

# Mansfield District Council

## Local Plan Examination

### **Main Matter 8**

Whether or not the plan makes appropriate provision for new infrastructure to support the level of new development proposed

Mansfield District Council Submission

Date 30 April 2019

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**Mansfield**  
District Council



# Mansfield District Council

## Local Plan Examination Matter Statement

May 2019

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Main Matter 8 – Whether or not the plan makes appropriate provision for new infrastructure to support the level of new development proposed

**Q1. Does the Infrastructure and Delivery Plan (IN1) contain the full range of infrastructure necessary to support the development proposed in the plan?**

1. The Infrastructure Delivery Plan (June 2018) (IN1) has assessed the impact of housing and employment growth proposed in the Local Plan. The range of infrastructure covered is set out at Paragraph 1.2.1. This includes:
  - Social – healthcare, education, libraries, community facilities, children’s centres, post offices and sports/leisure
  - Waste Management – waste collecting, processing and disposal/recycling
  - Utilities – gas, electricity, water, wastewater, telecommunications
  - Flood Risk – flood prevention/protection/alleviation
  - Green Infrastructure – natural and semi-natural green space, amenity green space, parks and recreation grounds, outdoor sports facilities, play area and allotments.
  - Transport – public transport, walking, cycling and highways.
2. The IDP has established a baseline using the existing provision of infrastructure to identify current capacity and then considered the scale and location of growth proposed through the local plan (both housing and employment) and the impact on infrastructure. This includes identifying types of infrastructure and specific locations where new or improved infrastructure will be required.
3. In addition, information on infrastructure requirements can also be found in:
  - Transport Study (May 2018) (T1 and T2);
  - Strategic Flood Risk Assessment (June 2008) (C1);
  - Mansfield Addendum to the Strategic Flood Risk Assessment, 2018 (C2);
  - Mansfield Water Cycle Study (2009) (C3);

- Mansfield Strategic Flood Risk Assessment - Guide for Planners and Developers, 2008 (C6);
  - Mansfield Central Area Flood Risk Review, 2018 (C5a);
  - Green Infrastructure Study (July 2018) (ENV5);
  - Playing Pitch Assessment (January 2016) (ENV6);
  - Addendum to the Final Playing Pitch Strategy Assessment - applying Sport England's national development calculator, 2018 (ENV7);
  - Mansfield Community Open Space Assessment, 2018 (ENV9a);
  - Education Technical Paper (December 2018) (IN2);
  - Statement of Common Grounds (DTC1-9); and
  - Nottinghamshire County Council Planning Obligations Strategy (September 2018) (IN3<sup>1</sup>).
4. Details of the infrastructure required, costs, funding and broadly when it will be required can be found in Appendix 9 (Key infrastructure requirements) of the Publication Draft Local Plan. This identifies the key requirements for the two areas covered by Policy S2 (Spatial Strategy) i.e. Mansfield urban area and Warsop Parish.

**Q2. Does Policy IN1 make clear the contributions that will be sought towards new and improved infrastructure necessary to support the development in the plan? How will strategic and local infrastructure improvements be funded?**

5. Policy IN1 seeks to ensure that growth is supported by the infrastructure necessary to ensure that the provision of new homes and jobs does not put too much pressure on existing services and facilities. It identifies that development will be expected to meet the reasonable costs associated with new infrastructure required as a consequence of the development; this aligns with the tests set out by the CIL Regulations (2010) that obligations should be:
- necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development.
6. The policy has been written in an overarching and flexible way. This ensures that different types and scale of development in different locations can be assessed

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<sup>1</sup> Please note that this is appended to MDC's hearing statement for Main Matter 5, as Annex B.

based on their individual impacts on local infrastructure. The policy also takes account of any viability evidence of sites. Other policies (including Policies H4, IN2-11) set out specific requirements on a range of infrastructure while H1 identifies key infrastructure requirements for each of the housing allocations.

7. Improvements will be funded through a number of different sources. Developer contributions through S106 agreements will provide funding and/or infrastructure in-kind for a number of different types of infrastructure including health, education and libraries. Infrastructure providers themselves also fund improvements to infrastructure; this is especially the case with utilities such as gas, water and electricity.

