4** update background information in Chapter 5 and **MM6.3** and **MM6.9b** update Policy ST7 and the supporting text to reflect this, indicating that the Plan provides 205.8ha of general employment land. In order for the Plan to be clear and thus effective **MM5.20g** updates Policy ST1 to reflect the updated employment requirement.
189. The supply of employment land therefore comfortably exceeds the employment requirement. The background supporting text to Chapter 5 of the Plan refers to providing a buffer of 10% to the employment land supply. There is no requirement to provide such a buffer and as drafted the text is incorrect. **MM5.5** to Chapter 5 therefore removes reference to the buffer from the background supporting text. **MM5.6** to Chapter 5

updates the supporting text to reflect revised job projections. These changes are necessary for clarity and thus effectiveness.

190. Subject to these amendments, we are satisfied that the sites allocated in the Plan to meet general employment needs are soundly based.
191. 118.7ha of land at Apleyhead is identified to meet sub-regional needs for logistics. Policy ST7 in the Plan sets out a number of criteria a-h. These have already been considered and met through the designation of the site and so their inclusion in the Plan serves no effective purpose. We also note that the Plan contains a site-specific policy for the site which contains criteria by which proposals for development on the site are to be assessed. **MM6.9a** and **MM6.9d** amend the policy by removing these criteria and are necessary to ensure the policy is positively prepared and effective.
192. The Plan makes a distinction between those sites identified to meet general employment need, and additional land identified to meet sub-regional need. This reflects the different roles the sites will play in fulfilling local and sub-regional employment needs and the approach is soundly based. Whereas the Plan supports E(g) B2 and B8 uses on general employment sites, Apleyhead is allocated for the supply of B8 land only. Apleyhead was selected as a location for sub-regional logistics, amongst other things, due to its proximity to the highways network and local labour market, and due to its ability to provide for the development of larger units. **MM6.6** and **MM6.7** to the supporting text, explain more clearly the reasons for the selection of the site and are necessary for the Plan to be justified.
193. Given the locational advantages of the Apleyhead site, and the reasons for its allocation, in addition to the general supply of sites, it is reasonable that the approach taken at Apleyhead should differ to that on general employment sites. **MM6.5** explains this within the supporting text and is necessary to justify the differing approach set out in Policy ST7.
194. Policy ST7 also provides direction as to how proposals outside these defined uses will be considered. However, the policy refers to such proposals being an "ancillary use" and so is imprecise and lacks clarity. Furthermore, the policy and supporting text as drafted does not recognise the differing approach needed on the strategic site where larger scale uses which have a functional relationship with a largescale logistics operator could be appropriate in defined circumstances. **MM6.4**, **MM6.8a**, **MM6.8b**, **MM6.8c**, **MM6.9c**, and **MM6.9e**, which amend the policy to differentiate between the strategic site and general employment and which provide clearer direction for the decision maker are therefore necessary for the policy to be effective.

195. Policy 9 relates specifically to the development of the Apleyhead site and sets out the criteria by which development at the site will be assessed. Given the strategic nature of the site and the likely scale of development that will come forward **MM6.14a**, which makes the policy a strategic policy is necessary to ensure the Plan is positively prepared. **MM6.10**, which makes clear that the logistics development that will come forward will be large-scale is also necessary for clarity and effectiveness.
196. As drafted the policy contains a list of criteria which future development will be expected to comply with. For the policy to be effective it should make clear that development of the site should be carried out in accordance with a comprehensive masterplan which the criteria will inform. **MM6.14c** addresses this matter and also makes clear that good quality design should reflect local character.
197. The policy refers to the potential impact of development upon the Clumber Park SSSI and Sherwood Forest prospective potential SPA. However, the wording is misleading as it refers specifically to development within 400m of the southern boundary. It also unnecessarily refers to an "appropriate" scheme. **MM6.14d** removes these references for clarity and effectiveness.
198. The policy omits to require connectivity to relevant utilities infrastructure. **MM6.14e** addresses this to ensure the Plan is positively prepared. The policy also requires an appropriate landscape buffer but this would fail to provide appropriate landscaping throughout the site. **MM6.14f** alters the criterion in this regard to ensure the policy is effective.
199. The policy contains a number of criteria relating to transport and connectivity. It seeks to secure a scheme which takes into account the strategic transport impacts of development and secure appropriate mitigation. As drafted the policy refers to the transport impacts identified in the Bassetlaw Transport Study [TI-017]. However, the policy should make clear that the transport impacts of development, and any required mitigation will be identified through a detailed transport assessment and travel plan to form part of any site-specific scheme. **MM6.12** and **MM6.14g** make these requirements clear. **MM6.14h** also makes clear the need for both safe access and egress. As drafted the policy also refers specifically to financial contributions to two junctions on the A57. However, mitigation may also be required to other highways infrastructure in the locality of the site and could also be achieved by on-site works. **MM6.14i**, **MM6.14j**, and **MM6.14k**, address these matters. All these changes are necessary in order for the policy to be effective.
200. A number of other modifications are necessary to ensure the accuracy and effectiveness of the policy. **MM6.11** corrects the date of the relevant HRA

in the supporting text. The supporting text to the policy also refers to a specific number of jobs which the development is expected to generate. As all such figures are predictions and approximate, in the interests of clarity the wording has been altered to reflect this by **MM6.13**. **MM6.14b** makes clear that 118.7ha is the developable area of the site and that the development of the site may continue beyond the Plan period.

