

# **Treswell with Cottam Neighbourhood Development Plan Review 2022-2038**

**A report to Bassetlaw District Council on the Review  
of the Treswell with Cottam Neighbourhood  
Development Plan**

**Andrew Ashcroft  
Independent Examiner  
BA (Hons) MA, DMS, MRTPI**

**Director – Andrew Ashcroft Planning Limited**

## **Executive Summary**

- 1 I was appointed by Bassetlaw District Council in April 2024 to carry out the independent examination of the review of the Treswell with Cottam Neighbourhood Plan.
- 2 The examination was undertaken by way of written representations. I visited the neighbourhood area on 19 April 2024.
- 3 The Plan includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. It has a focus on safeguarding its built and natural environment and on allocating sites for residential development.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the Treswell with Cottam Neighbourhood Plan Review meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

**Andrew Ashcroft**  
**Independent Examiner**  
**31 May 2024**

## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the review of the Treswell with Cottam Neighbourhood Development Plan Review 2022-2038 (the Plan).
- 1.2 The Plan has been submitted to Bassetlaw District Council (BDC) by Treswell with Cottam Parish Council (TCPC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF). The NPPF continues to be the principal element of national planning policy. It was most recently updated in December 2023.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises because of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. It can include whatever range of policies it sees as appropriate to its designated neighbourhood area. In this case, the Plan is a review of the 'made' Plan. It has been designed to be distinctive in general terms, and to be complementary to the development plan. The Plan has a focus on safeguarding its built and natural environment and allocating sites for housing development.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then form a part of the wider development plan and be used to determine planning applications in the neighbourhood area.

## **2 The Role of the Independent Examiner**

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by BDC, with the consent of TCPC, to conduct the examination of the Plan and to prepare this report. I am independent of both the BDC and TCPC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have 41 years' experience in various local authorities at either Head of Planning or Service Director level and more recently as an independent examiner. I have significant experience of undertaking neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

### *Examination Outcomes*

- 2.4 There are a variety of ways in which a review of a neighbourhood plan can be examined. They are described in Section 3 of this report. In this case I have concluded that the Plan needs both examination and a referendum.
- 2.5 In this context, as the independent examiner I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan as submitted should proceed to a referendum; or
  - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
  - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

### *Other examination matters*

- 2.6 In examining the Plan I am also required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
  - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
  - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 Having addressed the matters identified in paragraph 2.6 of this report, I am satisfied that each of the points have been met subject to the contents of this report.

### 3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan.
- Appendices A-C
- the Basic Conditions Statement.
- the Consultation Statement.
- the Statement of the Extent and Nature of the Review.
- the BDC SEA/HRA Screening report.
- the representations made to the Plan.
- TCPC's responses to the clarification note.
- the Bassetlaw Core Strategy (December 2011).
- the adopted Bassetlaw Local Plan (2020 to 2038).
- the National Planning Policy Framework (December 2023).
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 The various documents are helpfully available on the BDC's website. Wherever possible, I will refer to the document concerned for the purposes of keeping this report as concise as possible.

3.3 I visited the neighbourhood area on 19 April 2024. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. The visit is covered in more detail in paragraphs 5.9 to 5.15 of this report.

#### *The examination process for the review of a neighbourhood plan*

3.4 The Neighbourhood Planning Act 2017 identifies the circumstances that might arise as and when qualifying bodies seek to review 'made' neighbourhood plans and introduces a proportionate process to do so based on the changes proposed.

3.5 There are three types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves and as follows:

- minor (non-material) modifications to a neighbourhood plan or order which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum; or
- material modifications which do not change the nature of the plan or order and which would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan; or

- material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.

3.6 The submitted statement by TCPC and BDC comments that the modifications to the policies are so substantial and significant to warrant consideration as a change to the nature of the Plan.

3.7 Having considered the conclusions made by BDC and TCPC very carefully, I also agree with the approach taken and will examine the Plan on this basis.

*Updates to the NPPF*

3.8 The NPPF was updated in both September and December 2023. For clarity, I have assessed the Plan against the December 2023 version of the NPPF.

*The method of examining the Plan*

3.9 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted Plan, I was satisfied that the Plan could be examined without the need for a public hearing.

