**ASHFIELD LOCAL PLAN**

**FREQUENTLY ASKED QUESTIONS**

28 November 2023

# General

## What is the Regulation 19 Pre-Submission Local Plan?

This is the version of the draft Local Plan which the Council intend to submit to the Secretary of State to be examined by an independent planning inspector. Regulation 19 refers to the consultation stage prior to submission of the Plan under section 20 of the Town And Country Planning Act.

This plan seeks to:

* Deliver high quality design and sustainable placemaking
* Capitalise on the accessibility of the M1 transport corridor,
* Locate growth in sustainable and accessible locations,
* Ensure a strong regeneration focus on Kirkby-in-Ashfield and Sutton-in-Ashfield
* Allow proportionate and sustainable growth in the villages of Jacksdale, Selston and Underwood
* Facilitate the delivery of new infrastructure such as schools, healthcare, transport
* Take advantage of the district’s location close to Nottingham

The purpose of the Regulation 19 consultation is to provide an opportunity for representations to be made on the amendments to the local plan before it is examined by a planning inspector. It relates to receiving comments on:

* **Legal compliance** – does the plan meet the legal requirements made under various statutes?
* **Soundness** – has the plan been positively prepared, justified, effective, and consistent with national policy?
* **Meeting the duty to cooperate** – has the council engaged and worked effectively with neighbouring authorities and statutory bodies?

All comments received will be sent to the Secretary of State for Levelling Up, Housing and Communities, who will appoint an independent Planning Inspector to examine the submission version of the plan along with all the representations.

## What’s different to the Regulation 18 Draft Local Plan?

This plan takes a fresh look at the issues and challenges facing the district while also setting out the vision and aspirations. It responds positively to the changed economic and social conditions created by the pandemic. It plans proactively to bring the maximum benefit for local communities and businesses through high quality, sustainable new development, whilst protecting the natural and built environment. The challenges of climate change are addressed at a local level and also show how the Council can contribute to national targets.

The strategy identified in the Regulation 18 Draft Local Plan sought set out an appropriate and sustainable framework to guide development up to 2038. Alongside numerous small and medium sized site allocations, two new settlement proposals at Whyburn Farm and Cauldwell Road were included in the Draft Local Plan (Reg 18) to present an innovative approach in addressing long term need, with the majority of housing at these locations being delivered beyond the Plan period.

As part of the Regulation 18 consultation, a significant level of objections was received in response to the New Settlement proposals. Many objections questioned the need to allocate additional land to meet housing needs further into the future, in particular where this required the release of Green Belt (at Whyburn Farm), and the loss of countryside at both locations

In the interim the Government have also proposed planning reform, including the introduction of a new approach to assessing local housing need. Subsequent to careful consideration of the public consultation outcomes, together with the uncertainty surrounding future Government policy for plan making, the Council made the decision to progress with the plan but to exclude the proposed New settlements. This has meant some changes to the spatial approach taken initially, but also reflects the constantly evolving process of plan making.

The plan period for the Regulation 19 Local Plan has now been re-based from 2020-2038 to 2023-2040. The new end date reflects the revised timetable for final adoption of the Local Plan, which is anticipated in early 2025, and the need to comply with national policy requirements to set out strategic policies for a minimum of 15 years (NPPF paragraph 22).

Additional information regarding the approach taken in the Regulation 19 Local Plan can be found in Background Paper 1: Spatial Approach and Site Selection.

## Why are we doing a plan?

A plan is needed to shape the long-term future of Ashfield, guiding the district forward in a sustainable positive direction, responding to challenges and enabling important decisions to be taken for the benefit of local communities. It is a statutory / legal requirement from Government for the Council to have an up to date approved local plan.

## What happens if we don’t have a new Local Plan?

Without an approved up to date local plan, the Council has a reduced ability to guide and influence where new development is located across the District, with the possibility of larger scale housing and employment development taking place in unsustainable locations. It also would be increasingly difficult to secure developer contributions for essential infrastructure such as schools, roads, transport, affordable homes and healthcare in areas where there is community need.