Policy ST10 - Existing Employment Sites

201. Policy ST10 relates to existing employment sites in the District and seeks to protect a number of identified sites for employment uses by ensuring that new development within those sites is restricted to development within classes E(g), B2 and B8. The sites identified reflect the findings of the 2019 EDNA [SS-010] and the 2020 LAA[BG-013]. Evidence provided during the examination also shows [BDC-039] that the sites listed in policy are almost all entirely in E(g), B2 and B8 use with extremely low levels of vacancy. We are therefore satisfied that their retention for employment use reflects the objectives of the Plan to support economic growth in the District.
202. However, a number of these sites lie in rural locations, where a change of use within use class E(g), a more intensive employment use, is likely to generate larger numbers of car-based trips. Furthermore, E(g) uses could be changed to a wide range of intensive trip generating uses under permitted development rights. Such uses would not be in line with the objective of the Plan to locate new development in sustainable locations. **MM6.16**, **MM6.17**, **MM6.18a**, **MM6.18b**, **MM6.18c**, **MM6.19**, **MM6.21a**, **MM6.21b** and **MM6.21c** differentiate between sites within main towns and large rural settlements where class E(g), B2 and B8 uses will be supported, and rural employment sites where class E(g) use will not be supported. These modifications are necessary for the Plan to be effective and therefore sound.
203. Policy ST10 also sets out relevant criteria for the consideration of proposals for change of use of employment sites. However, the policy as drafted is imprecise and provides insufficient clarity for the decision maker as to circumstances where a change of use would be appropriate. As drafted it would also apply to all employment land in the District and would be overly restrictive. **MM6.21d**, **MM6.21e**, **MM6.21f** and **MM6.21g** modify the policy to address this matter and to improve the precision and legibility of the policy. However, **MM 6.21d** has a drafting error and should refer to "or" rather than "and". Subject to this correction these modifications are necessary to ensure the policy is effective and so sound.
204. Furthermore, the policy does not take into account the effect a change of use may have on existing uses in the locality, including existing

employment uses. **MM6.21h** provides appropriate criteria to address this and is necessary for clarity and effectiveness.

205. As this section of the Plan also includes proposed schemes **MM6.15** alters the title to improve clarity and effectiveness. **MM6.20** makes reference to the introduction of a new policy to address large brownfield sites in the countryside, set out below, and is necessary for clarity and effectiveness.

206. ST11 seeks to support new employment development in rural areas in appropriate circumstances. The policy provides clear and comprehensive criteria in this regard. For consistency with Policy ST10 **MM6.23** removes reference to established employment sites and **MM6.22** changes the reference from buildings to premises. These changes are necessary for clarity and thus effectiveness.

Development on Large Brownfield Sites in the Countryside

207. The Plan and supporting evidence base identify that the District has a number of industrial and mining legacy sites only some of which have been brought into productive reuse. The rural location of some of these sites presents challenges for sustainable reuse. The former power station sites of Cottam and High Marnham, will require reclamation and remediation to ensure their successful regeneration. The Plan has a specific policy for Cottam, but in the case of High Marnham, as set out below, its designation as an "area of best fit" for renewable energy is overly restrictive.

208. A key objective of the Plan is to support the sensitive regeneration of previously developed, vacant or underused sites and spaces, including those in rural Bassetlaw. Although site specific issues at Cottam are addressed by Policy ST6, the absence of any specific policy to address the reuse of large rural brownfield sites is a significant omission.

209. Accordingly, **MM6.25** provides a new policy and **MM6.24** provides supporting text which seek to provide guidance on how development on large rural brownfield sites which can accommodate development should be addressed. **MM4.1** to the strategic objectives of the Plan emphasises that the reuse of brownfield sites in rural areas can have strategic economic and environmental benefits. **MM3.1** addresses the omission in the Context chapter of the Plan, **MM5.28** references the new policy in the Spatial Strategy chapter of the Plan. **MM3.2** provides a necessary update as to the government plans for the West Burton Power Station which is still in operation.

210. The new policy makes clear that due to the relative inaccessibility of such sites they are considered suitable for uses which cannot be accommodated in more accessible locations and will be suitable primarily for economic and environmental uses, providing criteria for how complementary uses will be considered. It also recognises that, such as in the case of former power station sites, these can have attributes that are of more than local importance including connectivity to national infrastructure. New development should, where applicable, capitalise on this locational advantage. The policy also includes criteria to ensure any development has an acceptable impact on local residents and the local built and natural environment. To achieve this, and to secure the successful long-term redevelopment of such sites, proposals will need to be supported by a comprehensive masterplan.

211. We are satisfied that the introduction of this policy is necessary to achieve the objectives of the Plan, and that the criteria set out within it are reasonable, necessary and in accordance with national policy. Accordingly, these changes ensure that the Plan is justified and positively prepared and therefore sound.

Conclusion

212. Subject to the required main modifications detailed above, the policies for employment set out in the Plan would meet anticipated needs over the Plan period and provide a positively prepared strategy which is justified and consistent with national policy.

Issue 8 – Does the Plan set out a positively prepared strategy and policies for retailing and town centres and the visitor economy which is justified, effective and consistent with national policy?

Policy ST12 – The Visitor Economy

213. Policy ST12 sets out the criteria for assessing proposals for visitor attractions / tourism development. It recognises that whilst some such developments are more appropriately located in the main town centres others will be located in the rural area. The NPPF is supportive of sustainable rural tourism and leisure developments which respect the character of the countryside.