## 4 Consultation

### *Consultation Process*

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012, TCPC has prepared a Consultation Statement. The Statement is proportionate to the neighbourhood area and the review of the policies in the made Plan. It reflects the specific circumstances that have generated the community's desire to review the Plan.
- 4.3 The Statement sets out the various activities that were held to engage the local community during the initial stages of the plan-preparation process. They also provide details about the consultation process that took place on the pre-submission version of the Plan (March to May 2020).
- 4.4 TCPC has built on the success of the consultation process associated with the made Plan. Most of the background information has stayed the same in terms of local opinion. Nevertheless, a thorough additional consultation process was undertaken. Information was sent to each household about the review process. Two public events were held to further publicise the review at the Village Hall relating to the call for land exercise and the assessment of potential development sites. Residents were asked about the areas of land submitted for consideration and the level of growth each could accommodate. This information helped to identify the potential housing allocations.
- 4.5 The Statement set out how the submitted Plan took account of consultation feedback at the pre-submission phase. This is a helpful way to set out the information. It explains how the Plan was refined based on consultation and feedback.

### *Consultation Feedback*

- 4.6 Consultation on the Plan was undertaken by BDC and ended in April 2024. This generated representations from the following organisations:
- National Gas Transmission
  - National Grid
  - National Highways
  - Nottinghamshire County Council
  - Sport England
  - The Coal Authority
  - North Leverton and Hablesthorpe Parish Council
  - Canal and River Trust
  - Environment Agency
  - Bassetlaw District Council
  - Natural England

- 4.7 I have taken all the comments into account in preparing this report. Where appropriate, I refer to specific representations in my commentary on the various policies in the Plan.

## 5 The Neighbourhood Area and the Development Plan Context

### *The Neighbourhood Area*

- 5.1 The neighbourhood area is the parish of Treswell with Cottam. In 2011 the population of the parish was 211 persons living in 102 households. It was designated as a neighbourhood area on 18 December 2015.
- 5.2 The neighbourhood area is approximately four miles to the east of Retford. The River Trent forms the eastern boundary of the parish. Treswell and Cottam are two separate villages.
- 5.3 Cottam Power Station is a key element of the local landscape. It closed in 2019. Whilst there are no current plans for any redevelopment of the Power Station site, the Bassetlaw Local Plan identifies it as a priority area for regeneration.

### *Development Plan Context*

- 5.4 The development plan covering the neighbourhood plan area is the Bassetlaw District Local Plan (2020 to 2038). It sets out a vision, objectives, a spatial strategy, and overarching planning policies that guide new development in the Plan period. The Local Plan was adopted on 29 May 2024. The submitted neighbourhood plan had been prepared within the context of the former Core Strategy and the emerging Local Plan. This is reflected in the submitted Basic Conditions Statement.
- 5.5 Treswell is identified as one of a series of Small Rural Settlements in the Local Plan. Policy ST2 comments that such settlements will experience residential growth over the plan period to support their role and function through the following minimum housing requirements for each individual settlement. The policy requires the delivery of a minimum of five new dwellings in Treswell. The policy also sets out criteria with which residential development proposals should comply.
- 5.6 Policy ST4 of the Local Plan identifies land at the former Cottam Power Station site as a broad location for mixed use regeneration expected to come forward beyond the plan period. In this context, the policy safeguards the site from development which would jeopardise its comprehensive remediation, reclamation, and redevelopment.
- 5.7 The Local Plan includes a series of other policies which will affect the neighbourhood area as follows:
- Policy ST27 Affordable Housing;
  - Policy ST28 Housing Mix;
  - Policy ST30 Sites for Gypsies and Travellers;
  - Policy ST33 Design Quality;
  - Policy ST35 Landscape Character;
  - Policy ST37 Green and Blue Infrastructure;
  - Policy ST39 Trees, Woodland, and Hedgerows;
  - Policy ST40 The Historic Environment;

- Policy 46 Protecting Amenity; and
- Policy ST48 Reducing Carbon Emissions, Climate Change Mitigation and Adaptation.

5.8 The submitted Plan has been prepared within its wider adopted development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

*Visit to the Neighbourhood Area*

5.9 I visited the neighbourhood area on 19 April 2024. I approached it from East Drayton and the Sundown Adventure Land Theme Park to the south. This helped me to understand its connection to the strategic road network and its setting in the wider countryside.

5.10 I looked initially at Treswell. I saw the prominence of St John the Baptist Church and the Village Hall at the heart of the village.

