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- email: localplan@ashfield.gov.uk
- telephone: 01623 457381 or 01623 457382 or 01623 457383.



Ashfield Local Plan (2023-2040) Regulation 19 Pre-Submission Draft Representation Form

YOU ARE ADVISED TO READ THE GUIDANCE NOTE BEFORE COMPLETING THIS FORM

Ashfield District Council is seeking your comments on the Ashfield Local Plan (2023-2040) Regulation 19 Pre-Submission Draft. Comments received at this stage should be about whether the Plan is **legally compliant, sound, and whether it has met the duty to cooperate**. **All representations must be received by the Council by 5.00pm Monday 29th January 2024.**

Please submit comments using this form by the following methods:

- Online form at: <https://www.ashfield.gov.uk/ashfield-local-plan-2023-2040>
- E-mail form to: localplan@ashfield.gov.uk
- Post form to: Forward Planning Team, Ashfield District Council, Urban Road, Kirkby-in-Ashfield, Nottingham, NG17 8DA

This form has two parts:

Part A – Personal/Agent contact details and further notification requests.

Part B – Your representations (Please fill in a separate part B for each aspect or part of the Local Plan you wish to comment on). Documents to support your representations (optional) should be referenced within Part B.

Data Protection Terms

Any personal details submitted as part of a representation will be processed by Ashfield District Council in accordance with the Data Protection Act 2018 and used in connection with the development and adoption of the Ashfield Local Plan. Please note, **the Council cannot accept anonymous responses**. All representations received will be made available for public inspection and therefore cannot be treated as confidential. They will also be:

- Published in the public domain;
- Published on the Council's website;
- Shared with other organisations for the purposes of developing/adopting the Ashfield Local Plan;
- Forwarded to the Secretary of State for consideration;
- Made available to the Planning Inspector appointed by the Secretary of State to examine the Local Plan; and
- Used by the Inspector to contact you regarding the Examination of the Plan.

When making representations available on the Council's website, the Council will remove all telephone numbers, email addresses and signatures.

By submitting your Response Form/representation you agree to your personal details being processed in accordance with these Data Protection Terms.

Part A

In circumstances where individuals/groups share a similar view, it would be helpful to the Inspector to make a single representation, stating how many people the submission is representing and how the representation was authorised.

1. Personal Contact Details

If an agent is appointed, only complete Title, Name & Organisation in section 1, and all of section 2.

Title	Mrs
First Name	Amy
Last Name	Gilliver
Organisation	Bellway Homes Limited (East Midlands)
Address	
Postcode	
Telephone Number	
Email Address	

2. Agent Contact Details

Title	Mr
First Name	Samuel
Last Name	Pepper
Organisation	DLP Planning Ltd
Address	Office 106, Cumberland House, 35 Park Row, Nottingham
Postcode	NG1 6EE
Telephone Number	0115 896 6620
Email Address	East.Midlands@dlpconsultants.co.uk

3. Requests for Further Notification

Please tick the relevant boxes below to receive notifications (via e-mail) on the following events:

- Local Plan submitted to the Secretary of State for Inspection.
- Examination in Public hearing sessions.
- Planning Inspector's recommendations for the Local plan have been published.
- Local Plan has been formally adopted.

Part B (Please fill a separate Part B for each individual representation)

Please fill in your Name and Organisation here for every Part B sheet that you submit:

Name: Mr Samuel Pepper, DLP Planning Ltd on behalf of Mrs Amy Gilliver

Organisation: Bellway Homes Limited (East Midlands)

1. To which part of the Local Plan does this representation relate?

Part of Local Plan:	Tick if Relevant (✓):	Specify number/ part/ document:
Local Plan Paragraph Number		Paragraph Number:
Local Plan Policy Number	✓	Policy Number: Policies S1, S2, S5 and S7
Local Plan Policy Map		Part of Policy Map:
Sustainability Appraisal		Paragraph Number:
Statement of Consultation		Paragraph Number:
Supporting Evidence Base		Document Name: Page / Paragraph:

2. Do you consider the Local Plan to be LEGALLY COMPLIANT?

Yes No

3. Do you consider the Local Plan to be SOUND?

Yes No

If you have answered NO, please answer Question 3a.

3a. The Local Plan is not sound because it is not:

- (i) Positively Prepared
- (ii) Justified
- (iii) Effective
- (iv) Consistent with national policy

4. Do you consider the Local Plan Document to comply with the DUTY TO CO-OPERATE?

Yes No

5. Please provide precise details of why you believe the Local Plan is, or is not, legally compliant, sound or in compliance with the duty to cooperate, in the below box.

