

Mansfield District Local Plan
Hearing Position Statement

On behalf of Welbeck Estates Company Ltd

30th April 2019

Quality Control

Project No.	14.033			
Client	The Welbeck Estates Company Ltd			
Title	Hearing Statements: Mansfield Local Plan Examination in Public (EiP) 2019			
File reference	P&DG/14.033 HS			
Issue	Date	Prepared By	Reviewed By	Authorised By
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1.0 Introduction

- 1.1 This Hearing Position Statement sets out P&DG's representations to the Mansfield Local Plan Examination in Public (EiP), submitted on behalf of the Welbeck Estates Company Ltd.
- 1.2 Representations are provided in response to the following Matters and Questions:
- *Hearing Statement 1 – Main Matter 1 - Duty to Cooperate and other Legal Requirements*
 - *Hearing Statement 2 – Main Matter 2 – Local Plan Vision, Issues and Objectives, Spatial Strategy, Settlement Hierarchy, and the distribution of employment and housing*
 - *Hearing Statement 3 – Main Matter 3 – Whether or not the plan will secure high quality sustainable design and safeguard and enhance the District's landscape character, natural and historic environment*
 - *Hearing Statement 4 – Main Matter 4 - Whether or not the approach to assessing housing and employment needs and the housing and employment land requirements are robustly based and consistent with national policy.*
 - *Hearing Statement 5 – Main Matter 5 - Whether or not the proposed strategic urban extensions and employment allocations are soundly based and deliverable in the plan period and whether other policies for employment and the economy are soundly based.*
 - *Hearing Statement 6 – Main Matter 8 - Whether or not the plan makes appropriate provision for new infrastructure to support the level of new development proposed.*
- 1.3 This Statement should be read in conjunction with P&DG's previous representations made to the Mansfield District Local Plan at Publication Draft (Regulation 19).

6.0 Hearing Statement 5

Main Matter 5 - Whether or not the proposed strategic urban extensions and employment allocations are soundly based and deliverable in the plan period and whether other policies for employment and the economy are soundly based.

Issue – Is the site selection process based on a robust assessment against relevant criteria?

Question 1: Is the site selection process for the employment allocations soundly based, including sustainability appraisal and the testing of reasonable alternatives?

- 6.1 We believe that the Sustainability Appraisal has robustly appraised the major strategic site at Jubilee Way (Policy SUE2) together with its associated employment allocation. The Sustainability Appraisal process has been informed by a robust and sound set of criteria which has tested reasonable alternatives, and where necessary explored the remainder of the Local Plan evidence base to assure the Council of the outcome for each site.

Question 2: Is the site selection methodology based on an appropriate set of criteria and where are these explained? Are the reasons for selecting allocated sites and rejecting other clear and justified?

- 6.2 We believe that the basis for selecting allocated sites and rejecting others are clear and justified, and cover a wide breadth of the supporting evidence base including the Whole Plan Viability Assessment. In the case of Jubilee Way this has demonstrated the site to be by far the most viable. Where sites have not been selected they have been on the basis of there being a fundamental conflict with the plan or they are significantly unviable (with there being scant ability to make them viable) which are both critical issues to the soundness of the plan.

Question 3: What approach has been taken where specific site constraints or developer intentions are known?

- 6.3 The wording of Policy SUE2 allows for the provision of mitigation that would provide robust means of planning control through, for instance, application specific Habitat Regulations Assessment, and the provision of an Environmental Impact Assessment (EIA) accompanying the planning application that would demonstrate the significance of anticipated environmental effects and suggested mitigation. We are satisfied that the approach taken is sound and appropriate safeguards can be secured.

Land off Jubilee Way (Policy SUE2)

Question 10: Are the overall scale and mix of uses for the site justified and are the site boundaries appropriate?

- 6.4 We continue to support the allocation of land off Jubilee Way as presented by Policy SUE2 for the reasons we supplied in our previous representations. The site offers significant regenerative prospect to the District and an ability to secure substantial health and wellbeing and biodiversity gains, mitigation to protected habitats and the prevention of crime and disorder.
- 6.5 Contributions towards housing and employment supply are further opportunities created by the allocation of this site. Most recently we are hopeful to have reached a position of common ground with Mansfield District Council so that our earlier concerns regarding certain aspects of the indicative masterplan and site boundaries can be withdrawn. A Statement of Common Ground is envisaged to be made available to the Examination which confirms our agreement that the overall scale, phasing and mix of uses for the development are appropriate as a strategic site commitment outside the projections required for the plan.
- 6.6 The approach made by the District Council to allocate a wider distribution of housing sites is also considered to be consistent with the principles set out in the National Planning Policy Framework ('NPPF') and should allow the Council to plan positively for the housing delivery. In the event that it is found that additional housing and employment numbers are required during the plan then suitable reserve can be taken from the Jubilee Way site. The site continues to be suitable, available and deliverable, and with the interest of multiple developers.