5.11 I took the opportunity to look at the various proposed housing allocations in the village. I noted that the Plan had properly and fully advised about the location and the nature of the four sites.

5.12 I then drove to Cottam. Whilst the former Power Station continues to dominate the local landscape, the village itself is largely screened from its buildings and structures, and has retained much of its character and appearance. I saw several farm buildings and farmhouses. I also saw that the character of the village was very open and spacious.

5.13 I also looked at the designated Local Green Space in Cottam as identified in the made Plan. I am satisfied that it continues to meet the tests in the NPPF for such designations.

5.14 Throughout the visit, I sought to understand the way in which the Character Assessment had influenced the revised and new policies in the Plan.

5.15 I left the neighbourhood area by driving to North Leverton to the north. This helped me to understand the relationship of the parish with other surrounding settlements.

## 6 The Neighbourhood Plan as a whole

6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented and informative document. It is also proportionate to the Plan itself.

6.2 As part of this process I must consider whether the submitted Plan meets the basic conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan in the area;
- not breach, and otherwise be compatible with, the assimilated obligations of EU legislation (as consolidated in the Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023; and
- not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

6.3 I assess the Plan against the basic conditions under the following headings.

### *National Planning Policies and Guidance*

6.4 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in December 2023.

6.5 The NPPF sets out a range of core land-use planning issues to underpin both plan-making and decision-taking. The following are particularly relevant to the Treswell with Cottam Neighbourhood Plan Review:

- a plan-led system – in this case the relationship between the neighbourhood plan and the adopted Bassetlaw Local Plan;
- delivering a sufficient supply of homes;
- building a strong, competitive economy;
- recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
- taking account of the different roles and characters of different areas;
- highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
- conserving heritage assets in a manner appropriate to their significance.

6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF

indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.7 In addition to the NPPF, I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.
- 6.8 Having considered all the evidence and representations available as part of the examination, I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the neighbourhood area. It proposes revisions to the policies in the made Plan and introduces a sharper focus on design matters. It also proposes the allocation of four housing sites in Treswell. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.9 At a more practical level, the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This is reinforced in Planning Practice Guidance. Paragraph ID:41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise, and supported by appropriate evidence.
- 6.10 As submitted, the Plan does not fully accord with this range of practical issues. Many of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

*Contributing to sustainable development*

- 6.11 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social, and environmental. The submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes policies for new residential development (Policies 1 to 5) and for commercial development (Policy 10). In the social dimension, it includes policies for community facilities (Policy 7) and local green spaces (Policy 8). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has specific policies on design (Policy 6), and the Lee Beck Green Corridor (Policy 10). This assessment overlaps with TCPC's comments on this matter in the submitted Basic Conditions Statement.

*General conformity with the strategic policies in the development plan*

- 6.12 I have already commented in detail on the development plan context in Bassetlaw District in paragraphs 5.4 to 5.8 of this report.
- 6.13 I consider that the submitted Plan delivers a local dimension to this strategic context. It responds positively to the growth agenda in Policy ST2 of the Local Plan. Subject to

the recommended modification in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

#### *Strategic Environmental Assessment*

- 6.14 The Neighbourhood Plan (General) (Amendment) Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.15 In order to comply with this requirement BDC published a screening report in June 2022 on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. It includes the responses from the consultation bodies. As a result of this process, it concluded that the Plan is not likely to have any significant effects on the environment and accordingly would not require SEA.

#### *Habitat Regulations*

- 6.16 BDC prepared a Habitats Regulations Assessment (HRA) of the Plan at the same time. It concludes that the submitted Plan is unlikely to have significant effects on protected sites site. The report is very thorough and comprehensive. It assesses the impact of the Plan on the Birklands and Bilhaugh SAC and the Sherwood Forest potential SPA. It concludes that the Plan will not give rise to likely significant effects on protected site, either alone or in combination with other plans or projects, and Appropriate Assessment is not required.
- 6.17 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of neighbourhood plan regulations.