If you wish to provide supplementary information to support your details, please ensure they are clearly referenced below.

Please refer to the site specific report prepared and submitted alongside this form for additional information on the below.

Policy S1 – Spatial Strategy to Deliver the Vision

Policy S1 sets out the overarching spatial strategy for the Ashfield Local Plan. This provides a comprehensive overview that will guide the distribution of development and underpins the structure and direction of the subsequent strategic policies.

These representations take no issue with the emphasis Policy S1 places on sustainable development. We also support the focus on locating growth in sustainable and accessible locations, including prioritising sites within and adjoining the Main Urban Areas.

Point 5 of Policy S1 supports delivery of homes '*via dispersed development, focusing on sites of less than 500 dwellings*'. The Council's justification for focusing development on sites of less than 500 dwellings is unclear and unjustified. In particular, it is unclear whether this applies to adjoining sites where the combined total number of units may be greater than 500. We therefore suggest that point 5 of Policy S1 is re-worded as follows:

*"...focusing **mainly** on sites of less than 500 dwellings, **except where there is evidence that conjoined sites can deliver in the plan period**".*

The previous Regulation 18 version of the Ashfield Local Plan had a large focus on new settlement delivery, with the aim to place 35% of all housing to be developed and delivered on new settlement sites. Whilst the deliverability of such sites was questioned, and we fully support their removal from the current Regulation 19 draft, large-scale allocations in sustainable locations next to adjoining settlements can make an important contribution to housing supply, as supported by paragraph 74 of the Framework.

The emphasis in point 5 of Policy S1 on delivering homes '*via dispersed development*' also contradicts the prioritisation of sites '*within and adjoining the Main Urban Areas*', as stated in point 3. It is not possible to focus growth in certain areas whilst also pursuing a dispersed pattern of development. Clarification of the Council's overall strategic spatial approach to development should be provided in this policy; as currently worded the policy is not effective.

We therefore object to Policy S1 as currently worded on the basis that it is **neither fully justified nor effective**.

Policy S2 – Achieving Sustainable Development

Policy S2 sets out criteria for achieving sustainable development, including in the determination of planning applications.

The criteria set out within this policy are broadly supported, however we object to point 2(h) which states that *‘Development will be permitted without delay...where it does not form part of a larger site where there would be a requirement for infrastructure provision if developed as a whole’*. This criterion is unnecessarily restrictive and could potentially result in applications being refused on sites that would otherwise be considered acceptable.

The term ‘larger site’ is ambiguous, as it is unclear precisely what scale of site this is referring to, and whether this refers to a single, large allocated site or immediately adjacent smaller sites which, when grouped together, could be considered a ‘larger site’.

Furthermore, applications should be assessed on their own merits, including whether any mitigation is required to make them acceptable in planning terms. This would include appropriate contributions towards necessary infrastructure, where required. The delivery of a smaller parcel within a larger development site (or individual smaller sites in the vicinity of one another) should therefore not be contingent on other sites in that area being brought forward. Where significant infrastructure is required to support larger scale allocations, this should be set out in the allocation policies. This criterion is therefore **not justified** and superfluous to requirements and should be deleted.

Point 4 of Policy S2 states that *‘All development should be located, designed, constructed and operated so as to maximise and deliver social value’*. The supporting text goes on to provide a definition of social value (in paragraph 3.33) and states that further details of how the Council’s objective of maximising social value will be applied to individual development proposals are set out in Policy SD1. Policy SD1 requires the submission of a Social Value Strategy for all major applications which demonstrates *‘how social value is achieved throughout the lifecycle of the development, based on a comprehensive masterplan of the whole site’*. This requirement is therefore only applicable to major developments.

As currently worded, point 4 of Policy S2 is therefore **not effective** as it would not apply to all developments. The wording of point 4 should be clarified to state it is only applicable to major developments, and to include an appropriate cross-reference to Policy SD1.

The Local Plan policies should clearly state how social value is calculated, how it is achieved, and how that will be possible on all the allocations and sites that will come forward within the authority area.

Paragraph 8 of the Framework recognises that the planning system has three key objectives in achieving sustainable development, one of which is a 'social objective'. This is reflected in point 1 of Policy S2. The Framework itself does not include any references to, and nor does it explicitly define, 'social value' as a term.