214. To improve the clarity and effectiveness of the policy, it is necessary for: i) **MMs6.28a - b** to amend parts 2 and 3 of the policy to show that they relate to both new proposals and extensions to existing developments; ii) **MM6.26** and **MM6.27** to modify the supporting text to clarify that the policy covers both visitor attractions as well as other tourism developments; and iii) **MM6.28c** to highlight that the requirements of criterion 3d) only apply

where appropriate. In addition, for clarity and thus the effectiveness of the policy **MMs6.28 d** and **e** are needed to amend parts 4 and 5 to clarify that they relate to both static and touring caravan sites and proposals for lodges and pods and that all such proposals need to also meet the criteria of part 3.

215. Whilst we recognise the contribution and value of the Welbeck Estate, we do not consider that a specific policy for this estate is necessary for soundness. As it stands, the policy together with other policies in the Plan such as those on the rural economy, biodiversity, landscape and heritage assets, as well as those in the relevant NP, provide an adequate framework to assess proposals on the Estate.

Policy ST13 – Town Centres, Local Centres, Local Shops and Services and Policy ST14 – Management of Town Centres

216. Policy ST13 sets out the retail hierarchy for the District as required by national guidance and the extent of the town centres and the primary shopping areas are shown on the policies map. Whilst the Cannon Square area of Retford Town Centre may have a similar percentage of retail uses to other parts of the primary shopping area when calculated using the length of frontages, it does not when calculated using the number of units in retail use. Given the latter is the method the Council have used to determine what forms the primary shopping area in all the town centres, we consider the primary shopping area for Retford is sound.

217. The Retail and Leisure Study (April 2017) [SS-015] considers the thresholds for when retail impact assessments are required for applications outside of town and local centre boundaries. Due to the differences in the size, character and function of the various centres, it convincingly argues that these should vary according to the size of the centre. In the absence of any evidence to the contrary, we consider the threshold for Harworth & Bircotes and Tuxford should reflect this, as is the case in all the other centres. So, for the policy to be justified **MM6.29c** amends the policy accordingly.

218. In addition, to ensure consistency with the NPPF **MMs6.29a, b** and **d** are necessary to make a number of detailed changes to part 3, part 5 and part 10 of the policy respectively. These correct minor typographical errors and ensure the policy is consistent with the NPPF in relation to how impacts will be assessed. Moreover, we agree that a 6-month marketing exercise would be sufficient to demonstrate a lack of demand in part 10 b) and so for the policy to be effective **MM6.29e** amends this accordingly.

219. Policy ST14 which deals with the management of town centres is largely sound as written but is imprecise in parts and needs updating to reflect

changes to the Use Classes Order. **MMs6.30a-f** are required to make some minor alterations to the wording of parts 1 and 4 for clarity and precision and to ensure the effectiveness of the policy. The policy includes a small-scale extension to Harworth & Bircotes Town Centre which we consider to be soundly based. For completeness and so effectiveness **MM5.20h** includes details of this provision within Policy ST1.

Conclusion

220. Subject to the required MMs detailed above the policies for retailing, town centres and the visitor economy set out in the Plan provide a positively prepared strategy and are justified, effective and consistent with national policy.

Issue 9 – 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?

Policy ST38 – Green Gaps

221. Policy ST38 seeks to establish a number of Green Gaps adjacent to some of the main settlements. These are listed in the policy and shown on the policies map. However, we find the purpose as set out in the policy, its supporting text and supporting evidence base particularly the Green Gaps Report (2019) and its two addendums [CD-007, CD-004 and CD-001] lacks clarity and that there is considerable overlap between the role of this policy in protecting the landscape and Policies ST1, ST35 and ST37.

222. Development in recent years has extended the size of the settlements in the policy giving rise to their potential coalescence in some cases with each other and in other cases with other smaller settlements nearby. As such, there is the potential for these “fringe” settlements to lose their character and identity as distinct entities.

223. Therefore, we consider that the policy has an important role in preventing the coalescence of these settlements. Consequently, the purpose of the policy should be on preventing coalescence and protecting the setting and separate identity of these settlements by maintaining the openness of the land within them. To ensure the effectiveness of the policy it is therefore necessary for **MM8.12a** and **MMs8.6a-b, MM8.7, MM8.8, MM8.9** and **MM8.10a-c** to make a variety of changes to the policy and the supporting text to reflect that this is the key purpose of the policy. The aim of protection of the landscape we consider will be adequately dealt with by other policies in the Plan.

224. Moreover, whilst the Council indicated that the aim is to enable appropriate forms of development within these areas, the wording of the policy is highly restrictive. To ensure the effectiveness of the policy, **MM8.12b** and **MM8.11** make amendments to part 2 of the policy and supporting text to clarify the approach to proposals in the Green Gaps.
225. The supporting evidence provides limited justification for how the exact boundaries of the Green Gaps have been chosen. In the case of GG7 and GG8 we consider that it is not appropriate for the Green Gap to overlap with the housing allocation notation on the Ordsall South allocation (Policy 27) and so consequential changes to the policies map will be needed.
226. With regard to the southern boundary of GG4, we consider that the public footpath that crosses the field, even in the winter, is a clear and defensible boundary. The gap between Manor Lodge and the residential estate to the east is important to maintain and enables views into and out of Worksop. The footpath provides the first clear defensible boundary to the south and so forms an appropriate boundary. In other cases, we also find the boundaries are appropriate. Consequently, we are satisfied that no further changes to the Green Gaps are necessary.