**Q3. Is the designation of green infrastructure on the Policies Map justified by the evidence and does Policy IN2 provide sufficient flexibility to assess development proposals that may come forward?**

**3a) Is the designation of green infrastructure on the Policies Map justified by the evidence?**

8. The council considers that the green infrastructure (GI) designation, as shown on the Policies Map, is justified by the evidence base: The Mansfield Green Infrastructure Study, 2018 (ENV5).
9. This is a robust, locally relevant and up to date evidence base, as defined by National Planning Policy Framework (NPPF)<sup>2</sup> paragraphs 158<sup>3</sup>, 162<sup>4</sup>, 180<sup>5</sup>. Identifying a combined strategic green infrastructure network has involved a considerable amount of data input and analysis. This evidence applied a clear, collaborative and comprehensive approach based on: national practice guidance (NPG)<sup>6</sup>, best practice, local knowledge, appropriate and relevant baseline data (such as mapping), and consultation with the public, key organisations and neighbouring authorities; this approach is detailed in ENV5 (sections 2.2, 3.3, 3.4, 4.0, and 4.1). Further consultation through the Mansfield Infrastructure and Delivery Plan 2018 (IN1

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<sup>2</sup> All references to the NPPF are to the 2012 version, unless stated.

<sup>3</sup> ENV5 is adequate, up-to-date and relevant; it draws upon and brings key evidence documents together (ENV5 - paragraph 3.23) to inform the designation of GI.

<sup>4</sup> It is part of the wider Infrastructure Delivery Plan (IN1).

<sup>5</sup> ENV5 takes account of different geographic areas, including cross boundary issues as informed through consultation and local knowledge (ENV5 – Section 3.4).

<sup>6</sup> The designation of GI proactively addresses, for example: adaptation to climate change, enhancement of ecological networks, supporting healthy communities, as supported by the NPPF (e.g. paragraphs 73, 94, 99, 109, 114, 117)

- Appendix F-5), also supports the designation of GI on the policies map. More detail regarding the background evidence to support specific geometries that make up the wider GI designation can be found in ENV5: Section 5, Appendix A, Appendix B and Appendix C.

10. There have been no specific boundary challenges to the policies map. No modifications to the Policies Map are required.

**3b) Does Policy IN2 provide sufficient flexibility to assess development proposals that may come forward?**

11. Policy IN2 provides sufficient flexibility to assess development proposals. It is positively worded, such that (subject to other policies), it doesn't preclude development from within the green infrastructure network. Rather, Policy IN2 seeks positive gains, ensuring sustainable development is secured by influencing how development occurs (e.g. through its design and layout and contributions to on-site and/or off-site provision). Policy IN2 is consistent with NPPF paragraph 176, as the safeguards to GI and the environment can be reasonably secured through conditions and there is scope to apply the criteria creatively and flexibly, such that costs can be kept to a minimum and that development is not inhibited unnecessarily.
12. Policy IN2 positively reflects the NPPF's (e.g. paragraph 151) approach such that it has been prepared with the objective of contributing to the achievement of sustainable development. The SA assessment<sup>7</sup> of Policy IN2 concludes that it has many positive effects in relation to built and natural assets, health, communities, transport, biodiversity, green space and natural resources. No significant negative effects with regards to housing were identified.
13. Policy IN2 (part 1) focuses on the protection, enhancement and management of GI assets, functions and connections within a strategic network and the ecological services these can provide. It also recognises that development can contribute to the creation and enhancement of local GI assets outside the strategic network, and provide links to this, where appropriate (Policy IN2 part 3).
14. This policy approach is supported and considered sound by Natural England<sup>8</sup>.
15. A Green Infrastructure and Biodiversity SPD will build upon the existing evidence, most specifically Appendix A (ENV5), and provide further guidance for new

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<sup>7</sup>Mansfield Pre-Submission Sustainability Appraisal - Appendices, 2018 (S8c), pages 313-314.

<sup>8</sup> Mansfield District Local Plan 2013-2033 Consultation Statement: Regulation 22 (1)(c), 2018 (S5) - Appendix 4, page A4:19.

development in implementing Policy IN2. It will be important that this is created in consultation with a wide-range of stakeholders, including developers.