Point 4 of Policy S2 is therefore also **not consistent with national policy**.

Point 3 of Policy S2 is unnecessary repetition of national policy and should be deleted.

Policy S5: High Quality Buildings and Places through Place Making and Design

Point 3 of Policy S5 states that *"Neighbourhood plans / orders can have a key role in placemaking and allows communities to have more influence and control over their local area to ensure they get the right type of development for their neighbourhood"*. Whilst we do not object to this statement in principle, we object on the basis that this criterion is not currently **consistent with national policy**.

Paragraph 13 of the Framework states that *"Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies"*. In order to ensure conformity with national policy, it is therefore necessary to provide clarification in point 3 of Policy S5 as follows: *"Neighbourhood plans / orders can have a key role in placemaking and allows communities to have more influence and control over their local area to ensure they get the right type of development for their neighbourhood **where this is in accordance with overarching strategic policies**"*.

Policy S7: Meeting Future Housing Provision

Policy S7 sets out Ashfield's housing requirement and housing delivery strategy.

Point 1 of Policy S7 states that a minimum of 7,582 new dwellings will be delivered in Ashfield over the period 2023 to 2040.

The policy supporting text specifies that the housing requirement figure is based on a Local Housing Need derived from the standard method calculation, which results in a housing need figure of 446 dwellings per annum (dpa) as of April 2023.

We agree, in principle, that the Council's calculation of the annual housing requirement using the standard method is correct and that over the 17 year plan period (2023 to 2040) the total housing requirement based on the standard method would therefore be 7,582 dwellings.

However, the plan currently only identifies a total housing supply of 6,700 dwellings over the plan period, which is a deficit of 882 dwellings and represents just 13 years' supply. Therefore we object to Point 1 of Policy S7 as it is currently not **positively prepared nor effective**, as it states that 7,582 dwellings will be delivered over the plan period, despite the fact that within this figure there are 882 dwellings that have not been positively planned for and it is unclear how these 882 dwellings would be delivered. No further clarity is provided in the associated Background Paper 2: Housing, submitted alongside the core development documents in the supporting evidence base.

This background paper establishes that the current supply of deliverable and developable sites combined with extant permissions (as at April 2023) allow the authority to only confirm the delivery of 6,700 of its 7,582 target, leaving a clear deficit of 882 dwellings for the plan period.

While this shortfall is acknowledged by the Council, it is justified (in paragraph 7.3 of Background Paper 2) on the basis that it is compliant with paragraph 68 (now paragraph 69) of the Framework because:

“...the Plan currently provides for 6700 dwellings against a need of 7582 to the year 2040, amounting to approximately 13 years supply post adoption (to year 2038/39). It is considered to be consistent with NPPF paragraph 68 which requires policies to identify a sufficient supply and mix of sites, (taking into account their availability, suitability and likely economic viability), with specific, deliverable sites for years one to five of the plan period, and specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan” (Background Paper 2: Housing, paragraph 7.3)

These are the years which paragraph 69 of the Framework states must be effectively planned for and covered by any emerging local plan, with specific deliverable sites for the first five years identified, developable sites identified for the 6-10 year post-adoption period, and, where possible, found for the 11-15 year post-adoption period. Assuming the plan period is only, and only, 15 years.

As the Ashfield Local Plan covers the 17 year period 2023 to 2040, and given the tendency for local plan adoption dates to slip, in order to ensure the Plan is sound at the point of adoption it would be prudent for the Council to identify further developable sites at this stage to avoid unnecessary delays during the Examination process should further allocated sites be required.

Furthermore, paragraph 22 of the Framework states that *“strategic policies should look ahead over a minimum 15 year period from adoption, to anticipate and respond to long-term requirements and opportunities”*. Paragraph 23 of the Framework also states that *“strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs **over the plan period**”* (emphasis added).

The Ashfield Local Plan covers a period of 17 years (2023 to 2040), and therefore in order to comply with national policy its strategic policies should plan to meet the housing needs identified over that defined plan period.

The test in the Framework is that a minimum of 15 years' supply **should** be identified if it is possible to do so. It is not accepted that it is impossible to identify 17 years' supply. As this and other objections highlight, there are clearly sufficient deliverable sites that could be allocated, it is simply the Council's choice not to do so. In this respect the level of housing provision is not in accordance with the Framework as it is possible to allocate deliverable sites for the whole of the plan period and the Council's justification for not doing so is simply inaccurate and not borne out by the evidence.