#### *Human Rights*

- 6.18 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. In addition, there has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. Based on all the evidence available to me, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

#### *Summary*

- 6.19 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

## 7 The Neighbourhood Plan Policies

- 7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the neighbourhood area. The wider community and TCPC have spent time and energy in identifying the issues and objectives that they wish to be included in the review of the 'made' Plan. The community has successfully marshalled the capacity to prepare the Plan to reflect changing circumstances including updated national planning policies and an emerging Local Plan (which has been adopted recently). This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (ID:41-004-20190509) which indicates that neighbourhood plans must address the development and use of land. It includes a Community Aspiration in Section 17.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan. Thereafter I comment on the Aspiration.
- 7.6 For clarity this section of the report comments on all the policies in the Plan.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

### *The initial sections of the Plan (Sections 1-4)*

- 7.8 The Plan is well-organised and includes maps and photographs that give depth and purpose to the Plan. The photographs are effective. The Plan makes an appropriate distinction between the policies and their supporting text. Its design will ensure that it will comfortably be able to take its place as part of the development plan if it is eventually made. The initial elements of the Plan set the scene for the policies. They are proportionate to the neighbourhood area and the subsequent policies.
- 7.9 Section 1 comments about the review of the Plan. It identifies the neighbourhood area (Figure 1) and the Plan period. It helpfully sets out the reasons for the review of the Plan and includes a comprehensive comparison of the policies in the made and the submitted plans.
- 7.10 Section 2 sets out the nature of the parish and its current circumstances. It comments on key issues in the parish. Key elements of this section have underpinned the policies in the Plan.

- 7.11 Section 3 sets out how the community was engaged in the plan preparation process. It overlaps with the submitted Consultation Statement
- 7.12 Section 4 set out a comprehensive vision and objectives for the Plan. They are very distinctive to the neighbourhood area and provide an overall context for the resulting policies. The Vision is as follows:

*‘Treswell with Cottam are two rural and attractive villages in North Nottinghamshire and the residents are proud of its appearance, sense of community and the provision of local amenities. The villages will continue to support sustainable and appropriate development that blends in with the traditional elements of each village and which can be accommodated within or beside the wider range of housing within the villages. The community is committed to maintaining the quality of the local environment whilst accommodating appropriate developments in lifestyle and technology, creating opportunities for residents now and in the future whilst protecting the unique atmosphere of Treswell with Cottam.’*

- 7.13 In the round the Plan is a very good example of a review of a neighbourhood plan both in terms of its format and content.
- 7.14 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

#### General comments on policies

- 7.15 The Plan helpfully consolidates the review process within the structure of the ‘made’ Plan. This results in a series of new policies and the retention of existing policies in the ‘made’ Plan. For the purposes of this report, I do not comment in any detail on the retained policies other than where they may have been affected by updates in national planning policy since the Plan was ‘made’ in 2019.
- 7.16 In some cases, I have recommended modifications to the wording of policies in the made Plan to reflect the approach and language now taken in neighbourhood plans (which has matured since the Plan was made).

#### General Comments on the allocated sites

- 7.17 The proposed allocation of housing sites responds positively to the provisions of Policy ST2 of the adopted Local Plan. This is a major achievement. The policies take a common and consistent approach to the development of the various sites. The Plan refers to the sites using the numbering system employed as the Plan was being developed. Whilst this provides a historic context, it will have little significance once the Plan is made. As such I recommend that the title of each policy is modified so that the sites refer to their geographic context. TCPC agreed to this approach in its response to the clarification note. I recommend the descriptions of the sites as suggested in that response.
- 7.18 Based on my own observations of the sites, and the representations received, I recommend the following additional modifications to each policy:

- the inclusion of a criterion on biodiversity net gain; and
- the inclusion of a criterion on how the development of each site should relate to the details in the Character Assessment.

7.19 I do not repeat this commentary in each policy. However, the recommended modifications are set out at the end of each policy.

Policy 1: Allocation of Site NP01

7.20 This is a new policy. It proposes the allocation of land at the junction of Rectory Road and Town Street for residential use subject to a series of criteria.

7.21 The site is currently used for agricultural and forestry storage and is located at the western edge of Treswell. The Plan comments that the site provides the opportunity for it to be sensitively developed to provide an attractive gateway in to Treswell from the west.

7.22 I looked at the site carefully during the visit. Based on all the available evidence, I am satisfied that it has been carefully selected and that its development can be incorporated in a satisfactory way into the built form of Treswell.

7.23 In this broader context, I recommend that the first criterion is modified so that it more clearly explains the way in which the new homes on the site should be arranged. I also recommend that additional criteria are included in the policy to ensure that the development of the site responds positively to the submitted Character Assessment and delivers biodiversity net gain.

