

CNHW Draft Neighbourhood Plan Consultation

Representations on behalf of Harworth Estates

Revision A July 2015



Introduction and Background

- 1.1. Spawforths have been instructed by Harworth Estates to prepare and submit representations in response to the public consultation on the CNHW Draft Neighbourhood Development Plan, which is the Neighbourhood Plan for the Parishes of Cuckney, Norton, Holbeck and Welbeck.
- 1.2. On behalf of Harworth Estates, Spawforths have recently prepared and submitted a hybrid planning application for an employment-led regeneration scheme on land at the former Welbeck Colliery and within the Hatfield Plantation. The proposal comprises a full planning application for alterations to existing site access points, extensions and alterations to existing internal spine roads, car parking area for use in connection with the previously approved Country Park, associated drainage infrastructure, creation of development platforms and change of use of part of the site for open storage (Use Class B8); and an outline planning permission for offices (Use Class B1a), employment uses (Use Classes B1b/c, B2 and B8), residential development (Use Class C3) and ancillary retail and food/drink uses (Use Classes A1 and A3) and associated works.

General Comments

- 1.3. Neighbourhood planning gives communities direct authority to develop a shared vision for their area and deliver the sustainable development they need. Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The CNHW Draft Neighbourhood Development Plan is a significant piece of work and it is clear that the Steering Group, and all others who have been involved in the process, have invested considerable time and effort producing it. Harworth Estates also commend the Steering Group's efforts to engage with the local community at every stage of the process.
- 1.4. Policy I sets out that the Neighbourhood Plan will take a positive approach to development and Harworth Estates support this general approach to development on allocated sites.
- 1.5. Notwithstanding these comments, Harworth Estates do have some concerns about the approach that the CNHW Neighbourhood Development Plan as currently drafted takes to development at the former Welbeck Colliery.

- 1.6. Throughout the Neighbourhood Plan there is a general assumption that the former Welbeck Colliery will be regenerated and redeveloped for large scale employment use. However, specific provision for this is not made within the plan. The site is not allocated for any particular use in the currently adopted Statutory Development Plan and, given that Bassetlaw District Council recently took the decision to withdraw their draft Site Allocations Development Plan Document and begin work on a new Local Plan, there is little prospect of this changing in the near future.
- 1.7. The Government produced the online resource of Planning Practice Guidance (“The PPG”) on 6 March 2014 and paragraph 042 (Reference ID: 41-042-20140306 Revision date: 06 03 2014) states:

Can a neighbourhood plan allocate sites for development?

A neighbourhood plan can allocate sites for development. A qualifying body should carry out an appraisal of options and an assessment of individual sites against clearly identified criteria.

Furthermore, the policies contained within the National Planning Policy Framework (“The Framework”) are clear that neighbourhood plans should support the strategic development needs of the local area, as set out in the Statutory Development Plan. It would therefore be entirely within the remit of the CNHW Neighbourhood Development Plan to allocate the former Welbeck Colliery for employment-led development.

- 1.8. Once adopted the CNHW Neighbourhood Development Plan will have full weight in decision making and would have to be taken into account in the preparation of the new Local Plan. Whilst a planning application has recently been submitted for an employment-led regeneration scheme at the site, the approach that the Local Planning Authority will take is not yet known and thus, at this stage, the future of the former Welbeck Colliery remains uncertain. The CNHW Neighbourhood Development Plan represents a unique opportunity for the local community to direct the employment development that is needed in their area to a site which benefits from the support of local residents.
- 1.9. Table I identifies a reduction in the number of jobs in the local economy as an issue and the proposes to respond by bringing forward “an employment site” to expand the range of jobs available, but the CNHW Draft Neighbourhood Development Plan does not identify one.

To provide greater certainty about the former colliery's future and address the issue of reduced employment opportunities, **the CNHW Neighbourhood Development Plan should be amended** to allocate the former Welbeck Colliery for employment-led development.

Policy 19: Provision of Business Space at Hatfield Plantation

- I.10. Harworth Estates welcome the inclusion of Policy 19 of the CNHW Draft Neighbourhood Development Plan, which supports development falling within Use Classes B1 or B2 on the existing concrete pads located in the Hatfield Plantation. The recently submitted hybrid planning application for the former Welbeck Colliery includes the concrete pads located in the Hatfield Plantation and seeks permission for development falling within Use Class B1 in these areas, which is in line with Policy 19.
- I.11. It is noted that development at the Hatfield Plantation is anticipated to complement commercial activities on the former Welbeck Colliery site, creating a 'business hub' in the area, and also that the combination of both sites will provide a significant boost to the local economy. As set out above, however, which there is a general assumption throughout the CNHW Draft Neighbourhood Development Plan that the former Welbeck Colliery will be regenerated and redeveloped for large scale employment use, specific provision for this has not been made within the plan. It would be entirely within the remit of the CNHW Neighbourhood Development Plan to allocate the former Welbeck Colliery for employment-led development, and such an allocation would provide greater certainty about the potential for the economic benefits associated with the former Welbeck Colliery and the Hatfield Plantation to be realised.

