

**Mansfield
District Council**

Mansfield District Local Plan Scoping Report

June 2015

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District Council



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1 Introduction

Purpose of this report

1.1 Mansfield District Council has reached an important stage in the preparation of a new Local Plan to guide the future development of the Mansfield district to 2033. This report sets out what we think the plan should include but we want to hear your views to make sure that we cover the main issues that affect everyone living or working in our area.

Background

1.2 We previously started work on a two stage plan which would include a Core Strategy, followed by three Area Action Plans. This was explained in our project timetable, called the Local Development Scheme (LDS) which was published in 2009.

1.3 However progress on the Core Strategy was delayed when the Localism Act 2011 gained Royal Assent. This Act aimed to improve the planning system and allow more local discretion by removing the regional tier of planning policy. It also removed much of the process that was associated with the previous Local Development Framework (LDF) system, and started to refer to Local Plans.

1.4 The National Planning Policy Framework (NPPF) was then published in March 2012. This brought together most Government planning policy statements and guidance notes into a much shorter, single document. It also did not refer to the term Local Development Framework, using the term Local Plan instead.

1.5 The changes allowed us to move forward from the previous decision to prepare a Core Strategy and three Area Action Plans, as set out in the Local Development Scheme 2009, to a comprehensive Local Plan for the district. A formal decision to produce a single planning document was made by the council on 30th July 2013.

1.6 Whilst the production of the new Local Plan is an opportunity to take a fresh approach based upon the most up to date evidence available, we will use relevant consultation responses that were received when we consulted you on the previous Core Strategy in 2010.

1.7 Over this time, the following important events and consultations should be noted:

- Sept – Oct 2009 - Core Strategy Sustainability Appraisal (SA) Scoping Report: public consultation.
- Jun – Aug 2010 - Core Strategy Issues and Options including SA Progress Report: public consultation.
- December 2010 - Core Strategy Issues and Options statement of consultation was published.
- Dec 2011 – Jan 2012 -Setting a Long Term Dwelling Requirement: public consultation.
- March 2012: the NPPF was published with the statement encouraging local authorities to prepare local plans and only use additional Development Plan Documents (such as Area Action Plans) where clearly justified.
- April 2013: the order to abolish the East Midlands Regional Plan (EMRP) was laid before parliament.



- July 2013: In light of these events and having thought about other issues regarding the readability of a single plan and the time and cost savings, the council formally decided to embark upon the single local plan approach as the best way forward.

1.8 As stated above, the responses from the consultation exercises undertaken during this time have also fed into the development of the new plan.

Section Two

Why is a plan being prepared?

2 Why is a plan being prepared?

2.1 The new Local Plan is an important document that will help shape the future of Mansfield as a place to live and work.

2.2 The importance of an up to date development plan is emphasised in the NPPF where paragraph 12 states: *“Proposed development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise” (NPPF, DCLG, March 2012).*”

2.3 However, the NPPF also makes clear that in that absence of an up to date local plan, the policies set out in that document (the NPPF) should be used when making decision on planning applications, including a key overriding presumption in favour of sustainable development. Therefore, without an up to date local plan there is a risk that decisions on major planning applications will be made by appeal without reference to local priorities and context.

2.4 The new Local Plan will:-

- set out the spatial strategy for the district including the overall levels of growth and potential development sites for new homes and jobs;
- be a key tool for delivering the long term regeneration of the Mansfield, and Market Warsop urban areas including enhancement of the town and district centres with new shopping, leisure, housing and economic development, and improvements to the area’s physical and social infrastructure;
- include proposals and policies to improve the natural and built environment, and to mitigate and adapt to climate change by amongst other things protecting and enhancing the areas network of strategic green infrastructure; and
- provide positive policies to make for more sustainable patterns and forms of development across the district which aim to improve the overall quality of life for residents, workers and visitors through our development management decisions.