Policy ST40 – Biodiversity and Geodiversity

227. Policy ST40 seeks to protect and enhance biodiversity and geodiversity which is consistent with paragraph 179 of the NPPF. However, to ensure the potential impact of developments on the SSSI at Clumber Park are fully addressed it is necessary for **MM8.24a and MM8.19** to make additions to both the policy and the supporting text. These changes make clear the developments whose impacts would be required to be assessed and that such an assessment should include consideration of potential recreational impacts. However, for clarity and effectiveness we have amended the wording of these MMs as shown in the consultation statement so that they clearly highlight that the requirement relates only to this SSSI and not all SSSIs in the District.
228. Part 3 of the policy sets out a requirement for all developments to make provision for biodiversity net gain. Whilst the provision of 10% biodiversity net gain will become a requirement after the enactment of the Environment Act, certain exclusions are likely to exist and so it is necessary for **MM8.24c** to amend this part of the policy to ensure it accords with the Act and the accompanying regulations. To be consistent with national policy we have amended the wording of this MM from that shown in the consultation statement so that it more accurately reflects national guidance, particularly in respect of off-site mitigation and long-term management and maintenance.

229. The WPVA [PUB 028] makes an allowance of £500 per dwelling to achieve 10% biodiversity net gain. Based on the Council's evidence of how this figure was arrived at, we consider this to be a realistic figure and that the provision of biodiversity net gain should not affect the viability of developments.
230. In the interests of clarity and the effectiveness of the policy it is necessary for **MMs8.17, 8.18, 8.20, 8.21, 8.22, 8.23** and **8.24b** to make drafting changes to the wording of the part 2d) of the policy and various paragraphs of the supporting text. In the interests of clarity and in line with forthcoming legislation, we have amended **MM8.21** from the published modification so paragraph 8.6.22 refers to the latest statutory biodiversity metric rather than latest Natural England metric.

Other Policies on Local Character and Distinctiveness

231. Policies ST35 - ST43 are a range of policies aimed at promoting and protecting the local character of the District. Policy ST35 seeks to secure high quality design. So that the Plan is not devolving policy to other documents which are not DPDs **MM8.2d** is necessary to clarify that the provision of parking should be informed by, rather than be provided in line with the latest Nottinghamshire Parking Standards unless it is not viable or feasible to do so, and for **MM8.1** to add some additional related wording to the supporting text. In addition, the policy as drafted lacks precision in relation to some of the criteria. In the interests of clarity and so to ensure the effectiveness of this policy it is necessary for **MMs8.2a-c** to make some drafting changes to parts 1biii), 1g), and 1h) of the policy.
232. Policy ST37 relates to Landscape Character. To provide clarity, and so for the effectiveness of the policy **MMs8.3-8.5** amend part 1b) of the policy and paragraphs 8.3.7 and 8.3.8 of the supporting text to reference the more recent addendums to the Landscape Assessment and so ensure it is clear to users of the policy and decision makers which documents they should refer to.
233. Policy ST39 relates to Green and Blue Infrastructure. The policy relies on the provision and implementation of buffer zones around areas identified as being within the Green and Blue Infrastructure Network to maximise the function and connectivity of these spaces. Whilst we consider the principle of this approach to be sound the policy as drafted lacks detail on how buffer zones are to be defined. To ensure clarity and effectiveness **MM8.16b** and **MMs 8.14a** and **MM8.14b** amend the wording of both part 2c) of the policy and the supporting text to give more detail on the approach to delivery and implementation. As the Plan is to be read as a whole, it is not necessary for soundness for Policy ST39 to make specific reference to the visitor economy as this is covered by Policy ST12. To

ensure consistency with changes to Policy ST50 and so the effectiveness of the policy **MM8.16a** modifies the wording of part 1d). In addition to ensure the policy is justified it is necessary for **MMs8.13a** and **b** and **MM8.15** to amend the supporting text so it reflects the most recent evidence in the Green Infrastructure Study.

234. Policy 41 relates to trees, woodlands and hedgerows. As a result of changes to Policy ST50, the policy and supporting text in paragraph 8.7.8 require updating as to how contributions to the national tree planting target will be sought. **MM8.26** and **MM8.25**, which make these changes, are necessary to ensure the policy is effective.

235. Policies ST42 and 43 relate to the historic environment. To be consistent with the NPPF **MM8.29** and **MM8.27** are necessary to revise the wording of part 1a) of Policy ST42 and paragraph 8.8.9 of the supporting text to distinguish between designated and non-designated heritage assets. For effectiveness **MM8.30c** amends part 2 of Policy 43 relating to Non-Designated Heritage Assets to say proposals will be 'supported' rather than 'considered'. The policy fails to provide specific guidance in relation to the circumstances where archaeological evaluation will be required. **MM8.30d** and **MM8.28** amend both the policy and the supporting text to achieve this for effectiveness. In addition, for clarity, it is necessary for **MMs8.30a** and **b** to make some minor drafting changes to improve the effectiveness of the wording of part 2 of the policy relating to Designated Heritage Assets.

Conclusion

236. Subject to the required MMs detailed above the local character and distinctiveness policies set out in the Plan provide a positively prepared strategy and are justified, effective and consistent with national policy.

Issue 10 – Does the Plan set out a positively prepared strategy and policies for healthy communities which is justified, effective and consistent with national policy?

Policies ST44 - 49

237. Policy ST44 seeks to promote healthy and active lifestyles. This accords with the aims of Section 8 of the NPPF which indicates that planning policies should enable and support healthy lifestyles. The policy is largely sound as written but for effectiveness: **MM9.1a** removes unnecessary references to various publications in part 1e) leaving the clause to highlight what needs to be achieved; **MM9.1b** modifies the overly restrictive part 1f) so that it indicates that the requirement for energy efficient design should

be provided where this is practicable; and in the interests of clarity **MM9.1c** amends part 2) to remove duplication in the wording.