7.24 Otherwise the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**Replace the opening element of the policy with:**

**‘Land at the junction of Rectory Road and Town Street, as identified on the Policies Map, is allocated for two dwellings. Development proposals on the site should:’**

**Replace criterion a) with: ‘deliver two homes which face onto Town Street’**

**Replace the criterion b) with: ‘respond positively to the details in the Character Assessment and be in character with neighbouring traditional dwellings using local materials used wherever practicable’;**

**Add a new criterion to read: ‘deliver biodiversity net gain.’**

*Replace the title of the policy with: ‘Land at the junction of Rectory Road and Town Street.’*

Policy 2: Allocation of site NP09

7.25 This is a new policy. It proposes the allocation of land adjacent to East End Farm for residential use subject to a series of criteria.

- 7.26 The site is currently used for grazing/agriculture and is located on the eastern edge of Treswell. The site provides the opportunity for it to be sensitively developed to provide an attractive gateway into Treswell.
- 7.27 I looked at the site carefully during the visit. Based on all the available evidence, I am satisfied that it has been carefully selected and that its development can be incorporated in a satisfactory way into the built form of Treswell. The third criterion on the preservation of the existing hedgerow is a particularly important element of the policy.
- 7.28 In this broader context, I recommend that additional criteria are included in the policy to ensure that the development of the site responds positively to the submitted Character Assessment and delivers biodiversity net gain.
- 7.29 Otherwise the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**Replace the opening element of the policy with:**

**‘Land adjacent to East End Farm, as identified on the Policies Map, is allocated for two dwellings. Development proposals on the site should:’**

**Replace the criterion b) with: ‘respond positively to the details in the Character Assessment and be in character with neighbouring traditional dwellings using local materials used where practicable;’**

**Add a new criterion to read: ‘deliver biodiversity net gain.’**

*Replace the title of the policy with: ‘Land adjacent to East End Farm.’*

Policy 3: Allocation of site NP10

- 7.30 This is a new policy. It proposes the allocation of land to the east of Cocking Lane for residential use subject to a series of criteria.
- 7.31 The site forms part of a wider parcel of land which included Manor Farm and associated barns and outbuildings to the west of the proposed site. However, since the draft version of the Plan was published in May 2022, the Plan advises that the circumstances surrounding this site has changed due to a fire at Manor Farm and the destruction of the main residential property which is within the same ownership as the land at NP10. In addition, the historic barns, and outbuildings to the rear of the main property have recently received planning permission. Due to the impact of the fire and the planning permission for the barns, the Plan advises that there is some uncertainty about how the wider land around this site should be redeveloped.
- 7.32 I looked at the site carefully during the visit. Based on all the available evidence, I am satisfied that it has been carefully selected and that its development can be incorporated in a satisfactory way into the built form of Treswell. It is a classic infill site within the overall context and character of the village.

- 7.33 In this broader context I recommend that the first criterion is modified so that it more clearly explains the way in which the new home on the site should be arranged. I also recommend that additional criteria are included in the policy to ensure that the development of the site responds positively to the submitted Character Assessment and delivers biodiversity net gain.
- 7.34 Otherwise the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**Replace the opening element of the policy with:**

**‘Land to the east of Cocking Lane, as identified on the Policies Map, is allocated for one dwelling. Development proposals on the site should:**

**Replace criterion a) with: ‘deliver a single home which faces onto Town Street’**

**Replace the criterion b) with: ‘respond positively to the details in the Character Assessment and be in character with neighbouring traditional dwellings using local materials used where practicable;’**

**Add a new criterion to read: ‘deliver biodiversity net gain.’**

*Replace the title of the policy with: ‘Land to the east of Cocking Lane.’*

Policy 4: Allocation of site NP12

- 7.35 This is a new policy. It proposes the allocation of land at Shenval Cottage for residential use subject to a series of criteria.
- 7.36 The site is currently used as a garden and is located within Treswell. It provides the opportunity for sensitive development as an infilling plot. The Plan advises that the site is located near to heritage assets and will need careful consideration in terms of position and design.
- 7.37 I looked at the site carefully during the visit. Based on all the available evidence, I am satisfied that it has been carefully selected and that its development can be incorporated in a satisfactory way into the built form of Treswell.
- 7.38 In this broader context I recommend that the first criterion is modified so that it more clearly explains the way in which the new home on the site should be arranged. I also recommend that additional criteria are included in the policy to ensure that the development of the site responds positively to the submitted Character Assessment and delivers biodiversity net gain.
- 7.39 Otherwise the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**Replace the opening element of the policy with:**