16. Modifications (M81 and M82) in the Schedule of Proposed Main and Minor Modifications to the (Submission) Local Plan, 2018 (S2) seek to delete reference to Policy S5, as this repeats policy contained elsewhere, but modifies the supporting text to draw the connection between Policy IN2 and Policy S5 (Development in the countryside).

**Q4. Do Policies IN3 and IN4 provide a robust and appropriate approach to the protection and provision of community open space and outdoor sports facilities and is the geographic interpretation of Policy IN3 and areas of community open space on the Policies Map justified?**

**4a) Do Policies IN3 and IN4 provide a robust and appropriate approach to the protection and provision of community open space and outdoor sports facilities?**

17. The council considers that Policies IN3 and IN4 provide a robust and appropriate approach to the protection and provision of open space and outdoor sports facilities. They are consistent with the NPPF (paragraphs 69, 73, 74, 158), in so far as they:

- are based on a robust and up-to-date evidence (see paragraphs below) in accordance with NPPF paragraphs 73 and 158;
- provide a means to assess surplus of (and need for) open space provision through the application of the Mansfield Green Space Standard (Policy IN3 – 1c and 1d, IN3 - 2a, Appendix 11)<sup>9</sup> and IN4(2a);
- require that any loss of provision which is not surplus to requirements is replaced by equivalent or better provision in terms of quantity and quality in a suitable location (Policy IN3-1c)<sup>10</sup>;
- where the development is for alternative sports and recreational provision, the need must clearly outweigh the loss (Policy IN3 - 2a and b)<sup>11</sup>;
- support access to high quality open spaces and opportunities for sport and recreation, contributing to healthy communities<sup>12</sup>, especially through application of IN4(2); and

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<sup>9</sup> NPPF paragraph 74, 1st bullet point.

<sup>10</sup> NPPF paragraph 74, 2nd bullet point.

<sup>11</sup> NPPF paragraph 74, 3rd bullet point.

<sup>12</sup> NPPF paragraph 73 (1st sentence).

- the Mansfield Green Space Standard supports achieving places that promote safe and accessible environments; high quality public space, which encourage the active and continual use of public areas, especially through application of IN4(2)<sup>13</sup>.
18. Both Policies IN3 and IN4 provide appropriate flexibility and direction when assessing loss (whole or in-part) and improvements to provision. These provide a similar approach to other local planning authority's local plans. Policies IN3 and IN4 are also read with other related policies, such as: Policies IN1 (Infrastructure delivery), H1 (Housing allocations) and IN2 (Green infrastructure). Proposed modifications (M84 and minor modifications) to Policy IN3 makes more explicit the application of the Mansfield Green Space Standard (Appendix 11) in relation to this policy. Proposed modification M85 to supporting text (paragraph 9.21) more clearly defines what is meant by 'accessible'. Modification (M139) in S2 seeks to ensure that wording in Appendix 11 more explicitly supports inclusivity for people with disabilities.
19. The evidence to support these policies apply clear and comprehensive methodologies based on recognised standards and guidance. They identify specific needs in relation to gaps in the quantity and quality of provision, surplus of provision, and overall needs in relation to improving the health and wellbeing of residents. The evidence includes the following:
- ENV6 - Mansfield Final Playing Pitch Strategy Assessment (2016)ENV7- Addendum to the Final Playing Pitch Strategy Assessment - Applying Sport England's national development calculator (2018)ENV8 - Mansfield Final Playing Pitch Strategy Action Plans (2016)
  - ENV9a - Mansfield Community Open Space Assessment (2018) and
  - ENV9b - Mansfield Community Open Space Assessment - Non-Technical Summary (2018).

**4b) Is the geographic interpretation of Policy IN3 and areas of community open space on the Policies Map justified?**

20. The council considers that the community open space designations, as shown on the Policies Map, are justified by the evidence base and the policy approach taken (see comments above). These were identified through ENV9a which is underpinned by an

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<sup>13</sup> NPPF paragraph 69.



audit and assessment of all formal parks and recreation grounds, play areas, amenity space, and natural green space in the district<sup>14</sup>.