As stated above, Policy S7 is **not positively prepared nor consistent with national policy** because the level of housing provision that has been planned for (as also set out in the housing allocations identified in Policy H1) does not meet the identified needs for the plan period.

In order to ensure the plan is positively prepared and consistent with national policy, the Council should ensure that sufficient sites are identified which, as a minimum, meet the housing requirement for the whole plan period (7,582 dwellings), including through allocating further deliverable and developable sites, as required.

It is also concerning that the supply figures only just cover a 15-year requirement ($446 \times 15 = 6,690$ dwellings). There is no buffer included, therefore should any identified developable sites fail to be delivered, the minimum housing requirement would not be met.

This further supports our recommendation that the Council should allocate further sites to ensure Ashfield's identified housing needs for the plan period are met in full.

It is also noted that Policy S8 (Delivering Economic Opportunities) identifies an employment land requirement of 81 ha over the plan period (2023 to 2040). As set out in Table 36 of Background Paper 3: Economy & Employment Land, this figure is based on a scenario derived from past take-up rates. This can be compared with the labour supply scenario derived from the current standard method local housing need figure (446 dpa) of 16.84 ha. The amount of employment land being planned for is therefore significantly in excess of the amount of employment land required under the labour supply scenario.

Whilst it is acknowledged that some of this past take-up trend relates to wider strategic needs rather than local 'indigenous' needs of Ashfield's residents, paragraphs 8.111 and 8.112 of Background Paper 3 identify the past take-up figure attributable to 'local needs' as being 27.5 ha. This is still in excess of the 16.84 ha that would be required based on the standard method housing requirement figure of 446 dpa.

Paragraph 8.112 of Background Paper 3 states that “*planning for this higher figure will help to ensure a choice of employment land supply by size, type, location and quality of sites and premises for businesses, and maximising future job opportunities for the local workforce (including those who may currently commute elsewhere)*”. However, in planning for this higher figure it is also necessary for the Council to consider whether there is sufficient housing available to meet the identified growth in jobs. Paragraph 61 of the Framework states that the outcome of the standard method is ‘*an advisory starting-point for establishing a housing requirement for the area*’ and that there may be exceptional circumstances which justify an alternative approach to assessing housing need, including an approach that reflects ‘*market signals*’.

To further ensure that Policy S7 is **consistent with national policy**, it is again important that the Council identifies a supply of housing land that, as a minimum, will deliver 7,582 dwellings over the plan period to ensure the housing needs of the local labour force (which are already being planned for in terms of employment land supply) are being fully met. This is required to ensure the Council’s needs are being met locally and to prevent increased in-commuting.

As set out below, there is additional suitable, available and deliverable land available on non-Green Belt sites and in sustainable locations within Ashfield that could be allocated. Full and clear consideration should be given to the options presented in these representations prior to the plan being submitted for Examination.

6. What change(s) do you consider necessary to make the Local Plan legally compliant or sound or to meet the duty to co-operate, with regards to the issue(s) identified above?

Please precisely outline why these change(s) will make the document legally compliant, sound or meet the duty to cooperate. It would be helpful to include suggested revised wording if necessary.

Please refer to the site specific report prepared and submitted alongside this form for additional information on the below.

Policy S1 – Spatial Strategy to Deliver the Vision

Point 5 of Policy S1 supports delivery of homes ‘*via dispersed development, focusing on sites of less than 500 dwellings*’. This should be re-worded as follows:

“...focusing **mainly** on sites of less than 500 dwellings, **except where there is evidence that conjoined sites can deliver in the plan period**”.

In addition, clarification of the Council’s overall strategic spatial approach to development should be provided in this policy. These changes would ensure that this policy would be sound by virtue of being fully justified and effective.

Policy S2 – Achieving Sustainable Development

Criterion 2(h) states that: *‘Development will be permitted without delay...where it does not form part of a larger site where there would be a requirement for infrastructure provision if developed as a whole’*. This criterion should be deleted as it is unnecessarily restrictive and could potentially result in applications being refused on sites that would otherwise be considered acceptable. This would ensure that this policy is sound by virtue of being justified.

Point 3 of Policy S2 is unnecessary repetition of national policy and should be deleted.

Point 4 of Policy S2, which states that *All development should be located, designed, constructed and operated so as to maximise and deliver social value*, should be clarified to state that it is only applicable to major developments, and to include an appropriate cross-reference to Policy SD1, so as to ensure that it is justified. This point is also not consistent with national policy.