**‘Land at Shenval Cottage, as identified on the Policies Map, is allocated for one dwelling. Development proposals on the site should:**

**Replace criterion a) with: ‘deliver a single home which faces onto Town Street’**

**Replace the criterion b) with: ‘respond positively to the details in the Character Assessment and be in character with neighbouring traditional dwellings using local materials used where practicable;’**

**Add a new criterion to read: ‘deliver biodiversity net gain.’**

*Replace the title of the policy with: ‘Land at Shenval Cottage.’*

Policy 5: Additional Residential Development in Treswell

- 7.40 This is a new policy. The supporting text comments that in addition to the proposed housing allocations, there may be opportunities for residential development within the village of Treswell to help support the accommodation needs and sustainability of the village over the Plan period. It advises that any additional residential development is likely to be in the form of the conversion of existing buildings or through the development of infill or rural exception sites; such as those for affordable housing or housing for agricultural purposes. It also comments that additional development will be located within the identified development boundary, unless it can be demonstrated that an area outside the development boundary complies with national and local planning Policy.
- 7.41 The policy identifies a series of development principles with which new development should comply.
- 7.42 In general terms the policy takes a positive approach to this matter. It consolidates the approach taken in Policies 1-4 and will ensure that new development is focused in a sustainable location. However, to bring the clarity required by the NPPF I recommend the following package of modifications:
- a recasting of the opening element of the policy to reduce repetition;
  - the incorporation of comments about the scale and nature of development into a revised criterion a); and
  - revisions to the remaining criteria to ensure that they flow more naturally from the revised opening part of the policy.
- 7.43 Otherwise the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**Replace the opening element of the policy with: ‘In addition to the proposed allocated sites, proposals for residential development within the development boundary will be supported where, as appropriate to the scale, nature and location, they:’**

**Replace a) with ‘retain the core shape of the settlement and respond positively to the scale of the site and its surroundings;’**

**In b) to e) add ‘do’ at the beginning of each criterion**

Policy 6: Local Design Code

- 7.44 This policy updates Policy 2 of the made Plan.
- 7.45 It advises that new development will be design-led and comprise development and spaces that are high quality and distinctive to the Parish. It also advises that to ensure that growth is delivered in a coherent and coordinated way, development should positively address the relevant principles in the most recent Treswell with Cottam Character Assessment principles for each of the identified character areas.
- 7.46 The policy approach has stood the passage of time well. Whilst the NPPF has moved on significantly since the Plan was made in 2019, the policy is a very positive local response to Section 12 of the NPPF.
- 7.47 I recommend that the opening sentence of the policy is modified so that it can be implemented in a proportionate way by BDC. As submitted, the policy is general in nature and does not acknowledge that individual proposals will present their own design issues and challenges.
- 7.48 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the opening sentence of the policy with: ‘As appropriate to their scale, nature and location, development proposals should be design-led and comprise development and spaces that are high quality and distinctive to the parish.’**

Policy 7: Protecting Existing Community Facilities

- 7.49 This policy updates Policy 3 of the made Plan.
- 7.50 It offers supports for proposals for the development of new community facilities. In addition, it sets out the limited circumstances where changes of use from community facilities to other uses would be supported.
- 7.51 I recommend a specific modification to the wording used in the first part of the policy so that it better relates to the role of a neighbourhood plan. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**In the first part of the policy replace ‘permitted’ with ‘supported’**

Policy 8: Local Green Space

- 7.52 This policy updates Policy 4 of the made Plan.
- 7.53 I looked carefully at the proposed local green space in Cottam. I am satisfied that it continues to meet the criteria in the NPPF (now paragraphs 105 and 106).
- 7.54 I recommend that the second part of the policy is modified so that it has regard to the matter-of-fact approach in paragraph 107 of the NPPF. This approach reflects court cases elsewhere on local green space policies since the Plan was made.

