

Mansfield District Council

Local Plan Examination

Main Matter 2

Local Plan Vision, Issues and Objectives, spatial strategy, settlement hierarchy and the distribution of employment and housing land

Mansfield District Council Submission

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Local Plan Examination Matter Statement

May 2019

Main Matter 2 – Local Plan Vision, Issues and Objectives, spatial strategy, settlement hierarchy and the distribution of employment and housing land

Issue – Will the plan contribute to the achievement of sustainable development in the plan area (Policy S1)?

Q1. Are the plan’s objectives appropriate and justified by the evidence and will they help to deliver the vision and strategic priorities to 2033? Are the objectives soundly based and is it clear how the plan and its policies will deliver the objectives?

1. Section 6 of the Vision and Objectives Background Paper, 2018 (SE6) explains how the objectives were developed. They meet the plan vision which was drawn up in response to the key issues facing the district (shown in Table 3.1 of SE6¹) and the strategic priorities (set out in Table 4.1). The objectives are considered to be appropriate in responding to the key issues which stem from the plan’s evidence base and our own analysis of the district. The objectives are therefore considered to be justified by the evidence and soundly based.
2. Consultation has been carried out on the vision and objectives during plan preparation and they were rewritten after the Consultation Draft stage. This led to there being no objections at Publication Draft stage.
3. Appendix 2 of SE6 shows the relationship between the objectives and the policies, therefore highlighting which policies of the plan will deliver each objective. This information is also provided in a supporting information table under each policy in the plan, although please note that various minor modifications have been submitted to correct some of these references (Schedule of Proposed Main and Minor Modifications to the (Submission) Local Plan, 2018 - S2). The links between the objectives and the policies are also shown in the Monitoring Framework at Appendix 13 of the plan but please note that this needs to be updated.

¹ Also see Table 2.1 of the Local Plan Publication Draft

Q2. Is the plan period 2013 – 2033 justified?

4. The plan period has been established following the preparation of the key supporting evidence that informed it. This includes the Employment Land Forecasting Study (2015) (E1) and Strategic Housing Market Assessment (2015) (H6). While it is noted that the SHMA is no longer being used as the basis of the housing requirement, the start date has informed much of the background work and thinking undertaken to inform the housing supply situation.
5. Assuming that the Local Plan is adopted in 2019/20 there would be 14 years left of the plan period. It is acknowledged that this is shorter than the 15 year period identified in paragraph 157 (2nd bullet) of the National Planning Policy Framework (NPPF)² as the preferred period on adoption. However, it is considered that it is appropriate to proceed on this basis due to:
 - the length of time that Mansfield district has been without an up to date plan;
 - the commitment to an early review (as set out in the Housing Technical Paper Addendum (2018) (H2)); and
 - the requirement to assess whether plans should be updated every 5 years (NPPF 2019 paragraph 33).
6. The plan period will then be amended as part of the review process.

Q3. Is Policy S1 consistent with the NPPF and will it be effective in delivering sustainable development and informing proposals for new development?

7. The policy has been prepared in accordance with the NPPF 2012, however given that it has since been updated, there is the opportunity to update the policy or to remove the policy completely in order to not repeat the NPPF 2019.

Q4. Having regard to paragraph 184 of the NPPF, is it clear which policies should be regarded as ‘strategic policies’ for the purpose of Neighbourhood Plans (NP)? Do the strategic policies provide an appropriate framework for NPs and what is the up to date position with NP preparation in the District?

1. ² All references to the NPPF are to the 2012 version, unless stated.