Policy S5 – High Quality Buildings and Places through Place Making and Design

Point 3 of policy S5 currently states that *“Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies”*. In order to clarify this point and bring it in to line with national policy, this should be changed to: *“Neighbourhood plans / orders can have a key role in placemaking and allows communities to have more influence and control over their local area to ensure they get the right type of development for their neighbourhood **where this is in accordance with overarching strategic policies**”*.

Policy S7 – Meeting Future Housing Provision

Policy S7 is not positively prepared nor consistent with national policy because the level of housing provision that has been planned for (as also set out in the housing allocations identified in Policy H1) does not meet the identified needs for the plan period.

In order to ensure the plan is positively prepared and consistent with national policy, the Council should ensure that sufficient sites are identified which, as a minimum, meet the housing requirement for the whole plan period (7,582 dwellings), including through allocating further deliverable and developable sites, as required. This would ensure that the plan is positively prepared.

7. Do you wish to participate at the hearing sessions at Examination?

Yes

No

If you have answered YES, please answer Question 7a.

7a. If you wish to participate at the hearing sessions at Examination, please outline in the box below why you consider this to be necessary.

Please Note: the Planning Inspector will determine who will be invited to speak at the examination hearing sessions.

DLP Planning Ltd have significant experience both in plan making and in local plan examinations, especially in terms of the tests of soundness, so their experience on these matters will be of assistance to the Inspectors.

The issues raised in this representation are not stand alone but must be regarded as part of wider representations to the Local Plan.

In order to full demonstrate the arguments raised in this representation and to appropriately test the soundness of the Local Plan, this will require attendance of suitably knowledgeable persons at the hearings.



Signed: **Samuel Pepper, MRTPI**

Date: **29/01/2024**

Please refer to the first page of this questionnaire for the submission information.

If you require any further information or assistance in completing this Representation Form, please contact the Forward Planning Team at:

Website	https://www.ashfield.gov.uk/planning-building-control/local-plan/
Telephone	01623 457 302
E-Mail	localplan@ashfield.gov.uk
Post	Forward Planning Team, Council Offices, Urban Road, Kirkby-In-Ashfield, Nottingham, NG17 8DA.



dynamic development solutions™

For and on behalf of
Bellway Homes Ltd

**Representation to Ashfield District Council Local Plan
Regulation 19 Consultation**

Former Allotments off of Lime Tree Road, Hucknall
Part of Proposed Allocation Site H1Hc
Land north of A611 / South of Broomhill Farm, Hucknall

Objections to Policies S1, S2, S5, S7




**Prepared by
DLP Planning Ltd
Nottingham**

January 2024





Insert Job Number & Site Name
For and on behalf of Bellway Homes Ltd
Representation to the Regulation 19 Consultation
January 2024

Prepared by:  	Jonathan Leigh BA (Hons) MA Planner Sam Pepper BA (Hons) MSc MRTPI Senior Planner
Approved by: 	Jim Lomas BA (Hons) MRTPI Regional Director
Date:	January 2024

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Insert Job Number & Site Name
For and on behalf of Bellway Homes Ltd
Representation to the Regulation 19 Consultation
January 2024

CONTENTS PAGE

1.0	Introduction	4
2.0	National Planning Policy Context	5
3.0	Spatial Strategy and Strategic Policies	9
4.0	Site H1Hc – Land north of A611 / South of Broomhill Farm, Hucknall	16

1.0 INTRODUCTION

1.1 These representations to the Ashfield Draft Local Plan (Regulation 19) consultation have been prepared by DLP Planning Limited on behalf of our client, Bellway Homes Ltd, who has an interest in the land that forms part of proposed allocation site H1Hc (Land north of A611 / South of Broomhill Farm, Hucknall) – please see the enclosed site location plan in this regard.

1.2 These representations **support** the allocation of site H1Hc.

1.3 The following sections of this report are structured as follows:

- Section 2 sets out the National Planning Policy Context for the Local Plan Preparation Process.
- Section 3 presents our comments on the overarching Local Plan Strategy and the proposed approach to meeting housing needs in Ashfield District.
- Section 4 presents our comments on the proposed allocation of site H1Hc (Land north of A611 / South of Broomhill Farm, Hucknall), including comments relating specifically to the portion of the site in which our client has an interest.