- 7.55 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the second part of the policy with: ‘Development proposals within the designated local green space will not be supported except in very special circumstances.’**

Policy 9: Lee Beck Green Corridor

- 7.56 This policy replaces Policy 5 of the made Plan.
- 7.57 It advises that development proposals which enhance the setting of Lee Beck, and its associated amenity value and biodiversity, will be supported. It identifies a series of criteria with which such development proposals should comply.
- 7.58 I saw during the visit that the Lee Beck is a key local feature in the parish. The policy takes a positive approach to this matter which has regard to Section 15 of the NPPF.
- 7.59 I recommend a modification to the wording of criterion b) so that it flows from the opening element. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**In b) delete ‘must’**

Policy 10: Local Employment Opportunities

- 7.60 This policy updates Policy 6 of the made Plan. It identifies the circumstances where the expansion of existing employment uses would be supported.
- 7.61 As submitted the policy takes a restrictive approach towards the expansion of existing employment uses and does not have full regard to Section 6 of the NPPF. I recommend that the policy is restructured so that it takes a positive approach whilst retaining the important criteria which are properly designed to safeguard the character, appearance, and amenity of the parish. However, I recommend the deletion of the unnecessary fourth criterion. Plainly any such development proposals will support local employment opportunities either directly or indirectly and the business concerned will have come to its own commercial judgement on the need for the proposed development/investment.
- 7.62 I also recommend the deletion of the second part of the policy. The development plan is read as a whole.
- 7.63 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**Replace the policy with:**

**‘Proposals for the expansion or adaptation of existing employment uses will be supported where:**

**a) there will be no unacceptable impacts from increased traffic, noise, smell, lighting, vibration or other emissions or activities generated by the proposed development;**

**b) the development can be satisfactorily incorporated into the character and scale of the parish and the adjacent landscape in terms of their scale, colour, and height;**

**c) where relevant, the development takes opportunities to secure the re-use of vacant or redundant buildings; and**

**d) they would diversify or supplement an established existing business and/or support its continued economic viability.'**

#### Aspirations

7.64 Section 16 of the Plan includes a Community Aspiration which has arisen as the Plan was developed. It comments about road safety and traffic. It is a non-land use matter which cannot directly be addressed as planning policies. In accordance with national advice, it is included in a separate section of the Plan.

7.65 I am satisfied that the Aspiration is both appropriate and distinctive to the parish.

#### Monitoring and Review

7.66 Section 17 of the Plan addresses the way in the Plan will be monitored and review. This is best practice.

7.67 I am satisfied that the general approach taken is appropriate. Whilst the Core Strategy has now be replaced by the Local Plan, the review of the neighbourhood plan has reacted positively to the growth agenda in what was the emerging Local Plan at that time.

#### Other Matters - General

7.68 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly because of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan because of the recommended modifications to the policies. It will be appropriate for BDC and TCPC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

*Modification of general text (where necessary) to achieve consistency with the modified policies.*

#### Other Matters - Specific

7.69 BDC has made detailed comments on the Plan. They have been very helpful as part of the wider examination process. Where they relate directly to specific policies, I have considered them in my assessment on a policy-by-policy basis. BDC has also made a

series of more general comments on the wording used in the Plan. They relate to the wording used and the way in which the Plan is organised. I recommend the following modifications to address these matters:

*Incorporate a consistent reference system for the figures, photographs, and maps.*

*Incorporate the table of modifications on pages 4-13 into an appendix of the Plan.*

*Replace paragraph 1.1 with: 'The first Treswell with Cottam Neighbourhood Plan was made in 2019 after a successful referendum.'*

- 7.70 The Plan makes some references to the 'Treswell and Cottam Plan' and others to the 'Treswell with Cottam Plan'. For consistency and to relate to the name of the parish, I recommend that the latter is used throughout the Plan

*Refer to the Plan consistently as the 'Treswell with Cottam Plan'*

- 7.71 BDC also suggest other revisions to the Plan. Whilst they would be helpful, they are not required to ensure that it meets the basic conditions

## 8 Summary and Conclusions

### *Summary*

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2038. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community to safeguard the character of the neighbourhood area and to promote sustainable housing development. In the round it is a first-class example of a review of a neighbourhood plan.
- 8.2 Following the independent examination of the Plan, I have concluded that the submitted Treswell with Cottam Neighbourhood Development Plan Review meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

### *Conclusion*

- 8.3 Based on the findings in this report I recommend to Bassetlaw District Council that subject to the incorporation of the modifications set out in this report the Treswell with Cottam Neighbourhood Development Plan Review should proceed to referendum.

### *Referendum Area*

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as originally approved by the District Council on 18 December 2015.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner.

**Andrew Ashcroft**  
**Independent Examiner**  
**31 May 2024**