8. Details of the 'strategic policies' for Neighbourhood Planning can be found in paragraph 1.22 of the Publication Draft Local Plan. This identifies that all the policies, other than IN6 (Designated Local Green Spaces), are considered strategic. IN6 is not considered strategic as it allows neighbourhood plans to designate further Local Green Space. This provides an appropriate framework for neighbourhood planning as it allows neighbourhood forums the scope to provide additional local details on matters such as design, heritage, housing mix and retail.
9. To date only Warsop Parish has been designated as a neighbourhood plan area. Work on the Warsop Neighbourhood Plan is progressing with consultation taking place in autumn 2018. Further consultation is expected in 2019. A timetable is provided in paragraph 5.7 of the Monitoring and Local Plan Baseline (2018) (AMR4). Mansfield District Council has provided support to Warsop Parish in progressing the Neighbourhood Plan including the provision of mapping, reviews of policy wording and presentations about the nature of development plans and policy wording; this support is ongoing.

Q5. Were alternative options for the level and distribution of development considered during the plan's preparation and is it clear why alternatives were discounted?

10. Alternatives for the distribution of housing were considered in the Housing Technical Paper (August 2018) (H1). Table 7 identifies the 4 options considered:

Option 1	Mansfield Urban Area – 90% Market Warsop – 10%
Option 2	Mansfield Urban Area – 80% Market Warsop – 20%
Option 3	Mansfield Urban Area – 80% Market Warsop – 10% Church Warsop – 3.3% Medan Vale- 3.3% Rainworth – 3.3%
Option 4	Mansfield Urban Area – 95% Market Warsop – 5%

11. Option 3 was not considered deliverable as there were insufficient sites to deliver this distribution. Options 2 and 4 do not reflect the distribution of need identified in paragraph 5.22 of the Housing Technical Paper and were not considered appropriate. As such, Option 1 was the only reasonable option and has been taken forward in the Local Plan as the proposed distribution.
12. Distribution of retail development was assessed through the Retail and Commercial Leisure Study Update (2017) (R5). The distribution followed the 'town centre first' approach contained within the NPPF but also considered the need for some retail at housing growth areas. It was not appropriate to consider alternatives given the hierarchy of centres identified in the study and the town centre first approach.
13. The need for employment land was identified through the Employment Land Forecasting Study (2015) (E1). In terms of distribution it identified that employment sites are mainly concentrated in the Mansfield urban area with a small cluster in Market Warsop (paragraphs 2.57-2.58) but it did not recommend a split. Given the focus on the Mansfield urban area and the extremely limited choice of sites available for employment use in Warsop Parish there were no reasonable alternatives to the proposed distribution.
14. As is identified in relation to Matter 1 Question 8, broad options for the distribution of development were assessed through the Sustainability Appraisal at various stages of plan preparation.

Q6. Does Policy S2 Part 1a provide sufficient guidance for plan users? What is meant by 'most' new development and 'district wide service development'? Should Policy S2 include reference to locations served by sustainable modes of transport including public transport? Is it clear what is meant by 'underutilised' land?

15. The purpose of Part 1a is to provide a strategy to inform the distribution of development made in Part 2 of the policy. In this context 'most' refers to 90% of the housing, all employment (other than the allocation at Oakfield Lane) and 16,190sqm of retail and leisure floor space. If required, additional supporting text could be added to set this out.
16. 'District wide service development' refers to retail and service/community facilities which will serve a wider area (i.e. the whole district and/or parts of neighbouring districts). If required a modification could be proposed to amend this to read "development which will serve the whole district (or wider area)".

17. It is not considered necessary to refer to locations served by sustainable modes of transport, including public transport, and adding reference to sustainable transport to Policy S2(1a) as it would not lead to a different choice of sites. Access to public transport has been embedded in the site selection process in a number of ways. Firstly, sites within the settlement boundary have been allocated; these are generally considered to have good access to public transport (bus or rail). Secondly, the Site Selection Technical Paper (September 2018) (H6) identifies that for sites outside settlement boundaries one of the criteria under the heading 'Highway and Sustainable Transport' is 'opportunity for public transport connectivity'.
18. It is considered that 'underutilised' land refers to land that is not otherwise used or could be used more intensively. Proposals will be assessed against all Local Plan policies including those which cover environmental designations. It links to the wording (as modified by M8) in Policy S3.