21. Outdoor sports provision identified for protection are identified in Appendix 10.

These have been identified by evidence studies ENV6, ENV7, and ENV8 which are based on detailed assessment reports in consultation with Sport England (SE) and a wider steering group, and in-line with SE's guidance. As the pitches are too small to be represented on the Policies Map and, to avoid confusion with community open space designations (which would overlay with these), it was decided to include outdoor sports provision within the table and site-based map found within Appendix 10. No objections were raised by Sport England to this approach.

22. No modifications to the Policies Map are required.

#### **Q5. Is the safeguarding of non-statutory allotments under Policy IN5 justified?**

23. Yes, non-statutory allotments account for a high proportion of allotment provision in the district<sup>15</sup> and relying solely on statutory allotments alone, does not meet recommended benchmarks.

24. This is evidenced in the Infrastructure Delivery Plan (IN1)<sup>16</sup>. This takes into account nationally recognised benchmarks in relation to quantity (allotment plots per population) and accessibility (walking distances). Combining both council (statutory) and privately-run allotments (non-statutory), the total plot provision in the district exceeds the National Society of Allotment and Leisure Gardeners Ltd (NSALG) benchmark of 20 plots per 1,000 households which equates to 1 plot per 115 people in the district<sup>17</sup>. But when considering statutory allotments alone, this figure falls short of this benchmark (1 plot per 190 people). Non-MDC owned allotments alone provide 1 plot per 68 people.

25. Quantity alone is not the only factor considered. It is important to keep in mind, that while an area may be well provided for, in terms of allotment plots per 1,000 people, if demand is particularly high in that area, a simple standard based on plots per population may not provide sufficient plots to meet the local demand.

The provision of allotments is also not evenly distributed within the district. Most

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<sup>14</sup> ENV9a – Section 3 sets out the methodology for identifying sites for protection. Included that assessment of quantity, quality, and access to open space and also wider functions for supporting healthy communities at ward and district levels.

<sup>15</sup> Council owned (statutory) allotments account for 26% of this provision and non-MDC owned allotments account for 74% of this provision.

<sup>16</sup> Section 3 (Baseline Conditions), Section 5 (Full Conditions), and Appendix F.

<sup>17</sup> See Infrastructure Delivery Plan (IN1) - paragraph 3.7.20

allotments (statutory and non-statutory combined) are located within the Mansfield urban area and the southern area of Market Warsop. Warsop Parish has no statutory allotments and thus relies heavily on private allotment provision.

26. Using a nationally defined access benchmark (i.e. walking distance)<sup>18</sup>, the evidence base IN1 identified<sup>19</sup> shortfalls in provision within specific areas of the district; this was largely within the Mansfield urban area.
27. Based on both quantity and access benchmarks, there are specific areas that experience shortfalls in overall provision (statutory and non-statutory) as identified in IN1<sup>20</sup>; people are likely to have to travel further to an allotment in these areas unless new provision is made. It is important that surplus is assessed on a case by case basis, based on demonstration of need. The protection of allotments is based on the overall provision and the services these provide to communities regardless of ownership. NPPF (2012)<sup>21</sup> and NPPF (2019)<sup>22</sup> emphasise this point. Supporting text paragraph 9.30 emphasises that the Allotment Act (1925) is applied separately.
28. Policy IN5 reflects this approach; this is a similar approach taken in other adopted local plans in Nottinghamshire which do not differentiate between ownership. This is also the approach taken in the 1998 Mansfield District Local Plan. Modifications to supporting text (M87 - M88) (S2) help to clarify the policy approach.

**Q6. Is the local Green Space designation justified by the evidence and is there any overlap with the Green Infrastructure notation on the Policies Map? Will Policy IN6 provide sufficient guidance for plan users, in particular what is meant by 'very special circumstances'?**

29. Yes, the Local Green Space (LGS) designation is justified by the evidence (ENV3, ENV3a and ENV4). This evidence has been undertaken with reference to the NPPF requirements (paragraphs 76, 77, 78, 14) and National Planning Guidance (NPG). The methodology for considering nominations and then designating sites as local green space is detailed in ENV3 (sections 1.2 and 3.3). Section 4 and Appendix D of ENV3 and ENV4 provide transparent and detailed information to support LGS designations.
30. There is overlap between the LGS designation and the strategic green infrastructure (GI) network on the Policies Map (S3a and S3b). Although the GI network does

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<sup>18</sup> 1 allotment within 15 minutes or 600m as the crow flies.