238. Policy ST45 seeks to protect and enhance community facilities. Section 8 of the NPPF recognises the importance of these in promoting healthy communities. To ensure the policy is clearly worded, and therefore effective, it is necessary for **MM9.3a** to amend the wording of part 1 to clarify that all the criteria in this clause need to be met. **MM9.3b** is necessary to modify the wording of part 2 so it is clear that it applies to all religious buildings not just churches. **MM9.3c** is necessary to amend part 4 so that it indicates that the marketing needs to be done at a realistic asking price and **MM9.2** is needed to update the reference to the IDP in the supporting text. These changes are all necessary in the interests of clarity and therefore effectiveness.

239. Whilst the NHS may have their own legal framework in relation to the disposal of surplus sites, this does not necessarily cover all aspects that would be addressed by the planning system, so the inclusion of health-related facilities within the requirements of this policy is justified.

240. Policy ST46 aims to protect and deliver new accessible open spaces in the District, with the supporting text setting out the types of open space this includes. This accords with paragraph 98 of the NPPF which highlights the importance of such areas for the health and well-being of communities. However, to ensure the clarity and effectiveness of the policy **MM9.5b** amends the wording of part 1b) to: i) show that the provision of open space by major development is to meet the needs the development creates rather than to address existing deficiencies in the area; ii) show that viability will be taken into account when determining the level of provision; and iii) to clarify that schemes may involve either the provision of new open space or improvements to existing open space. Supporting this, to ensure the effectiveness of the policy, **MM9.4** is needed to modify the supporting text to clarify the guidance on when a financial contribution may be sought to improve existing open space. Also, for the clarity and effectiveness of the policy, **MM9.5a** modifies part 1a) to clarify the link to part 1b) and **MM9.5c** amends part 1c) to show it is applicable to all schemes of 10 or more dwellings.

241. Policy ST47 is largely sound as written although for clarity and effectiveness **MM9.6** is needed to amend a drafting error in part 3.

242. Policy 49 relates to contaminated and unstable land. For clarity and effectiveness, it is necessary for **MM9.8** to amend part 1a) of Policy 49 so it refers to other watercourses and sources of groundwater. In addition, for consistency and to clarify the policy approach for effectiveness, **MM9.7**

modifies paragraph 9.6.4 of the supporting text to remove the reference to the former High Marham Power Station but include the former Bevercotes and Welbeck colliery sites, in line with other changes to the Plan.

Conclusion

243. Subject to the required MMs detailed above, the policies for healthy communities set out in the Plan provide a positively prepared strategy and are justified, effective and consistent with national policy.

Issue 11 – Does the Plan set out a positively prepared strategy and policies relating to the natural environment which are justified, effective and consistent with national policy?

244. The Greening Bassetlaw chapter of the Plan contains four policies which seek to address the effects of climate change and to ensure that new development is carried out in a way which does not contribute to its causes. The chapter contains specific policies relating to reducing carbon emissions and climate change mitigation and adaptation, renewable energy generation, flood risk and drainage and protecting water quality.

Policy ST50 – Reducing Carbon Emissions, Climate Change Mitigation and Adaptation

245. Policy ST50 is a wide-ranging policy which sets out a range of measures to achieve both climate change mitigation and adaptation. Amongst other things the supporting text to Policy ST50 sets out that as part of climate change mitigation the Plan will seek, where possible, to improve air quality on individual sites. However, this fails to reflect that air quality improvements will primarily be achieved through changes to vehicular movements. In the interests of clarity and effectiveness **MM10.1** therefore makes clear that air quality improvements should also be achieved along the existing road network. **MM10.7b** in part, also alters the policy to ensure that the criterion in relation to air quality specifies that only unacceptable adverse changes to air quality will be resisted and is necessary for clarity and effectiveness.

246. Policy ST50 promotes sustainable design and low carbon methods of construction, and the supporting text refers to a number of accreditation schemes which are used to assess whether minimum energy efficiency standards have been met. In the interests of clarity and therefore effectiveness **MM10.2** makes clear that assessment will not be limited to the accreditation schemes listed.

247. Policy ST50 also seeks to secure adequate provision of electric vehicle charging points. To be effective and consistent with national policy **MM10.3a** and **MM10.3b** make clear that the provision of this infrastructure will be in line with the requirements of the Building Regulations.
248. Policy ST50 also includes provisions for a carbon off-setting fund to mitigate the effects of development where it is not feasible to achieve carbon savings at a development site. The aim of the Plan is to initially use the proceeds from the off-setting fund for tree planting in the District, including within strategic housing sites. However, the term carbon off-setting is misleading. Without a zero-carbon standard it will not be possible to determine whether any contribution would 'offset' carbon emissions from a development.
249. Moreover, the WPVA [PUB 028] identifies that requirements above the current Building Regulations such as a zero-carbon standard would adversely impact the viability of development in the District. However, the WPVA also indicates that the required allowance for tree planting set out in the supporting text is achievable, both on and off-site, and having regard to evidence supplied during the hearings in relation to the other benefits of tree planting, of improved soil quality, enhanced quality of place and a reinforcement of the landscape character of Sherwood Forest and North Nottinghamshire, we consider it to be justified.
250. To be effective **MM10.7b** in part and **MM10.7f** amend Policy ST50 to remove the requirement for a carbon off-setting fund and to reframe the policy to focus on tree-planting as a means of contributing towards the management of carbon emissions in the District. **MM3.4** to the Plan context Chapter, **MM10.4a**, **MM10.4b**, **MM10.4c**, **MM10.4d**, **MM10.4e** and **MM10.4f**, alter the supporting text to explain why tree-planting is required, as well as setting out the other environmental benefits of the strategy, and making clear the requirements for both on and off-site provision.
251. The policy also seeks to maximise water efficiency. **MM10.5a** and **MM10.5b** correct a factual error to include the area of the District covered by Severn Trent Water alongside that covered by Anglian Water as being under serious water stress and is necessary for the provisions of Policy ST50 to be justified. **MM10.6** rewords the supporting text to make clear the range of measures to achieve water efficiency that will be supported and is necessary for effectiveness.
252. As set out Policy ST50 contains a list of design objectives, standards and requirements. However, these are not presented in a coherent manner and so the policy fails to make clear that the objective of the policy is to achieve long-term resilience through both mitigation and adaptation. To