Q7. Is the spatial distribution of housing development in Policy S2 justified? What evidence justifies the 'split' in the distribution of housing between the Mansfield Urban Area (90%) and Warsop parish (including the villages) (10%) and is the approach justified?

19. The spatial distribution of housing is justified in paragraphs 5.21 to 5.23 and 6.17 to 6.19 of the Housing Technical Paper (August 2018) (H1). These set out that the housing distribution is justified by the broad split of population in the 2011 Census; this was also the approach taken in the SHMA (2015) (H4) (paragraph 4.54 to 4.60). Alternatives to this distribution were explored but rejected due to the availability of sites and the fact that they did not reflect housing need.
20. Broad distribution options were appraised through the Sustainability Appraisal at the Issues and Options stage. This included options which would:
- maximise development at the Mansfield urban area;
 - strengthen the role of Market Warsop while maintaining a focus in and around the Mansfield urban area; or
 - Provide limited growth in and around Market Warsop.
21. The proposals to split housing development between Mansfield urban area and Warsop Parish also aligns with the requirement to identify the housing requirement for neighbourhood plan areas.

Q8. Is the 'ceiling' on the level of retail and leisure development within Policy S2 Part 2c justified and is the policy positively prepared?

22. It is not considered appropriate and a modification is proposed to address this issue (M7).

Q9. What evidence has informed the different settlement categories in the settlement hierarchy in Policy S2 and is the approach justified? In addition:

Should the Mansfield Urban area include reference to Forest Town?

Is the requirement in Policy S2 for new development to reflect the more rural nature of Rainworth justified?

Is the reference to Market Warsop justified?

23. It is considered that there is a clear hierarchy of settlements in Mansfield district and it was not considered proportionate to prepare studies to justify the proposed hierarchy. The Mansfield urban area includes around 88% of the population, the main retail and service centre in Mansfield town centre, and the vast majority of employment opportunities. Below Mansfield urban area, Market Warsop is clearly identifiable as a higher order of settlement compared to other settlements (such as Church Warsop and Meden Vale) and includes a district shopping centre and a secondary school.

24. There is no clear break to justify treating Forest Town as a separate settlement. As such it is not considered appropriate to make reference to Forest Town in Policy S2.

25. In contrast there is a break between the Mansfield urban area and Rainworth. It is, therefore, considered appropriate that Policy S2 (and H1d) recognise this highlighting the more rural nature of Rainworth.

26. Market Warsop has been included separately to the other settlements in Warsop Parish to highlight that it is to receive the majority of growth directed to Warsop Parish. It would be possible to modify the plan to merge Parts 1b and 1c of Policy S2.

Q10. What approach has been taken to identifying the settlement boundaries and are they appropriately identified on the Policies Map?

27. The starting point in identifying settlement boundaries were the previous boundaries identified in the Local Plan (1998). These boundaries were reviewed with reference

to the current situation using mapping and aerial photography. The purpose of the review was to identify the division between land that was clearly 'urban' in character and land that was considered to be 'open countryside'.

28. Urban was considered to include most built forms of development including residential, employment and schools. Undeveloped sites with planning permission and the proposed housing allocations were also treated as 'urban' in character to ensure that the settlement boundaries would endure in the longer term.
29. Open countryside was considered to include land which was agricultural or forest in nature or otherwise undeveloped. Judgements were made where the land did not fit neatly into either category depending on the use and openness of the land.
30. Where the boundaries identified in 1998 required amending (for example due to previously open countryside being developed in the interim period) this was done using, as far as possible, existing features on the ground such as roads, railway lines, rivers or field boundaries.

Q11. Does the spatial strategy in Policy S2 make clear the approach that will apply to development in the open countryside?