Question 11: Is the site allocation soundly based having regard to paragraph 8.4 of the plan and the viability study which indicate that the site is not viable? What interventions would be necessary to ensure that the site is deliverable?

- 6.7 The viability study is conclusive in that it shows SUE2 Jubilee Way as the most viable of any of the strategic urban extensions. As a consequence only moderate consideration of associated infrastructure and obligations during the planning process would be necessary. For instance it is recognised by the District Council that flexibility of the provision and phasing of affordable housing provision could be made possible to bring forward the delivery of the strategic site allocations.

Question 12: Is the requirement for a new primary school justified?

- 6.8 Land has been identified for a new primary school on the indicative masterplan which accords with our promotional plan for the site at Jubilee Way. We have made representations before that the education provision locally needs to be fully determined so that all other possibilities are explored for school expansion before full confirmation a new site is necessary to be brought forward.
- 6.9 The Education Technical Paper only confirms the existence of there being a need for a new school but has not discounted all other eventualities put forward by the Council at existing school sites, namely Oak Tree Primary School which is located opposite the site at Jubilee Way. A deficit of 143 places is identified at this school site but it is not apparent if any exploration has been made to whether an extension can be made to this site to accommodate future pupils from the Jubilee Way development, therefore potentially improving the standard of facilities at the school. It would be recommended therefore that the policy SUE2 allows for other eventualities to be explored to meet the anticipated educational needs, while still safeguarding land on the masterplan for a school site in the meantime.

Question 13: Is the requirement for a masterplan reasonable and would it provide an appropriate framework for the development of site proposals?

- 6.10 It is our view that a requirement for a masterplan is reasonable but it must be founded upon an accurate portrayal of the site as promoted along with deliverable connections and boundaries. In this respect we did hold previous concerns that the masterplan was not realistically showing the tangible opportunities that would be realised through the allocation of SUE2.
- 6.11 The prospective Statement of Common Ground we have reached with Mansfield District Council resolves our previous concerns with the submitted indicative masterplan, bringing forward an updated plan as a modification. We are satisfied that this plan offers a more realistic account of an eventual development scheme, with further detail to be established proportionately during the planning application process.

Question 14: Are any further safeguards or mitigation measures necessary to achieve an acceptable form of development and are any main modifications necessary for soundness?

- 6.12 The site at Jubilee Way has been the subject of extensive scoping and evaluation, not least with the District Council but also with an array of key stakeholders. The outcome of this has been positive, enabling the Council to progress with the allocation of this site.

- 6.13 A fundamental feature of the scheme that has been promoted is that safeguards and mitigation measures have been designed from the outset so that the development scheme indicated on the masterplan is built around those parameters and refined as part of the ongoing consultation process. This has particularly been the case with the biodiversity and habitat proposals and measures to protect the Strawberry Heaths SSSI and Local Wildlife Sites (LWS) as well as the protections afforded by the Sherwood Forest Potential Special Protection Area (pSPA) and Birklands and Bilhaugh SAC.
- 6.14 For the reasons above it has also been important to ensure we came to a position with the District Council on an amended masterplan that represented the site area fully, demonstrating all of the opportunities created by the allocation. We are satisfied that the amended masterplan as included in the proposed Statement of Common Ground works towards a scheme that reached positive feedback by stakeholders. As such we do not consider that the proposed allocation at Jubilee Way would require significant safeguards and mitigation measures beyond those that have already been designed into the promoted scheme and would be controlled through the resulting planning application process. If it is considered that the Council will need to include more detail of mitigations upon allocation to respond to further representations that may arise then we can work together with the interested parties and the Council to achieve such outcomes.
- 6.15 In summary the proposals have been fully tested as part of the promotion of the site at Jubilee Way, and the Council's subsequent assessments. By virtue of the resulting outcome as a proposed allocation which is unequivocal as to why this site meets the relevant tests, the site is considered to be deliverable to meet the expectations of the NPPF for plan making.