<sup>19</sup> IN1, paragraph 5.7.12.

<sup>20</sup> IN1, Table 37 in Section 5. This considers all provision regardless of ownership.

<sup>21</sup> Paragraph 70 (1<sup>st</sup> and 2<sup>nd</sup> bullet points)

<sup>22</sup> Paragraph 91 (c).

contain some of the LGS designated areas, the objectives of these policies are very different. LGS provide special protection for green spaces with particular importance for local communities, as justified in the evidence (ENV3, ENV3a and ENV4). As part of the GI network, a green space contributes based on its wider function of the GI network (e.g. flood risk alleviation, recreation, landscape, ecological network) and its relative connectivity to adjacent green spaces that make up the strategic GI network. This is separate to its special community importance. Thus, an LGS designation may be a component of the wider GI network, but its protection as a LGS designation secures added benefits for local communities, as supported by the NPPF (para 76). As the Local Plan is read as a whole, there isn't an issue with overlapping designations.

31. Policy IN6 provides sufficient guidance as it is aligned with the NPPF (see below). Appendix 12 in the Local Plan (based on ENV3 and ENV4) also provides further information in relation to 'the reason/s why an LGS was designated'. This is set out in paragraph 9.36 in the supporting text.
32. The term 'very special circumstances' in relation to designated LGS is based on the NPPF (paragraph 78), which states that policy for LGS should be consistent with policy for Green Belts. Paragraph 88 sets out the balance for 'very special circumstances'. Therefore there is a need for LGS policies to align with Green Belt policy, in this respect.
33. The NPPF does not define what constitutes very special circumstances.
34. As the individual LGSs are designated for different reasons (e.g. historic significance, recreation, nature conservation, etc. or a combination of reasons) that define the reasons why a green area is demonstrably special and holds a particular local significance to communities, the impact from development is likely vary depending on the type, size, design, etc. of the development. Establishing if there are 'very special circumstances' that outweigh this harm is also likely to vary depending on the reason for and nature of development. This is an approach that is used when assessing development in Green Belt.
35. It is considered that the approach to very special circumstances' could be made clearer in the supporting text that aligns this more clearly to Green Belt policy. Suggested wording to be added between paragraphs 9.35 and 9.36:

"The term 'very special circumstances' in relation to designated Local Green Spaces is required by the NPPF 2019 (paragraph 101 and 144). Substantial weight will be given to any harm to Local Green Space. To show there are 'very special circumstances' the applicant will need to demonstrate that the potential harm to the

Local Green Space in question, including the reasons for its designation, is clearly outweighed by other material considerations”.

**Q7. Is Policy CC1 consistent with the Written Ministerial Statement on Wind Energy? On what basis have the ‘areas with potential for commercial wind generation’ shown on the Policies Map been identified? Are the areas with potential for commercial wind generation soundly based and are the boundaries of those areas on the Policies Map clear?**

36. The Written Ministerial Statement on Wind Energy (HCWS42, 18 June 2015) requires local plans to identify areas suitable for wind energy development and to allocate these in the local plan. Policy CC1 is consistent with this, in so far as:

- areas with potential for multiple or commercial (i.e. large scale) wind generation are allocated on the Policies Map<sup>23</sup> and shown as ‘Areas Suitable for Large Scale Wind Turbines CC1’;
- part 3 of Policy CC1 makes reference to the Policies Map; and
- paragraph 12.8 establishes that areas with potential for small scale wind turbines (Part 2 of CC1) would be supported anywhere in the district subject to meeting criteria 1 a to k.

37. The areas with potential for large scale wind generation shown on the Policies Map been identified based on the following evidence:

- Mansfield Low Carbon Energy Opportunities and Heat Mapping for Local Planning Areas across the East Midlands, 2011 (C4a)<sup>24</sup>
- Mansfield Low Carbon Energy Opportunities and Heat Mapping for Local Planning Areas across the East Midlands - Chapter 1 - 4 Maps, 2011 (C4b)
- Mansfield Low Carbon Energy Opportunities and Heat Mapping for Local Planning Areas across the East Midlands - Appendix 1.1 - 4.4, 2011 (C4d)<sup>25</sup>
- Mansfield Low Carbon Energy Opportunities and Heat Mapping for Local Planning Areas across the East Midlands - Mansfield District Wind Opportunity Plan, 2011 (C4f)

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<sup>23</sup> Mansfield District Local Plan Publication Draft - Policies Map Reverse (S3b).