## **How has the Local Plan been prepared***?*

The Draft Local Plan has been prepared by planning officers within the Forward Planning Team at Ashfield District Council, incorporating the requirements of both local and national policy. Specialist studies and in depth assessments (the evidence base) have been used to guide and support the content of the plan.

Extensive work has also been undertaken with elected members and key stakeholders, such as Nottinghamshire County Council and the Integrated Care Board to ensure the Plan is responsive to local needs. A Local Plan Development Committee (formerly the Local Plan Working Group) consisting of local Councillors has guided and steered decisions on the various elements of the plan.

## The government has announced big changes to the planning system, doesn’t this mean the Local Plan is a waste of time?

Although the Levelling Up and Regeneration Act was granted Royal Assent in October this year and makes provision for important changes to the planning system including plan-making, many of these changes have not yet come into effect. To do so, the government will need to pass secondary legislation which is unlikely to be brought in until 2024 at the very earliest. Therefore, until revised guidance and legislation is produced, it remains unclear what form new style local plans should take. Furthermore, under the government’s transitional arrangements, councils will have until June 2025 to submit local plans using the current guidance.

Given the above, and the fact that the Ashfield Local Plan was last adopted in 2002, it is considered critical that the district has an up-to-date, approved local plan in place as soon as possible.

# Consultation

## What are we consulting on now?

In late 2021 we consulted on the Draft Local Plan (Regulation 18), and as part of that process received a wide range of comments from various parties on aspects of the Local Plan. These responses have been carefully considered as part of producing the version of the Local Plan we are now consulting on, referred to as the Ashfield Local Plan 2023-2040 Regulation 19 Pre-Submission Draft.

The Council considers that this version of the Local Plan – together with supporting evidence base - is now ready to go forward for independent examination by a Government appointed planning inspector. Before it does so however we are inviting representations on the Local Plan as well as the evidence that underpins it. All responses received will be forwarded on to the Planning Inspectorate to consider.

The consultation is open from 1st December 2023 to 29th January 2024. The opportunity to make comments on the Local Plan is open to everyone.

## Where can I view the Local Plan documents?

You can view a copy of the Local Plan alongside policy maps of the District at the following locations:

* Kirkby in Ashfield Library
* Sutton in Ashfield Library
* Hucknall Library
* Selston Parish Hall
* Ashfield District Council Offices, Kirkby in Ashfield

Documents are also available online through the Regulation 19 page on the Council’s website, including the Sustainability Appraisal, Habitat Regulation Assessment and all accompanying Evidence Base studies.

Posters and official media regarding the Local Plan will also have a QR code which can be scanned to take you directly to the relevant part of the Council’s website to view the documents and to make comments.

## How can I comment on the Local Plan?

The easiest and most efficient way to view the Draft Local Plan and submit any comments you have on the policies and proposals is via the interactive form which can be found on the Councils website here: [www.ashfield.gov.uk/representation-form/](http://www.ashfield.gov.uk/representation-form/)

Comment forms will also be available at the displays at the main libraries within Sutton, Kirkby and Hucknall, at Selston Parish Hall and at the Main Council Offices in Kirkby. Please leave these in the comment boxes provided or send your written response to

[localplan@ashfield.gov.uk](mailto:localplan@ashfield.gov.uk)

or to:

Forward Plans,

Place and Communities,

Ashfield District Council,

Urban Road,

Kirkby-in- Ashfield,

NG17 8DA.

If you need any further information, please contact the Forward Planning Team at [localplan@ashfield.gov.uk](mailto:localplan@ashfield.gov.uk) or call the team contact number on 01623 457302.

Please note that any responses must be received in writing using the above methods and no later than the consultation deadline **of 5.00pm on 29th January 2024**.

## I commented on the previous draft plan, can you use the comments I made previously?

No, the previous consultation related to an earlier draft of the Local Plan under the Regulation 18 procedure and revisions have since been made to the draft plan based on representations received. New comments must relate to the Regulation 19 Pre-Submission Draft Local Plan and the planning inspector will only be sent responses that are made as part of the Regulation 19 consultation. This also affords the right to request to present evidence orally at one or more of the hearing sessions that the planning inspector, once appointed, will arrange as part of the examination process. Note that this will be arranged at the discretion of the inspector.