2.5 The new planning system introduced by the Localism Act 2011 and the NPPF provides clear guidance as to the role of the planning system, particularly that authorities should:

- positively seek to meet the development needs of the area;
- meet objectively assessed needs [including housing and employment] unless to do so would lead to such harm it would outweigh the benefits as informed by the policies of the NPPF as a whole; and
- adopt an approach of a presumption in favour of sustainable development.

2.6 The NPPF states that local plans should address strategic priorities to deliver:

- the homes and jobs needed in the area;
- the provision of retail, leisure and other commercial development;
- the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);



- the provision of health, security, community and cultural infrastructure and other local facilities; and
- climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

Two: Why is a plan being prepared?

Section Three

The plan making process

3 The plan making process

3.1 The process which the council proposes to follow in the preparation of the Local Plan is summarised in the table below and is based on Legislation and Government guidance.

1 - Collect evidence	Engagement stage
2 - Identify the key issues	
3 - Develop spatial vision and objectives	
4 - Consider options for spatial strategy	
5 - Set out draft spatial strategy and policies	
6 - Publication of consultation draft plan for six weeks	
7 - Publication of draft plan for minimum of six weeks	Formal stage
8 - Submit plan to Secretary of State	
9 - Independent examination	
10 - Adoption	
11 - Implementation and monitoring	

3.2 This document marks an important stage of the new plan and represents a scoping stage to decide what should be included in the plan. Regulation 18 of the Town and Country Planning (Local Planning) Regulations 2012 requires that we notify various bodies and stakeholders that we are preparing a plan and invite them to comment about what that plan ought to contain. We need to then take account of any comments received when preparing the plan.

3.3 A detailed timetable for preparing the plan will be identified once the scope has been finalised, but we are aiming to have the plan adopted by early 2017. The programme will be identified in the new Local Development Scheme (LDS) which will be published on our website <http://www.mansfield.gov.uk/localplan>.

3.4 Engagement and consultation on the plan will take place in accordance with the adopted Statement of Community Involvement (SCI). A copy is available on our website at: <http://www.mansfield.gov.uk/article/5809/Consultation-on-planning-policies>

Duty to cooperate

3.5 The 'duty to cooperate' (the duty) was introduced by the Localism Act in November 2011. The Act inserted a new Section 33A into the Planning and Compulsory Purchase Act 2004. This placed a legal duty on all local authorities and public bodies (defined in regulations) to 'engage constructively, actively and on an ongoing basis' to maximise the effectiveness of local plan preparation relating to strategic cross boundary matters.



3.6 The NPPF expands on how strategic planning matters should be addressed in local plans (paragraphs 178-181). Local planning authorities are expected to work ‘collaboratively with other bodies to ensure that strategic priorities across local authority boundaries are properly coordinated and clearly reflected in local plans’ (paragraph 179). ‘Strategic priorities’ to which local planning authorities should have particular regard are set out in paragraph 156 of the NPPF:

- the homes and jobs needed in the area;
- the provision of retail, leisure and other commercial development;
- the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- the provision of health, security, community and cultural infrastructure and other local facilities; and
- climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

3.7 In January 2015 the Council consulted with strategic partners on its approach to the duty to cooperate, and on the strategic and cross boundary issues that we think are facing the district. Its purpose was to ensure that any strategic matters were raised at an early stage in the process. The strategic issues identified will be subject to separate ongoing consultation and engagement with strategic partners through the subsequent stages of the local plan process. We will continue to keep a record of this consultation and set out the results and policy outcomes of this cooperation so far in a Duty to Cooperate Statement. This will be made available at the key stages of the local plan process.

Section Four

Context for the Local Plan

4 Context for the Local Plan

4.1 The plan will not exist in isolation and there are basic legal conditions that it must satisfy. It must be consistent with national policy and it must enable the delivery of sustainable development.