<sup>24</sup> (paragraphs 3.4-3.15, pages 19-23)

<sup>25</sup> (Appendix 3.2, Table 1 pages 31-37)

38. Appendix 3.2 in evidence document C4d sets out the detailed methodology for identifying wind energy opportunities areas.
39. The locations of allocated areas with potential for large scale wind generation, as shown on the policies inset map (S3b), are informed by C4f: specifically the green areas<sup>26</sup> but excluding the boundaries encompassing 'small-scale turbines'. The evidence (C4a - Paragraph 3.4) assumes that where potential existed for more than one size of turbine, that the larger turbines would take precedence. Potential areas for wind energy within bird sensitivity areas were not included as part of the allocation on S3b in order to take a precautionary approach. The areas on map C4f differ slightly from the Policies Map allocations in some areas; this is to take account of changes to the extent of ancient woodland made since the publication of C4f; ancient woodland was excluded from the areas with potential for wind energy in the original methodology<sup>27</sup>.
40. The areas with potential for large scale wind energy are soundly based, as informed by the evidence noted above. This evidence (C4a-f) was prepared for the East Midlands Council in partnership with local authorities and informed through stakeholder engagement, including statutory consultees<sup>28</sup> which is based on DECC methodology<sup>29</sup>. It used a standard methodology to identify areas with potential for renewable energy across all local authorities in the region.
41. Additionally, as part of the local plan consultation process, these areas have been available for comment at both the Consultation Draft Local Plan (2016) and Publication Draft (2018) stages.
42. The council believes that the boundaries for areas with potential for large scale wind energy, as shown on the policies inset map key (S3b), are clear. But a minor modification is proposed to Figure 12.1 such that the terminology on its key is consistent within the map key for the Policies Map (S3b), which is a more accurate description. Thus the following minor modification could be made to Figure 12.1 map key to delete the wording: "~~Areas with potential for commercial wind generation~~ (illustrative only)' and replace with "**Areas suitable for Large Scale Wind Turbines** (illustrative only)".

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<sup>26</sup> areas with the highest potential outside sensitive areas for large and medium turbines

<sup>27</sup> C4a – Table 3.1 page 21 'constraints'

<sup>28</sup> C4a – paragraphs 1.16 to 1.18

<sup>29</sup> Department of Climate Change (DECC)/ Department for Communities and Local Government (CLG) - 'Renewable and Low Carbon energy Capacity Methodology: For the English Regions' (2010)

**Q8. What evidence justifies the definition in Policy CC1 of a ‘small scale turbine’ being up to 43 metres in hub height? Is the geographic interpretation of ‘areas with potential for small scale wind generation’ on the Policies Map clear?**

43. The definition in Policy CC1 of a ‘small scale turbine’ being up to 43 metres in hub height is based on evidence document C4a (Table 3.1: Summary of assumptions used for commercial scale wind energy assessment, page 21). However upon re-reading this document it is considered that the policy should be amended to state up to 65 metres in tip height.
44. Supporting text (paragraph 12.8) to Policy CC1 makes clear that single small scale turbines will be supported anywhere in the district subject to meeting Policy CC1 and other relevant policies (e.g. NE1, NE2, etc.). Thus, it is not necessary to represent this on the Policies Map, as it would be the full extent of the district. The full extent of areas suitable for small scale turbines are set out in Figure 12.1 (page 197).