However, comments made at the Regulation 18 consultation in 2021, and the Council’s response to any representations received will be available to the planning inspector who will ultimately examine the Plan. This will take the form of a Statement of Consultation (see below).

## How do I know if you have taken any notice of what has already been said?

The Council has produced a Statement of Consultation document on the Regulation 18 Draft Local Plan. This statement summarises all responses received as part of the Regulation 18 consultation. These summaries are grouped by policy, site allocation and section of the draft Local Plan and into background documents, sustainability appraisal and other parts of the evidence base.

Whilst the document sets of the main aspects identified by the respondents from the consultation, further details regarding individual representations and the Council’s response can be found in the appendices. Documents relating to the previous consultation are available on the Council’s website: <https://www.ashfield.gov.uk/planning-building-control/local-plan/emerging-local-plan/ashfield-draft-local-plan-consultation-regulation-18/>

## Where can I find information which supports the Local Plan?

The extensive evidence base which has helped to develop and inform the Local Plan can be found on the Council’s website here: <https://www.ashfield.gov.uk/planning-building-control/local-plan/emerging-local-plan/local-plan-evidence-base/>

In addition, 4 Background Papers support the Local Plan and give more technical detail regarding specific topics. These are:

* Background Paper 1: Spatial Strategy and Site Selection
* Background Paper 2: Housing
* Background Paper 3: Economy & Employment
* Background Paper 4: Green Belt Harm Assessment

Legally required documents can also be found on the Regulation 19 webpage. These include:

* Sustainability Appraisal
* Habitat Regulations Assessment

## How do I keep up-to-date with the Local Plan process?

If you do not wish to submit representations, but would like to receive updates, please contact the Council by email at [localplan@ashfield.gov.uk](mailto:localplan@ashfield.gov.uk) and your details can be added to our consultee database.

## What happens next?

Following the consultation, the Council will forward all representations to the Planning Inspector for consideration. Once the Inspector has considered the responses, including the evidence presented throughout the Examination, they will determine whether the Local Plan is ‘sound’ and produce a written report outlining final recommendations. Following receipt of the Inspector’s report, the Plan can be formally adopted by the Council if it makes the Main Modifications that the Inspector recommends.

# Housing

## Why so many houses?

Houses are needed to provide homes for the expanding communities in Ashfield. Young people need somewhere to live if they are to stay and work in the district. The number of residents is set to increase over the life of the plan, and it is appropriate that we should plan to give them somewhere to live. The government also sets out a standard method for assessing the number of houses we should work with developers to build. It also includes the number of affordable homes required for our residents.

## Why is new housing good for us?

New housing not only provides new homes but brings many benefits. It creates high quality, well designed sustainable places, with homes designed to meet accessibility standards, whole of life living and adaptions to cope with climate change. From the money secured from housing developers, new housing brings the potential to revitalise our town centres, enhance our parks and play areas, build new schools, and improve doctors surgeries. The benefits through the social value of building new housing also extend to bringing more local people into employment and improving their skills.

## What about existing empty homes?

Existing empty homes do not contribute to the overall numbers of houses required. Like many councils, Ashfield is actively tackling the issue of empty homes, most of which are long-term empty and most of which are privately owned. Empty properties brought back into use by the Council only represent a change in tenure (from private to affordable rented), rather than additional supply since they are already included within the existing housing stock.

## How has the District-wide housing requirement been arrived at?

The government’s National Planning Policy Framework (NPPF) sets out a requirement for Local Plan strategic policies to be informed by local housing need assessments, conducted using the standard method set out in National Planning Practice Guidance (PPG).

The Local Housing Need (LHN) for Ashfield District, based on this standard methodology, was **446** **dwellings per annum** (dpa) as of April 2023. Having assessed the land supply, policy and physical constraints, the Council is proposing to adopt a baseline minimum of 446 dwellings per year as its housing target. The NPPF (para 22) requires strategic policies to look ahead over a minimum of 15 years post adoption, as such Policy S7 sets a minimum figure of **7582 dwellings** over the entire Plan period. The proposed site allocations provide for approximately **13 years’ worth of housing supply post-adoption** and the supply of land for future needs will be kept under review.