2.0 NATIONAL PLANNING POLICY CONTEXT

2.1 The December 2023 version of the National Planning Policy Framework ('the Framework'), prepared by the Department for Levelling Up, Housing & Communities (DLUHC), is the current document that sets out the Government's planning policies for England and how these are expected to be applied.

2.2 Those policies that are relevant to the plan-making process and these representations in respect of the Ashfield Local Plan 2023 to 2040: Regulation 19 Pre-Submission Draft are summarised below.

Presumption in Favour of Sustainable Development

2.3 At the heart of the Framework is a presumption in favour of sustainable development, which should apply to both plan-making and decision-taking (paragraph 11). For plan-making, this means:

- (a) All plans should positively promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;
- (b) Strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:
 - i. The application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan areas; or
 - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Plan-making

2.4 Paragraphs 15 to 37 of the Framework relate specifically to 'plan-making'.

2.5 Paragraph 15 states that the planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for

meeting housing needs and addressing other economic, social and environmental priorities; and a platform for local people to shape their surroundings.

- 2.6 Paragraph 16 requires that plans be prepared with the objective of contributing to the achievement of sustainable development, and that plans are prepared positively, in a way that is aspirational but deliverable.
- 2.7 Paragraph 20 requires that strategic policies should set out an overall strategy for the pattern, scale and design quality of places, making sufficient provision for, amongst other things, housing (including affordable housing), employment, and conservation and enhancement of the natural, built and historic environment.
- 2.8 Paragraph 22 states that strategic policies should look ahead over a minimum 15-year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure.
- 2.9 Paragraph 23 states that strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development. This should include planning for and allocating sufficient sites to deliver the strategic priorities of the area.
- 2.10 Paragraphs 24 to 27 require local planning authorities to cooperate with one another, and with other relevant bodies, to address strategic matters and consider whether development needs that cannot be met wholly within a particular plan area could be met elsewhere. Statements of common ground should be prepared to document progress on addressing cross-boundary matters.
- 2.11 Paragraph 31 requires that the preparation of policies should be underpinned by relevant, up-to-date, adequate and proportionate evidence.
- 2.12 Paragraph 32 states that local plans should be informed throughout their preparation by a sustainability appraisal that meets legal requirements and demonstrates how the plan has addressed relevant economic, social and environmental objectives. Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse

impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).

2.13 Paragraphs 35 to 37 of the Framework set out guidance around examining local plans.

2.14 Paragraph 35 explains how local plans and spatial development strategies will be assessed against certain legal and procedural requirements and the tests of soundness set out in paragraphs 35(a) to (d), as replicated here:

Plans are 'sound' if they are:

*a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*

*b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*

*c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*

*d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.*

Identifying Land for Housing

2.15 Paragraph 69 of the Framework requires that planning policies identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of:

- (a) specific, deliverable sites for five years following the intended date of adoption (with an appropriate buffer, as set out in paragraph 77 of the Framework); and
- (b) specific, developable sites or broad locations for growth, for the subsequent years 6-10 and, where possible, for years 11-15 of the remaining plan period.

- 2.16 Paragraph 70 of the Framework states that to promote the development of a good mix of sites local planning authorities should identify land to accommodate at least 10% of their housing requirement on sites no larger than one hectare.
- 2.17 Paragraph 74 of the Framework recognises the important contribution that larger scale development can make, stating that the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities.

Representations to Regulation 19 consultation

- 2.18 The following representations have been prepared in the context of the tests of soundness set out in paragraph 35 of the Framework. Where it is considered that the draft policies of the Ashfield Regulation 19 Draft Local Plan are not sound, by failing to demonstrate one of the above four 'test of soundness' criteria, the reasons for this are explained and highlighted below.
- 2.19 It is also understood that the drafted local plan utilises the standard method figure as the basis for identifying a local housing requirement. It is important to note that the outcome of the standard method is an 'advisory starting point' for establishing a housing requirement for the area (Framework, paragraph 61) and that there may be exceptional circumstances which justify an alternative approach to assessing housing need, for example reflecting growth ambitions linked to economic development or including provision for neighbouring areas (Framework, paragraph 67). The housing requirement figure should also show the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period (Framework, paragraph 67).
- 2.20 This housing requirement should therefore make certain that it has taken into consideration the assessment of not only the findings of the standard method calculation of local housing need, but any alterations to this figure which would be necessary in order to fully meet the objectively assessed housing need for Ashfield over the plan period (2023 to 2040).
- 2.21 The following section of these representations also provide commentary around this objectively assessed need in the context of the overarching spatial strategy and draft strategic policies set out in Chapter 3 of the draft Regulation 19 Local Plan.