provide clear direction for the decision maker and therefore to achieve effectiveness **MM10.7a**, **MM10.7b**, **MM10.7c**, **MM10.7d** and **MM10.7e** simplify how the policy is set out, correct grammatical errors and provide additional wording so that Part 1 of the policy relates to design measures to be incorporated into new development where appropriate and Parts 2-4 relate to specific standards or requirements for relevant new development in regard to tackling climate change. The policy also refers to some measures that are dealt with by other policies or by Building Regulations. In the interests of clarity, effectiveness and to avoid duplication, these modifications also remove these criteria.

253. Finally, in the interests of effectiveness, **MM10.7a** also makes clear that new development should take account of the design principles in the Bassetlaw Design Quality Supplementary Planning Document and the Bassetlaw Design Code.

Policy ST51 – Renewable Energy Generation

254. Policy ST51 relates to renewable energy generation. The policy designates the site of the former High Marnham Power Station as an Area of Best Fit within which development which transmits, generates or stores zero carbon and renewable energy will be supported. High Marnham has been identified as a redevelopment site with excellent connections to the grid. However, it is relatively restricted in size and as such, is unlikely to meet the renewable energy needs of the District. Furthermore, the site may be capable of being brought into beneficial use for a range of other uses and its designation as the District's Area of Best Fit could effectively sterilise the site from other uses, which would not be consistent with the wider regeneration objectives of the Plan. The supporting text also refers to long term aspirations for energy generation to form part of the longer-term regeneration plans for the Cottam and West Burton Power Station sites. In this regard the policy unnecessarily and restrictively conflates the regeneration prospects of former power station sites with the provision of renewable energy in the District.
255. Moreover, although the policy sets out some criteria for the consideration of zero and low carbon energy outside the identified Area of Best Fit, it makes no specific provision for the delivery of wind energy in the District. The criteria by which proposals outside the Area of Best Fit will be considered are also imprecise and therefore not effective. The policy is also insufficiently clear in relation to decommissioning and seeks information on yields, which appears to conflict with national guidance which states that the output of such schemes should not be a determining factor in deciding whether to grant permission.

256. In order for the policy to be justified and effective, and for it to be consistent with national policy, **MM3.3** to the Plan Context Chapter, **MM10.8a**, **MM10.8b**, **MM10.8c**, **MM10.9** and **MM10.13d** which relate to the supporting text and **MM10.16a** and **MM10.16b**, which relate to the policy remove the Area of Best Fit from the Plan and redraft the policy to provide a comprehensive list of criteria against which proposals for renewable and low-carbon energy schemes will be assessed, including consideration of cumulative impact. **MM10.14** to the supporting text and **MM10.16e** to the policy seek to ensure that such sites are returned to an acceptable state at the end of the lifetime of the development and are necessary to ensure the Plan is effective and positively prepared.
257. In relation to the provision of wind energy, in order to comply with national policy, and to ensure the Plan is positively prepared, **MM10.10a** and **MM10.11b**, of the supporting text and **MM10.16c** to the policy set out how sites for wind energy will be identified and how local community support for wind energy will be gauged. **MM10.12c** provides guidance on community engagement for all types of renewable energy for effectiveness and in the interests of positive planning.
258. Lastly, in order to comply with national policy, and to make clear the basis on which information on yields from such installations will be sought, **MM10.15** to the supporting text and **MM10.16d** to the policy make clear that this information is for monitoring purposes only and is not required in order to demonstrate the merits of the scheme.

Policies ST52 - Flood Risk and Drainage and ST53 – Protecting Water Quality and Management

259. Policy ST52 relates to flood risk and drainage and seeks to direct development to areas at lowest risk of flooding without increasing the risk of flooding elsewhere. The Level 2 Strategic Flood Risk Assessment [GB-010] identifies a proportion of Worksop Town Centre to lie within Flood Zones 3a and 3b. National guidance recognises that in exceptional cases, where there are clear reasons for the allocation of development, development may be necessary in areas at higher risk and the Plan sets out in such circumstances a site-specific flood risk assessment will also be required. However, it is not explicit within the policy that these circumstances relate to sites within Worksop Town Centre where the Plan recognises there are wider regeneration benefits from development which justify site allocations within areas at higher flood risk. **MM10.17** makes this clear and is necessary for effectiveness.
260. The policy also sets out how SUDS will be used in new developments to manage surface water flood risk. However, the policy and the supporting text have some omissions and drafting errors which undermine their

effectiveness. **MM10.18** to the supporting text specifies the national standards to be used in relation to the use of SUDs. **MM10.19** makes clear that all developments will be required to accord with Policies ST52 and ST53. **MM10.20a**, **MM10.20b** and **MM10.20c** make changes to the policy to avoid repetition and aid legibility and hence are necessary for the policy to be effective.