**Q9. Has a sequential, risk based approach been taken to the location of development to avoid where possible flood risk to people and property as required by the NPPF?**

45. Yes, a sequential, risk based approach has been taken towards the allocation of development to avoid, where possible, flood risk to people and property as required by the NPPF (paragraphs 100, 101 and 102):
- a strategic flood risk assessment has been carried out (C1, C1 a-m, C2 and C5 a-j, C6) which provides the basis for applying the Sequential Test;
  - The HELAA methodology excluded sites within Flood Zone (FZ) 3 at Stage 1<sup>30</sup> of the process. Flood risk outside FZ3 was carefully considered at Stage 2<sup>31</sup> to determine if sites were ‘suitable’ for inclusion within the site selection process.
  - a sequential approach has been used in areas known to be at risk from any form of flooding as explained in the Site Selection Technical Paper 2018 (H6) in Appendix F;
  - for those sites identified in regeneration areas where part of these sites are within flood zone 2 and/or 3, the Mansfield Central Area Flood Risk Review, 2018 (C5 a-j) provides information for informing the Exceptions Test, as advised by the Environment Agency;

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<sup>30</sup> Mansfield Housing and Economic Land Availability Assessment (HELAA) - Final Methodology Report, 2018 (HE1) - Table 4.1, page 10.

<sup>31</sup> Mansfield Housing and Economic Land Availability Assessment (HELAA) - Final Methodology Report, 2018 (HE1) - Table A1, page 25; and Table C2, page 31.

- the sequential test approach takes into account the impacts from climate change, as explained in the Mansfield Addendum to the SFRA (C2)<sup>32</sup> and Mansfield Central Area Flood Risk Review (C5a); and
  - the Mansfield Green Infrastructure Study, 2018 (ENV5) integrates green assets that are geographically connected and/or related in some form, taking into account mitigation of flood risk (i.e. paragraphs 4.2, 4.8, 4.20, 4.21 and Appendix A recognised enhancement needs).
46. The council has worked closely with the Environment Agency at various stages of the Local Plan's development<sup>33</sup> of which their comments have been valued and have positively influenced the Local Plan (e.g. evidence documents and policy wording).
47. The sequential test review of risk<sup>34</sup> shows that the majority of reasonable alternative sites are at a low risk of fluvial flooding. Of those at a higher risk, no built development will be within Flood Zones 2 or 3; any land within these flood zones and forming part of the site can be used as part of the green infrastructure provision enabling both protection from flooding and benefits to a range of factors including biodiversity and health.

*Issue – Will the plan be effective in supporting sustainable travel and what effect will providing for new jobs and homes have on the capacity and operation of the strategic and local road network?*

**Q10. Will Policy IN8 be effective in supporting modal shift to sustainable modes of transport and is it consistent with national policy? Are the safeguarded routes correctly shown on the Policies Map?**

48. Yes, the council consider that Policy IN8 will be effective in supporting a modal shift to sustainable modes of transport by encouraging walking, cycling, public transport and community transport to reduce the reliance on the private car and is consistent with the NPPF in particularly paragraphs 17, 29, 30, 34, 35, and 75.
49. Part 1 of the policy sets out that development proposals which enhance the existing sustainable transport network will be supported.

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<sup>32</sup> Paragraphs 1.3, 2.3, 2.4, 2.8, 3.18 -3.26 and Tables 1 and 5.

<sup>33</sup> As referenced in Duty to Cooperate Statement of Compliance, Dec. 2018 (DTC4), Appendix 5.3.

<sup>34</sup> As demonstrated in the Site Selection Technical Paper (H6) - Appendix F

50. Part 2 of the policy safeguards protected routes identified within the Local Transport Plan 3 and LTP implementation programme 2018/19 which are critical in developing infrastructure to widen transport choice, this approach is consistent with para 41 of the NPPF.
51. Where major developments are proposed that are not effectively served by public transport, cycling and pedestrian provision, the council will seek to enter into a planning obligation or other legal agreement with developers to ensure either direct provision or a financial contribution towards the provision of necessary transport improvements are made in accordance with Policy IN1.
52. It is proposed to update the policies map to reflect the full extent of the Dukeries Line Improvement (M94).