3.0 SPATIAL STRATEGY AND STRATEGIC POLICIES

3.1 These representations have the following comments, considerations, and objections regarding the spatial strategy and strategic policies proposed through the Regulation 19 draft of the Ashfield Local Plan.

3.2 Objections are raised in relation to Strategic Policies **S1**, **S2**, **S5** and **S7**. Explanation, reasoning, recommendations, and suggestions have been set out for each of these policies.

Policy S1 – Spatial Strategy to Deliver the Vision

3.3 Policy S1 sets out the overarching spatial strategy for the Ashfield Local Plan. This provides a comprehensive overview that will guide the distribution of development and underpins the structure and direction of the subsequent strategic policies.

3.4 These representations take no issue with the emphasis Policy S1 places on sustainable development. We also support the focus on locating growth in sustainable and accessible locations, including prioritising sites within and adjoining the Main Urban Areas.

3.5 Point 5 of Policy S1 supports delivery of homes ‘*via dispersed development, focusing on sites of less than 500 dwellings*’. The Council’s justification for focusing development on sites of less than 500 dwellings is unclear and unjustified. In particular, it is unclear whether this applies to adjoining sites where the combined total number of units may be greater than 500. We therefore suggest that point 5 of Policy S1 is re-worded as follows:

*“...focusing **mainly** on sites of less than 500 dwellings, **except where there is evidence that conjoined sites can deliver in the plan period**”.*

3.6 The previous Regulation 18 version of the Ashfield Local Plan had a large focus on new settlement delivery, with the aim to place 35% of all housing to be developed and delivered on new settlement sites. Whilst the deliverability of such sites was questioned, and we fully support their removal from the current Regulation 19 draft, large-scale allocations in sustainable locations next to adjoining settlements can make an important contribution to housing supply, as supported by paragraph 74 of the Framework.

3.7 The emphasis in point 5 of Policy S1 on delivering homes ‘*via dispersed development*’ also contradicts the prioritisation of sites ‘*within and adjoining the Main Urban Areas*’, as stated in point 3. It is not possible to focus growth in certain areas whilst also pursuing a dispersed

pattern of development. Clarification of the Council's overall strategic spatial approach to development should be provided in this policy; as currently worded the policy is not effective.

- 3.8 We therefore object to Policy S1 as currently worded on the basis that it is **neither fully justified nor effective**.

Policy S2 – Achieving Sustainable Development

- 3.9 Policy S2 sets out criteria for achieving sustainable development, including in the determination of planning applications.
- 3.10 The criteria set out within this policy are broadly supported, however we object to point 2(h) which states that *'Development will be permitted without delay...where it does not form part of a larger site where there would be a requirement for infrastructure provision if developed as a whole'*. This criterion is unnecessarily restrictive and could potentially result in applications being refused on sites that would otherwise be considered acceptable.
- 3.11 The term 'larger site' is ambiguous, as it is unclear precisely what scale of site this is referring to, and whether this refers to a single, large allocated site or immediately adjacent smaller sites which, when grouped together, could be considered a 'larger site'.
- 3.12 Furthermore, applications should be assessed on their own merits, including whether any mitigation is required to make them acceptable in planning terms. This would include appropriate contributions towards necessary infrastructure, where required. The delivery of a smaller parcel within a larger development site (or individual smaller sites in the vicinity of one another) should therefore not be contingent on other sites in that area being brought forward. Where significant infrastructure is required to support larger scale allocations, this should be set out in the allocation policies. This criterion is therefore **not justified** and superfluous to requirements and should be deleted.
- 3.13 Point 4 of Policy S2 states that *'All development should be located, designed, constructed and operated so as to maximise and deliver social value'*. The supporting text goes on to provide a definition of social value (in paragraph 3.33) and states that further details of how the Council's objective of maximising social value will be applied to individual development proposals are set out in Policy SD1. Policy SD1 requires the submission of a Social Value Strategy for all major applications which demonstrates *'how social value is achieved*

throughout the lifecycle of the development, based on a comprehensive masterplan of the whole site'. This requirement is therefore only applicable to major developments.