4.2 The plan should also have regard to other relevant plans and strategies including the Community Strategy.

4.3 When the plan is examined by an independent inspector, they need to ensure that the plan has been prepared in accordance with the duty to cooperate, that legal and procedural requirements have been followed and to assess whether the plan is 'sound'. To be found sound a plan must be:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework.

Evidence base

4.4 Each local planning authority should ensure that their local plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics of the area. Paragraph 158-177 of the NPPF, sets out the type of evidence that may be required. The National Planning Practice Guidance explains that this is not a prescriptive list. The evidence should be focused tightly on supporting and justifying the particular policies in the Local Plan.

4.5 The council has for some time been developing an evidence base to support the plan. Completed studies are available on our website at: <http://www.mansfield.gov.uk/article/5808/Evidence-to-support-the-Local-Plan>. Further evidence will be published on the website as and when it becomes available.

Sustainability appraisal and habitats regulations assessment

4.6 Local plans must be accompanied and informed by a Sustainability Appraisal. This allows the potential environmental, economic and social impacts of the plan to be taken into account and will have a key role throughout the plan making process. The Sustainability Appraisal plays an important part in demonstrating that the plan delivers sustainable development and has considered reasonable alternatives. The Sustainability Appraisal will incorporate a Strategic Environmental Assessment to meet the requirements of the European Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (SEA Directive).



4.7 The council recognises the proximity of, and potential impacts on the Birklands and Bilhaugh Special Area of Conservation (SAC) and on the possible designation of a potential Special Protection Area (pSPA) within the Sherwood area. It is important to demonstrate that the Local Plan provides sufficient safeguards to avoid or mitigate potential significant impacts on the Birklands and Bilhaugh SAC and the possible potential Sherwood SPA. The Local Plan will therefore be assessed in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended), also known as the *Habitat Regulations*.

Section Five

What will the plan cover?

5 What will the plan cover?

5.1 The plan will cover the entire district for the period up to 2033. One of the main aims of this paper is to set out the scope of this plan. In considering this a balance has to be struck between producing a comprehensive set of policies and the need for the plan to be succinct, and readable for users.

5.2 The broader the scope of the plan, the longer it will take to produce. It should however set a clear context for how planning applications in the district will be dealt with and it should provide a framework to enable Neighbourhood Plans to be prepared. It will therefore need to concentrate on the key issues facing the area and will be a focused and concise document. There is no need to repeat policies that are already set out in the National Planning Policy Framework.

Anticipated content of the plan

5.3 The draft objectives and draft layout for the plan, illustrating the topics and themes which it will address are set out below. Please note these are intended to indicate the scope of topics to be covered and may change in response to evidence, including this consultation.

Core objectives

5.4 A major consideration in moving the plan forward was to define the core objectives, the issues that we considered that the plan needed to address. Utilising all of our earlier consultation and the evidence bases we had about the district, the following core objectives have been identified:-

Objective 1

To encourage population growth particularly within Mansfield urban area, to support growth in the local economy.

Objective 2

To raise the performance of the local economy by encouraging and supporting investment within the urban areas which: stimulates viable job opportunities; helps develop a stronger local economy, and assists in tackling deprivation through education, training and job creation.



Objective 3

To ensure that residents, visitors and workers have good access to a range of facilities within the town, district and other centres, which provide high quality health, education, shopping, recreation, heritage, culture and tourism facilities, to enable a good quality of life.

Objective 4

To increase the range and choice of housing throughout the urban areas and villages, particularly in areas that suffer from low demand and poor quality housing.

Objective 5

To ensure that the district is safe, clean, green and of a high quality, with the built and natural environment conserved and enhanced for the enjoyment of all.

Objective 6

To ensure that all new development achieves a high standard of design which supports regeneration, and in particular helps to improve the image of Mansfield.

Objective 7

Ensure sustainable construction techniques, energy efficiency measures and the generation of energy via renewable sources are deployed in appropriate locations within the district to address environmental issues such as climate change, flooding, and air and water pollution.