**Q11. What is the likely effect of the proposed scale and distribution of development on the strategic and local highway network and key junctions? Have the necessary highway improvements and/or mitigation measures been identified in the plan and the Infrastructure Delivery Plan (IN1) including timing/phasing where necessary?**

53. The likely effect of the proposed development in the Local Plan on the strategic and local highway network has been assessed using the Mansfield SATURN Transport Model to assess the cumulative traffic impacts of developments within the Mansfield district and that of the neighbouring districts, most notably Ashfield, where development borders the district.
54. The junction modelling work undertaken identified the junctions forecast to be at capacity or overcapacity by the end of the plan period (2033) without any Local Plan allocations in place (i.e. the 2033 Reference Case, which includes development with extant planning permission) and may require improvements for them to operate without excessive queuing or delays. These junctions are summarised below:
- A6191 Chesterfield Road / A6075 Debdale Lane
  - A60 Nottingham Road / Berry Hill Lane
  - B6030 Carter Lane/ A6191 Southwell Road / B6030 Windsor Road
  - A617 MARR/ A6191 Southwell Road
  - A60 Leeming Lane / A6075 Peafield Lane
  - A60 Leeming Lane / A6075 Warsop Road



- A38 Kings Mill Road / A617 Beck Lane / B6014 Skegby Lane / B6014 Mansfield Road
- A6191 Ratcliffe Gate / A60 St. Peters Way
- A6117 Old Mill Lane / B6030 Clipstone Road West
- A38 Sutton Road/ B6014 Skegby Lane / Sheepbridge Lane
- A60 / A6117 Old Mill Lane / Butt Lane
- A6191 / A6117 Adams Way / A6117 Oak Tree Lane
- A60/ New Mill Lane
- A60 / B6035 Church Street / Wood Street , Warsop

55. The study identifies that with the addition of Local Plan allocation traffic the following further nine junctions are forecast to be at, or over capacity by the end of the plan period (2033):

- A6117 Oak Tree Lane / Eakring Road, Mansfield
- A6191 Southwell Road / Berry Hill Lane, Mansfield
- A6191 Southwell Road / Bellamy Road, Mansfield
- A38 Stockwell Gate / A6009 Rosemary Street, Mansfield
- B6139 Coxmoor Road/ Hamilton Road
- A6075 Debdale Lane / A6075 Priory Road, Mansfield Woodhouse
- A60 Nottingham Road / A611 Derby Road, Mansfield
- A6191 Chesterfield Road / A617 MARR, Mansfield
- A60 Nottingham Road / Baums Lane / Park Lane, Mansfield

56. Some form of capacity improvement would be required at each of the junctions identified above in order to accommodate trips from Local Plan development sites. The Transport Study Stage 2 2018 (T1b) at Appendix B makes mitigation recommendations at each of the junctions flagged as operating at overcapacity and also makes an assessment of which Local Plan sites could be required to provide developer contributions to junction improvements. Suggestions for mitigation packages include:

- junction widening where appropriate to improve capacity;
- linking traffic signals to the urban traffic control centre using CCTV;
- optimising the layout and operation of traffic signal junctions so as to maximise capacity;
- the installation of bus priority measures to promote modal shift

- maximising sustainable travel take-up; and
- technology upgrades.

57. The Local Plan allocations set out which sites will be required to contribute towards junction improvements, all future planning applications will be required to be supported by a transport assessment. The Infrastructure Delivery Plan (IN1) at table 55 page 151 sets out the potential mitigation options for each of the junctions identified as being over capacity at the end of the plan period, the delivery priority has been summarised and colour coded on the junction performance:

- High Priority – junction already over capacity in the Base Year
- Medium Capacity- junction will be over capacity at 2033 with Reference Case traffic
- Low Priority – junction will be over capacity at 2033 with Reference Case and Local Plan traffic.

58. There are no strategic roads (operated by Highways England) within Mansfield district and the nearest one is the M1 motorway to the west. The study identifies that forecast traffic flow changes at M1 junctions 27 and 28 due to Local Plan development will be minimal in the peak hours. Discussions with Highways England confirmed that no significant adverse impacts had been identified that were not capable of being mitigated. Please page 35 of the Duty to Compliance Statement (DTC4).

**Q12. Overall, does the plan make appropriate provision for new infrastructure and are any main modifications necessary for soundness?**

59. Yes the council has prepared the Local Plan taking account of the Infrastructure Delivery Plan (IN1) and the Transport Study (T1a and T1b). Infrastructure providers have been consulted throughout both the preparation of the Infrastructure Delivery Plan and the Local Plan. It is proposed to make the following modifications (M81 – M98) set out within document (S2).