31. As currently drafted, Policy S2(1) does not refer to the open countryside as it is not part of the settlement hierarchy where development will be focussed. It is considered that Policy S5 clearly sets out the approach that is to be taken to development in the open countryside.
32. If required, a modification could be made to the settlement hierarchy in Policy S2(1). This could involve the addition of a part d to read "Open Countryside. To recognise the intrinsic value character and wider benefits of the countryside only development appropriate to rural areas will be supported within the open countryside". Reference could then be added to the supporting text to link this to Policy S5.

Q12. Which policies will contribute towards objective 9 which seeks to reduce the need to travel?

33. The following policies will either reduce the need to travel or support a modal shift towards sustainable forms of transport (walking, cycling and public transport):
 - S3 and S4 by supporting the redevelopment of sites within the settlements where services are accessible to a number of residents;
 - S5(2v) by ensuring that development in the open countryside is appropriately accessible to a range of sustainable transport;

- P2 and P3 by seeking to provide safe and attractive streets that can be used for walking and cycling and which are linked to destinations such as schools, shops and employment opportunities;
- P5 by supporting sustainable transport and travel facilities;
- RT5 which seeks to make Mansfield town centre more accessible by sustainable transport modes;
- SUE 1 and SUE 2 by providing on-site retail and employment to directly reduce the need to travel;
- IN1 by requiring appropriate contributions (in accordance with the CIL tests) for public transport and nearby facilities;
- IN2 and IN4 by ensuring access to parks, open space and the wider green infrastructure network;
- IN5 by ensuring that replacement allotments are located within a 15min walk of the existing allotment;
- IN7 by protecting local services unless alternative facilities are to be provided or the facility is to be reinstated;
- IN11 by ensuring that new development provides broadband access to enable opportunities for homeworking.

34. In addition the Site Selection Technical Paper (September 2018) (H6) sets out that preference was given to sites which were located in close proximity to existing services and facilities, retailing and employment opportunities (paragraph 7.26 and 7.33). Sites within the settlement boundary were also allocated first as these were considered to be reasonably accessible to services and facilities reducing the need for residents to travel.

Q13. Overall will the spatial strategy set out in Policy S2 contribute to the plan's vision and objectives for the District and, if so, how?

35. The council considers that the spatial strategy, as set out in Policy S2, will contribute to the Local Plan's vision and objectives for the district.

36. The hierarchy of settlements in the district, as noted in the answer to Question 9 above, is reflected in the fact that the majority of services, employment areas, transport, retail and leisure choice and regeneration needs are focused around the Mansfield urban area. The Mansfield Ashfield Regeneration Route (MARR) is a key

- area of growth, and development has been located along this route to improve connections and provide sites in locations where employment land is most attractive.
37. Market Warsop is the second largest settlement in the district and acts as a service centre, supporting the smaller villages in Warsop Parish.
38. As such, Mansfield urban area, followed by Market Warsop, are the most sustainable locations to concentrate development and growth. This is key in achieving the plan's vision and objectives, such as ensuring that the plan can deliver a healthier, greener and more vibrant place to live.
39. Appendix 2 in Vision and Objectives Background Paper, 2018 (SE6) sets out the relationship between the policies and objectives in the plan. Policy S2 most directly contributes to the achievement of:
- Objectives 1, 2 and 6 by promoting the regeneration of previously developed land, contributing to a stronger and more resilient economy by focusing growth in the most sustainable locations. This includes focusing housing near to employment and retail and neighbourhood centres. This in turn will support the enhancement of the town and district centres.
 - Objective 3 by helping to deliver an increased choice of housing to meet the needs of the district's residents;
 - Objective 9 by supporting and promoting the uptake of sustainable modes of transport and by directing development away from areas with existing highway problems;
 - Objective 11 by supporting the vitality of the villages within Warsop Parish; and
 - Objective 12 by directing development to brownfield land, underutilised land and sustainable Greenfield sites on the edge of the urban boundary.

Issue – Are the plan's policies for urban regeneration and key regeneration sites soundly based (Policies S3 and S4)?