To deliver the housing need, the Plan allocates a number of sites dispersed across the District. Housing development will be mainly concentrated in and adjacent to the larger and more accessible towns of Hucknall, Sutton-in-Ashfield (Sutton) and Kirkby-in-Ashfield (Kirkby).

## How are we delivering Affordable Housing?

The provision of affordable housing is vital as not all residents can afford to buy their own home. As part of any new housing development, the plan outlines a requirement to include affordable houses which can be rented or shared ownership. This is negotiated with the developer as part of a developer contribution / Section 106 Agreement.

A Viability Study (whether the development will be profitable or not) has been undertaken to understand the level of affordable housing that can be achieved in the District.

# Site allocations

## How have the housing sites been selected?

The housing sites have been submitted to the Council for assessment. Only those housing sites considered to be deliverable or developable through the Council’s Strategic Housing and Economic Land Availability Assessment (SHELAA) have been considered. The Council uses its mapped based information to gain an understanding of any physical constraints on the sites, such as mine shafts, flooding, and contamination. The assessments have been undertaken working closely with Nottinghamshire County Council Highway Department to understand any highway constraints. Further evidence that has been considered before taking any sites forward as proposed allocations in the draft Local Plan is as follows:

* A Sustainability Appraisal, assessing the economic, social, and environmental characteristics of each of these sites, has been undertaken by external independent consultants.
* A Green Belt Review has been undertaken to understand how sites fulfil the purposes of Green Belt.
* Background Papers have considered specific aspects of the Plan including spatial strategy, housing, employment, Green Belt harm and infrastructure.

Having undertaken these assessments, council officers in consultation with councillors on the Local Plan Working Group have used this evidence to select the most sustainable and deliverable sites (as is required by the Government) to meet the District’s housing requirement.

## Will the policies and site allocations be the most sustainable options for the District?

A Sustainability Appraisal has been undertaken to test all proposed policies and housing /employment site allocations. This has involved assessing the characteristics of each site and content of the policy in relation to 17 Sustainability Objectives which encompass environmental, social, and economic factors. This appraisal has enabled the identification of any constraints to the site or policy; and any subsequent mitigation measures or improvements that could be made to improve their sustainability.

# Economy

## Will the Local Plan support our town centres?

Town centres are a major focus for this Plan and the Council. The plan lends support and encourages appropriate development for town centre uses appropriate to the scale and individual nature of each area. This has been informed by a Retail Study which provides a detail assessment of key shopping areas and makes recommendations to inform the Local Plan. Key opportunities to support town centres are also identified in the plan through previous work on the Town Centre Masterplans, which each cover Sutton, Hucknall and Kirkby.

## Where are the jobs?

The Plan sets out through its ambitious vision to build more diverse and thriving economy with quality jobs and opportunities for a skilled workforce. It aims to create a climate for business and enterprise growth with an emphasis on making investment happen. The Plan makes provision for up to 81 hectares of employment land up to 2040.

The evidence base identifies a significant demand and limited supply for logistics (the transporting of goods to customers) along the M1 corridor. Areas of land adjacent Junction 27 of the M1 have been allocated in response to this demand. The plan has specific policies which protect employment sites and support employment in rural areas. Town centres will be a focus for a high-quality mix of retail, health, culture, and leisure – all providing opportunities for employment.

# Infastructure

## How are you ensuring enough infrastructure is in place?

New facilities are included in Infrastructure planning, i.e., for schools, health centres, open spaces etc, and are a key part of the Local Plan process. The Council has identified in broad terms the infrastructure required both in the Local Plan policies and within the evidence base. The Infrastructure Delivery Plan includes details of the infrastructure identified by the Council and other service providers as being needed to support the delivery of the Local Plan. It explains the approach the Council has taken to identifying this infrastructure, how it will be delivered, and an assessment of the associated potential risks.

When a planning application is submitted, the approved Local Plan and Infrastructure delivery plan are used as a guide for agreeing with the developer which new facilities may need to be provided and where to meet the local community’s needs.