261. Policy ST53 seeks to protect water quality. However, the policy has some omissions and drafting errors which undermine its effectiveness. The policy as drafted refers to the Humber River Basin Management Plan. This document does not form part of the development plan and it is unclear how the document would assist the decision maker. For the policy to be effective **MM10.21a** removes this reference.

262. **MM10.21b** and **MM10.21c** make changes to the policy to aid legibility in relation to Part 1 which relates to how measures to achieve water quality objectives can be achieved within new development, and to Part 2 which relates to Source Protection Zones. As drafted Part 3 of the policy, which relates to the provision of infrastructure within development, mixes measures in relation to surface and foul water drainage which is confusing. **MM10.21d** and **MM10.21e** separate these out into different criteria for foul and surface water and set out a drainage hierarchy which reflects SUDs principles. These changes are necessary to provide a clear basis for decision making and so to ensure the policy is effective.

Conclusion

263. Subject to the required MMs detailed above the policies in Chapter 10 - Greening Bassetlaw, provide a positively prepared strategy and are justified, effective and consistent with national policy.

Issue 12 – Does the Plan set out a positively prepared strategy and policies for transport and connectivity which is justified, effective and consistent with national policy?

Policy ST54 – Transport Infrastructure and Policy ST55 – Promoting Sustainable Transport and Active Travel

264. The Transport and Connectivity chapter of the Plan contains two policies which seek to deliver sustainable transport options for residents of the District. Policy ST54 relates to the provision of new transport infrastructure and aims to ensure that these needs are identified within new development. However, the policy does not provide a clear direction for the decision maker in cases where development compromises road safety or the delivery of transport infrastructure. **MM11.3d** makes clear that in

such cases development will not be supported. Policy ST54 also makes provision for safeguarded transport improvements identified in ST56 but these are no longer being carried forward as part of the Plan. Accordingly, **MM11.2** and **MM11.3a** remove references to safeguarded transport improvements from the policy and supporting text. **MM11.3c** makes clear that the 2023 IDP, which sets out the infrastructure requirements for the Plan period should be taken into account in assessing the cumulative impacts of development. **MM11.3b** corrects drafting errors which undermine the legibility of the policy. Together these changes are necessary in the interests of clarity and effectiveness.

265. Policy ST55 sets out a range of criteria by which sustainable and active travel can be achieved. However, as drafted the policy relates only to major development, when the aims of the policy are equally relevant to all forms of development, even if some of the measures identified would not be practicable in all cases. **MM11.4a** and **MM11.4b** together alter the policy to ensure it is applied to all forms of development in appropriate cases. The policy also identifies that in some circumstances a Travel Plan may be used to identify sustainable travel measures. In some cases, this may require a travel plan coordinator. **MM11.4c** makes provision within the policy for this. It also makes drafting changes to aid the legibility of the policy. Together these changes are necessary in the interests of clarity and effectiveness.

Conclusion

266. Subject to the required MMs detailed above the policies in Chapter 11 – Transport and Connectivity provide a positively prepared strategy and are justified, effective and consistent with national policy.

Issue 13 – Does the Plan set out a positively prepared strategy and policies for infrastructure, delivery and monitoring which is justified, effective and consistent with national policy?

267. Chapter 12 of the Plan sets out 3 policies which seek to ensure that appropriate infrastructure is provided to support new development in the District. Chapter 13 sets out arrangements for monitoring the performance of the Plan.

Policy ST56 - Safeguarded Land and Policy ST57 - Digital Infrastructure

268. Policy ST56 relates to safeguarded land. The policy includes provision for 2 road infrastructure schemes. The first provides for a link road between Blyth Road and Scrooby Road through the former Haworth Colliery site. The road is under construction and so safeguarding of the route within the Plan is no longer necessary. The second safeguarded link relates to land

within the Peaks Hill Farm development site (HS1) between Blyth Road and Carlton Road. Policy HS1 makes clear that a link road will be provided within the development. Furthermore, the width of the route could impose unnecessary restrictions in developing the site. As it is clear from the policy that a route through the site is a necessary requirement of development we do not consider the additional restrictions imposed by a safeguarded route to be justified in this case. Accordingly, **MM12.1a**, **MM12.1b**, **MM12.3a**, **MM12.3b** and **MM12.3c** which remove the two safeguarded routes from the Plan are necessary for the policy to be justified and therefore sound.

269. Policy ST56 also makes provision for land to accommodate works as part of the Worksop Flood Management Scheme. We are assured that these works may be necessary to ensure the protection of Worksop from flood risk and that as a result it is appropriate that land is set aside from other development to enable any necessary works to take place. Furthermore, it is prudent that the safeguarding is for a reasonable time period and that this is reviewed, to ensure land is not unnecessarily restricted from other acceptable uses in the longer term. To this end the policy states that a review will take place as part of the Local Plan Review. For clarity and therefore effectiveness, and to achieve positive planning, **MM12.2** and **MM12.3d** refer specifically to the Local Plan Review taking place within 5 years by 2028.

270. ST57 relates to the provision of digital infrastructure and seeks to ensure that new development is adequately served in this regard. The policy requires that if the provision of full fibre broadband is not practicable, then alternative technologies be provided. However, the policy does not state when such an assessment would be undertaken. **MM12.4a** makes clear that this should be at first occupation and is necessary for the policy to be effective. The policy also refers to the provision of new telecommunications infrastructure. **MM12.4b** makes changes to the policy to aid legibility and is necessary for the policy to be effective.