Policy 23: Designating Local Green Spaces

- I.12. Designating a green area as Local Green Space would give it protection consistent with that in respect of Green Belt. This means that the construction of new buildings would be regarded as 'inappropriate development', which should not be approved except in very special circumstances. Paragraph 77 of The Framework sets out that Local Green Space designation will not be appropriate for most green areas or open space and that the designation should only be used when specific criteria are met.

- I.13. Paragraph 18.19 of the CNHW Draft Neighbourhood Development Plan sets out that the aim of Policy 23 is to provide an element of surety about their protection over the Plan period and focus local energies on securing grants to undertake environmental improvements. The wording of the policy is such that it does not prevent new development within or adjoining Local Green Space sites except in very special circumstances as would normally be expected under Local Green Space policy. The Local Green Space designation proposed through the CNHW Neighbourhood Development Plan would therefore seem to be inconsistent with the aims of Local Green Space designation expressed through The Framework.
- I.14. Harworth Estates support the general intention to identify and designate Local Green Spaces through the CNHW Neighbourhood Development Plan in principle. However, Harworth Estates **objects to the identification of the Hatfield Plantation as Local Green Space** where this would give it protection of the order associated with Green Belt land and would thus prevent the sensitive re-use of the existing concrete pads located within the woodland.
- I.15. Paragraph 041 of The PPG (Reference ID: 41-041-20140306, Revision date: 06 03 2014) states that:

A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence.

- I.16. Harworth Estates additionally **object to the current wording of the policy and its supporting text which is unclear and contains a number of typographical errors**, contrary to the guidance set out in The PPG.
- I.17. Point 1 of the policy itself states that the sites identified in Map 4 are designated as Local Green Spaces. **The text should be amended** to refer to Map 8. Paragraph 18.18 also refers to Map 4. Again, **this text should be amended** to refer to Map 8.
- I.18. Paragraph 18.17 of the supporting text states that Policy 22 identifies the sites which have been designated as Local Green Spaces. **The text should be amended** to refer to Policy 23.

- I.19. The table beneath paragraph 18.18 appears to identify ten potential green space sites. There is no heading for the table and, as such, it is not clear whether these sites are the ten sites which are intended to be identified as Local Green Space through the CNHW Neighbourhood Development Plan. **A table heading should be provided to ensure clarity** in this respect.
- I.20. The heading for Map 8 suggests that it shows Local Green Spaces and the wording of Policy 23 would suggest that all of the sites shown on the map are designated as Local Green Spaces. The map legend suggests, however, that the sites (numbered 1-27) can be divided into two categories: Potential Local Green Space and Local Green Space. **The map should be amended** so that it only shows the sites which are designated as Local Green Spaces under Policy 23. The map and its legend are unclear and this could lead to significant confusion in the use of Policy 23 for decision making purposes.

Conclusions and Recommendations

- I.21. Harworth Estates recognise the potential value of neighbourhood planning and support the efforts of the local community in preparing the CNHW Draft Neighbourhood Development Plan. They do, however, have some concerns about the approach that the CNHW Neighbourhood Development Plan as currently drafted takes to development at the former Welbeck Colliery and the designation of Local Green Spaces.
- I.22. Throughout the Neighbourhood Plan there is a general assumption that the former Welbeck Colliery will be regenerated and redeveloped for large scale employment use. However, specific provision for this is not made within the plan. It would be entirely within the remit of the CNHW Neighbourhood Development Plan to allocate the former Welbeck Colliery for employment-led development and this would provide greater certainty about the former colliery's future and the opportunities which are available to address the issue of reduced employment opportunities. Harworth Estates recommend that **the CNHW Neighbourhood Development Plan be amended to allocate the former Welbeck Colliery for employment-led development.**
- I.23. Designating green areas as Local Green Spaces as defined by The Framework would give them protection consistent with that in respect of Green Belt. The Local Green Space designation proposed through the CNHW Neighbourhood Development Plan would appear to be inconsistent with the aims of Local Green Space designation expressed through The

Framework. Harworth Estates recommend **further consideration of the CNHW Neighbourhood Development Plan Local Green Space designation.** Harworth Estates **object to the identification of the Hatfield Plantation as Local Green Space** where this would give it protection of the order associated with Green Belt land. Harworth Estates additionally recommend that the **wording of Policy 23 and its supporting text and map should be reviewed**, as currently written they are unclear and contain a number of typographical errors, contrary to the guidance set out in The PPG.