Objective 8

To maximise opportunities to locate new homes, jobs and services within the Mansfield urban area, making efficient use of existing buildings, or previously developed land, to support regeneration of the town, (including the district's most deprived areas) whilst seeking to minimise the loss of greenfield land and mitigate against environmental issues.

Objective 9

To support improvements to accessibility so everyone can move around, across and beyond the district easily, by a range of affordable and sustainable transport options, including walking and cycling.

Objective 10

To protect the identity and setting of the villages by safeguarding important areas of open land and supporting key community facilities and services.

Key chapters / topics

5.5 The intended layout of the plan is given below:-

Mansfield district now

We identify key issues and opportunities to be addressed.

Our vision for Mansfield

This sets out our vision and objectives, culminating in the core objectives as set out above.

Spatial strategy

To contain policies relating to sustainable development, scale of new development, distribution of new development, hierarchy of settlements / towns and villages, development in the countryside, employment areas and retail areas.

Mansfield

Will set out policies and housing, employment and retail site allocations relating to Mansfield urban area, Mansfield central area / town centre and Mansfield Woodhouse district centre.



Warsop Parish

Will set out policies and housing, employment and retail site allocations relating to Market Warsop and villages.

Sustainable transport

Encouraging sustainable transport through policies on sustainable transport network, impact of development on the highway network and parking provision.

Climate change

Contains policies relating to mitigating and adapting to climate change, standalone community wide energy generation, flood risk, and water sensitive development.

Natural environment

Policies will address green infrastructure, landscape character, protection and design of community open space, sport, leisure and recreation facilities, protection of allotments, gains in biodiversity and the protection and enhancement of ecological networks, protection of designated ecological and geological sites, air quality, land contamination, other sources of pollution, protection of local green spaces, protection of trees.

Built environment

Provides policies which will consider conservation areas, registered parks and gardens, listed buildings, scheduled monuments, non-designated local heritage assets, design of new buildings and neighbourhoods, comprehensive development, home improvements, advertisements and signposting.

Infrastructure delivery and planning obligations

Proposes policies on infrastructure delivery, and planning obligations. It also sets out how we will be monitoring the policies.

5.6 A policies map illustrating the policies in the Local Plan graphically on an Ordnance Survey map of the district will also be produced.

5.7 The plan will be supported by an infrastructure delivery strategy and a whole plan viability assessment to ensure that it is deliverable.

Section Six

How to get involved

6 How to get involved

6.1 The council are currently finalising information in relation to the evidence base and intend to produce a consultation draft Local Plan in late 2015. This will be subject to a thorough six week consultation in accordance with the council's SCI (Statement of Community Involvement). It will include the detailed wording of all policies and the sites which are intended to be allocated for development.

6.2 At present, we would like you to consider this document and let us know if you have any views in relation to the above details. Any comments should be received by 14 July 2015. In particular we would like your views on the following questions:

Question 1

Is the proposed scope of the plan appropriate?

Question 2

Having read this document, is there anything else we should include within the Consultation Draft, which you will be able to comment on later this year?

Question 3

Do you consider that the proposed evidence base sufficiently covers all relevant matters for the Local Plan?

Question 4

Is a plan period to 2033 appropriate?

Question 5

Do you have any other comments?

How can you comment?

- By using our online consultation portal (our preferred method)
<http://mansfield.objective.co.uk/portal>
- Send us an email to: lp@mansfield.gov.uk
- Write to us at:

Planning Policy
Mansfield District Council
Civic Centre
Chesterfield Road South
Mansfield
Nottinghamshire
NG19 7BH

What will happen to your comments?

- Your comments will be acknowledged either in writing or by email.
- A summary of the results of the consultation will be publicly available.
- Your comments will be considered by officers before a draft plan is prepared.
- All comments will be made available for viewing.
- In accordance with the Data Protection Act 1998 your details will be retained on our database for the purposes of preparing the Local Plan and any other planning policy documents, they will not be used for any other purpose.