Policy ST58 – Provision and Delivery of Infrastructure

271. Policy ST58 relates to the provision of infrastructure as part of new development. The evidence base includes an IDP Baseline Assessment which looks at existing capacity and an IDP which identifies the additional infrastructure needs which will arise from the development set out in the Plan and the means by which it will be delivered. During the course of the examination the IDP was updated. It now combines an updated baseline assessment, a plan of the infrastructure needs arising from the development set out in the Plan, and a costed schedule of that infrastructure. The schedule identifies how each item of infrastructure will be provided. We are satisfied that the IDP2023 [BG-043] makes a

comprehensive assessment of infrastructure requirements and that the Plan reflects these. It also sets out how this infrastructure will be provided. **MMO.10** corrects the title of this document throughout the Plan for effectiveness.

272. The IDP will be updated regularly. However, in order to provide certainty for future development it is important that the infrastructure requirements of development set out in the Plan are not subject to change. We are satisfied that the IDP2023 adequately identifies the infrastructure required to support the development within the Plan and that the requirements within it are reasonable and proportionate. In order for the policy to be precise, and for effectiveness **MM12.7** and **MM12.11b** therefore refer to the 2023 assessment.

273. Policy ST58 requires that each development on a site allocated for development is supported by a masterplan. Some of the sites allocated in the Plan are very small in scale and in these cases the requirement for a masterplan is unreasonable. **MM12.6** and **MM12.11a** refer instead to the need for a masterplan for large scale developments, a change which is also reflected within individual site allocations. These changes are necessary to ensure the requirements of the policy are not overly restrictive and so for the policy to be justified and effective.

274. Policy ST58 also includes provision for a review mechanism in cases where a policy compliant scheme is unviable. However, the Plan omits to set out that any review will be funded by the developer. **MM12.10** makes provision for this, along with changes to improve the legibility of the policy and is reasonable and necessary for the Policy to be effective.

275. The Policy and supporting text have some omissions and drafting errors which undermine its effectiveness. The text refers throughout to "developer contributions". To be consistent with national policy, **MM12.5** and **MM12.10a** through to **MM12.10j** refer instead to "planning obligations". **MM12.9** within the supporting text includes the Community Infrastructure Levy within the range of potential funding sources for infrastructure and **MM12.11c** to the policy refers to S38 and S278 agreements. **MM12.8** improves the legibility of the supporting text. All these changes are necessary to ensure the policy is clear and therefore effective.

Viability

276. The Plan has been informed by the WPVA [PUB 028] as updated, which was prepared in accordance with the NPPF and guidance in the PPG. It provides a comprehensive and robust assessment of Plan viability based on the type and scale of development envisaged over the Plan period. It

also takes adequate account of the policy requirements of the Plan including for affordable housing, housing choice, accessible and adaptable housing, infrastructure costs and an allowance for S106 contributions that would be sought under Policy ST58.

277. The range of site typologies tested across the different market areas is reasonable. This included appropriate sensitivity testing taking adequate account of potential additional infrastructure and/or remedial works.
278. The IDP 2023 [BG-043] identifies a residual funding gap of £9.5m. In addition, there are a number of items that cannot be costed at this time, so the funding gap is likely to be significantly higher than this. The estimated Community Infrastructure Levy receipts for development in the District is likely to be around £10.89m which will contribute to reducing the residual funding gap. In addition, other funding streams are available. These include through the East Midlands Mayoral County Combined Authority devolution arrangements. Through capital funding by the County and District Council, through successful Government funding bids such as the £18m secured via the Levelling Up Fund, and through the New Homes bonus.
279. As such, although there is a funding gap, there is also a reasonable prospect of the gap being bridged. We therefore conclude that the existence of an infrastructure funding gap is not a reason to find the Plan unsound.

Monitoring

280. Chapter 13 of the Plan deals with monitoring and review. It sets out a comprehensive set of objectives, indicators or targets for use in future monitoring. However, as a consequence of the modifications set out in this report, this is now out of date in places. Accordingly, **MM13.1** makes reference to the objectives of the Plan, and **MM13.2** and **MM13.3** make changes to the monitoring framework to update the schedule, and to improve the legibility of the schedule. These changes are necessary for the monitoring framework to be effective.
281. The glossary within the Plan provides a comprehensive list of terms used within the document. However, this has not been updated during Plan preparation to reflect changes to the Plan and also requires updating as a consequence of the modifications set out in this report. **MM6.8d**, **MM13.4**, **MM13.5**, **MM13.6**, **MM13.7**, **MM13.8**, **MM8.11d**, **MM13.9**, **MM13.10**, **MM13.11**, **MM13.12**, **MM13.13** and **MM13.14** make these changes to the glossary. **MM13.15** updates the list of background documents to include supporting documents added during the examination. **MM13.16** updates

the housing trajectory. These changes are necessary to ensure that the Plan is justified and effective.

Conclusion

282. Subject to the required MMs detailed above the policies in Chapter 12 – Infrastructure and Delivery, and Chapter 13 Implementation and Monitoring provide a positively prepared strategy and are justified, effective and consistent with national policy.

Overall Conclusion and Recommendation

283. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that we recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.

284. The Council has requested that we recommend MMs to make the Plan sound and capable of adoption. We conclude that the duty to cooperate has been met and that with the recommended MMs set out in the Appendix the Bassetlaw Local Plan 2020 -2038 satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

Anne Jordan and Alison Partington

INSPECTORS

This report is accompanied by an Appendix containing the Main Modifications.