Q14. Should Policy S3 include reference to a wider range of surplus and / derelict land which does not fall within the definition of previously developed land?

40. Yes, having considered the representations made in relation to this policy modifications have been proposed³ to amend the policy wording (M8) and supporting

³ Schedule of Proposed Main and Minor Modifications to the (Submission) Local Plan, 2018 - S2

text (M9) in response. This would mean that the policy would apply to a wider range of surplus / derelict land as well as being clearer and more effective.

Q15. Does Policy S4 provide sufficient guidance for development proposals and how will it be delivered? Does Site S4a relate to the retail and town centre policies in Chapter 7 of the plan?

41. This policy was included within the Publication Draft Local Plan to support development proposals that would appropriately reuse the sites identified. The sites are not allocated due to deliverability and viability concerns, however in recognition of council aspirations to see long term regeneration in these areas, the policy promotes development and the supporting text explains what the council will do to help encourage this. The sites have been identified as regeneration opportunities by the council over a number of years and each has some form of development guidance associated with it. In order to ensure that the policy provides sufficient guidance for development it is proposed to make a minor modification to the supporting text to state that 'appropriate re-use' of a site is development that accords with the site specific guidance for that particular site. It is intended for the guidance to be reviewed in due course and updated if necessary.

42. More information on each site is provided below:

White Hart Area (S4a)

43. The White Hart area presents a key opportunity for a mixed use development within the town centre. A supplementary planning document⁴ was adopted by the council in 2006 which supports the development of retail, office, restaurant / café / drinking establishment, residential and leisure uses within the area, and a multi-storey car park close to St Peter's Way. It provides details on the issues that require consideration in any planning application.

44. This site was carried forward into the Local Plan Publication Draft for the reasons noted above, and it is expected that the key messages and principles from the SPD would feature within any town centre masterplan that is produced. It remains a council priority for this area to be regenerated.

45. This site is located in the town centre and its regeneration relates well to the retail and town centre policies in Chapter 7 of the plan. As highlighted above the White Hart SPD supports the development of uses which are all appropriate uses in a town

⁴ <http://www.mansfield.gov.uk/CHttpHandler.ashx?id=7095&p=0>

centre location. Only Church Street and a small part of Market Street are within the primary shopping area and as such the majority of the area has no restrictions on particular frontages.

46. Outline planning permission has recently been granted on part of the site for a mixed use development (including the reserved matters of access, appearance, layout and scale) comprising retail units, offices, leisure, residential and public open spaces and demolition of a number of buildings⁵. There is also planning permission for a 63 bed hotel with ground floor A1/A3 use within the White Hart area, and development has commenced⁶.

Portland Gateway (S4b)

47. The Portland Gateway site was first identified as a priority for regeneration by the council in 2009 when it published the Portland Gateway Regeneration Framework⁷. This document set a vision for the long term regeneration of the area, which should create a place where a mix of new industrial and office developments blend comfortably with new high quality, well designed residential development. The area was included within the Local Plan Publication Draft and it is expected that any proposed developments in this area would have regard to the priorities within the Portland Gateway Regeneration Framework document. These include providing new / improved employment and residential uses within the area, improving the connectivity across Portland Street and the railway line, improving pedestrian routes within the area and the street environment along the ring road, development of a landmark building to enhance the gateway to Mansfield town centre, and enabling Mansfield Town Football Club to improve their stadium and promote sport.

Riverside (S4c)

48. This regeneration area is focused around the River Maun to the south east of Mansfield town centre. It is a council aspiration to create an attractive mixed use development along the riverside. It is intended that development will allow the river corridor to be opened up to create a pleasant public space with good pedestrian and cycle links to the town centre and the green infrastructure network. No objections were received to the inclusion of this regeneration area, which is based on the

⁵ 2014/0341/NT

⁶ 2018/0281/FUL

⁷ <http://www.mansfield.gov.uk/CHttpHandler.ashx?id=10090&p=0>

council's Riverside Renaissance Regeneration Masterplan document⁸ published in 2009.