## Where are the schools and where is the healthcare?

Nottinghamshire County Council has responsibility for education. Ashfield Council works very closely with the County Council to plan for sufficient school places. Having an approved Local Plan in place will mean that as part of a new housing development, the Council can ask for money from a developer to fund new school places and school buildings.

The local Integrated Care Board (ICB) is responsible for providing the health services needed to support communities. The Council works closely with them to ensure they plan for the increase in households that will be proposed as part of the planned new housing. Money may be negotiated with a developer as part of a new housing scheme to fund improvements to doctors’ surgeries and health care centres.

Infrastructure planning, i.e., for schools, health centres, open space etc. is a key part of the Local Plan process. The draft Plan identifies in broad terms the infrastructure required both in the Local Plan policies and within the evidence base. An Infrastructure Delivery Plan (IDP) has been produced that includes details of the infrastructure identified by the Council and other service providers as being needed across the District to support the delivery of the Local Plan. The IDP explains the approach the Council has taken to identifying this infrastructure, how it will be delivered, and an assessment of the associated potential risks.

# Green Belt and Environment

## What is the difference between Green Belt and Countryside?

Green Belt refers to a specifically designated area of land surrounding a village, town, or city, creating a ‘buffer’ which prevents settlements from merging with one another, thereby safeguarding valuable countryside from encroachment and helping to preserve the special character and distinct identity of the settlements. Ashfield lies within the Nottingham-Derby Green Belt, the primary role of which is to prevent Nottingham and Derby cities from merging with surrounding towns and villages. Within Ashfield, the Nottingham Green Belt extends from the south of Kirkby down to Hucknall, including the rural wards west of the M1.

Countryside refers to the remaining parts of the District lying outside the District’s main urban areas (the towns and suburbs) and named settlements (the larger villages). These areas are protected under draft Local Plan policy in a similar way to national Green Belt policy.

## Why are you releasing land from the Green Belt?

The Council reviewed a number of options as part of the decision to release areas of Green Belt for new housing and employment. The release of land in the Green Belt for development requires what is known as exceptional circumstances. Guided by Plan’s vision, the evidence base and the key issues faced by the district, it was decided that there were exceptional circumstances to justify releasing Green Belt land to meet Ashfield’s housing need and contribute towards employment requirements, mainly in the logistics industry. Additional information can be found in Background Paper 1: Spatial Approach and Site Selection which supports the Local Plan.

## What are Greenfield and Brownfield sites?

Greenfield sites represent land that has never been built on or where the remains of any structure or activity have been blended into the landscape over time. Such sites are not the same as Green Belt land. Brownfield sites, otherwise known as previously developed land (PDL), represents land which in the past has been a developed site, and where there remains some evidence of a previous use. Examples of this may include old factory or colliery sites.

## Why is building on green fields necessary?

The Council has undertaken an analysis of the land available within the urban areas of the District (urban capacity study and Strategic Housing and Economic Land Availability Assessment or SHELAA). This identified all available ‘brownfield’ land and land which is suitable and available for housing development within the District. This analysis was assessed against the District’s housing requirement, and as a result there is insufficient brownfield land to meet the District’s housing requirements. As such, the District has no other choice but to develop sustainable sites within the countryside and possibly the Green Belt. The District has been very successful in developing brownfield sites, such as old collieries, in previous years and the supply of these sites has now been largely exhausted. Policies in the Local Plan ensure that new developments are sustainable including through the conservation and enhancing of the natural environment.

## Why are we having more growth when there is all this climate change?

The plan sets out the basis for future growth to meet the needs of the district, whilst rising to the challenge of climate change. A core element of the plan is sustainable development, whether it is new housing, industrial units, schools, healthcare, or transport. Through the plan, the council is committed to supporting proposals and initiatives that seek to achieve zero and low carbon development and put in place low carbon and renewable energy infrastructure. It is planned that development in Ashfield should contribute towards the creation of well-designed sustainable places which mitigate against and adapt to climate change and contribute to national targets on reducing carbon emissions and energy use.