Issue – Is the approach to development in the countryside soundly based (Policy S5)?

Q16. Is the geographic interpretation of Policy S5 clear on the Policies Maps and should a notation be included to identify ‘the countryside’?

49. Yes, everything outside of the settlement boundaries is identified as open countryside, this is reflected within part 1 of Policy S5, and it is not considered necessary to amend the Policies Map as this may lead to confusion where there are other designations within the open countryside.

Q17. How would small scale residential development in the countryside relate to the spatial strategy in Policy S2? Would it be consistent with the aim in paragraph 55 of the NPPF to enhance or maintain the viability of rural communities? How would ‘innovative/exceptional design’ be assessed?

50. It is not proposed to direct development to the open countryside within Policy S2, as only a limited amount of growth will be allowed within the open countryside except where employment land uses meet the requirements Policy E4. The district is not rural in nature and local needs within Warsop Parish will either be met through existing commitments or through allocations within the Local Plan. Dwellings that will be allowed within the open countryside will have to be either for:

- agricultural workers dwellings
- the re-use and adaptation of buildings
- the limited extension or replacement of dwellings
- small scale residential development of self –build or innovative design

51. It is therefore proposed to remove reference to self-build from Policy S5 to ensure that the policy remains compliant with para 55 of the NPPF.

52. Innovative and exceptional design will be assessed against the definition set out within para 79 part e of the NPPF 2019.

⁸ <http://www.mansfield.gov.uk/CHttpHandler.ashx?id=10091&p=0>

Q18. How would development proposals that do not fall within the categories identified in Policy S5 criteria (a) – (o) be assessed?

53. The uses listed above are those which it is considered would be potentially appropriate in the countryside. It will be necessary for any other proposals to be assessed against the presumption of sustainable development and the Local Plan will need to be read as a whole.

Q19. Is the requirement in Policy S5 for development in the countryside to be made accessible by sustainable modes of transport realistic and consistent with the NPPF?

54. Yes as paragraph 32 of the NPPF sets out that all developments that generate significant amounts of movements should be supported by a Transport Study or Transport Assessment and plans and decisions should take account of the opportunities for sustainable transport modes that have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure and safe and accessible access to the site can be achieved by all people.

55. The level of accessibility will be assessed by the number of trips generated by the development, for example very small developments within the open countryside, i.e. a small farm shop, would not be required to be made as accessible, whereas a large employment site which generated a large number of trips would be expected to be made accessible. Part 2(v) makes it clear that development should be 'appropriately accessible'.

Q20. Overall, will the strategic priorities and objectives deliver the plan's vision and is the spatial strategy and distribution of development soundly based? Are any main modifications necessary for soundness?

56. As set out in paragraph 2.6 of the Publication Draft, the objectives are central to the delivery of the vision and are the guiding principles for the policies in the plan. They are intended to address the strategic priorities, deliver the local plan vision and therefore address the issues which face the district. As such it is considered that they (along with the strategic priorities) will deliver the plan's vision.

57. As demonstrated in previous answers above, the basis of the spatial strategy and distribution of development is considered to be soundly based, however a number of main modifications are proposed to policies in the spatial strategy section of the plan, as shown in the Schedule of Proposed Main and Minor Modifications to the (Submission) Local Plan, 2018 (S2) (set out in the table below):

Modification reference	Policy modified	Explanation
M7	Policy S2(2c)	Respond to comment (PD/129) and to correct grammar.
M8	Policy S3 (1)	Respond to comments (PD/235 and PD/184) and to clarify the policy approach
M11	Policy S5 (1m)	To respond to comments (PD/76) and align with the NPPF.

58. Further to this, an additional modification is proposed, as discussed in the answers above:

- S5 – Remove reference to self-build from part 1(k) in order to ensure that the policy remains compliant with paragraph 55 of the NPPF.