- 3.14 As currently worded, point 4 of Policy S2 is therefore **not effective** as it would not apply to all developments. The wording of point 4 should be clarified to state it is only applicable to major developments, and to include an appropriate cross-reference to Policy SD1.
- 3.15 The Local Plan policies should clearly state how social value is calculated, how it is achieved, and how that will be possible on all the allocations and sites that will come forward within the authority area.
- 3.16 Paragraph 8 of the Framework recognises that the planning system has three key objectives in achieving sustainable development, one of which is a 'social objective'. This is reflected in point 1 of Policy S2. The Framework itself does not include any references to, and nor does it explicitly define, 'social value' as a term.
- 3.17 Point 4 of Policy S2 is therefore also **not consistent with national policy**.
- 3.18 Point 3 of Policy S2 is unnecessary repetition of national policy and should be deleted.

Policy S5: High Quality Buildings and Places through Place Making and Design

- 3.19 Point 3 of Policy S5 states that *"Neighbourhood plans / orders can have a key role in placemaking and allows communities to have more influence and control over their local area to ensure they get the right type of development for their neighbourhood"*. Whilst we do not object to this statement in principle, we object on the basis that this criterion is not currently **consistent with national policy**.
- 3.20 Paragraph 13 of the Framework states that *"Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies"*. In order to ensure conformity with national policy, it is therefore necessary to provide clarification in point 3 of Policy S5 as follows: *"Neighbourhood plans / orders can have a key role in placemaking and allows communities to have more influence and control over their local area to ensure they get the right type of development for their neighbourhood **where this is in accordance with overarching strategic policies**"*.

Policy S7: Meeting Future Housing Provision

- 3.21 Policy S7 sets out Ashfield's housing requirement and housing delivery strategy.
- 3.22 Point 1 of Policy S7 states that a minimum of 7,582 new dwellings will be delivered in Ashfield over the period 2023 to 2040.
- 3.23 The policy supporting text specifies that the housing requirement figure is based on a Local Housing Need derived from the standard method calculation, which results in a housing need figure of 446 dwellings per annum (dpa) as of April 2023.
- 3.24 We agree, in principle, that the Council's calculation of the annual housing requirement using the standard method is correct and that over the 17-year plan period (2023 to 2040) the total housing requirement based on the standard method would therefore be 7,582 dwellings.
- 3.25 However, the plan currently only identifies a total housing supply of 6,700 dwellings over the plan period, which is a deficit of 882 dwellings and represents just 13 years' supply. Therefore we object to Point 1 of Policy S7 as it is currently not **positively prepared nor effective**, as it states that 7,582 dwellings will be delivered over the plan period, despite the fact that within this figure there are 882 dwellings that have not been positively planned for and it is unclear how these 882 dwellings would be delivered. No further clarity is provided in the associated Background Paper 2: Housing, submitted alongside the core development documents in the supporting evidence base.
- 3.26 This background paper establishes that the current supply of deliverable and developable sites combined with extant permissions (as of April 2023) allow the authority to only confirm the delivery of 6,700 of its 7,582 target, leaving a clear deficit of 882 dwellings for the plan period.
- 3.27 While this shortfall is acknowledged by the Council, it is justified (in paragraph 7.3 of Background Paper 2) on the basis that it is compliant with paragraph 68 (now paragraph 69) of the Framework because:

"...the Plan currently provides for 6700 dwellings against a need of 7582 to the year 2040, amounting to approximately 13 years supply post adoption (to year 2038/39). It is considered to be consistent with NPPF paragraph 68 which requires policies to identify a sufficient supply and mix of sites, (taking into account their availability, suitability and

likely economic viability), with specific, deliverable sites for years one to five of the plan period, and specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan” (Background Paper 2: Housing, paragraph 7.3)

- 3.28 These are the years which paragraph 69 of the Framework states must be effectively planned for and covered by any emerging local plan, with specific deliverable sites for the first five years identified, developable sites identified for the 6–10-year post-adoption period, and, where possible, found for the 11–15-year post-adoption period. Assuming the plan period is only, and only, 15 years.
- 3.29 As the Ashfield Local Plan covers the 17 year period 2023 to 2040, and given the tendency for local plan adoption dates to slip, in order to ensure the Plan is sound at the point of adoption it would be prudent for the Council to identify further developable sites at this stage to avoid unnecessary delays during the Examination process should further allocated sites be required.
- 3.30 Furthermore, paragraph 22 of the Framework states that *“strategic policies should look ahead over a minimum 15-year period from adoption, to anticipate and respond to long-term requirements and opportunities”*. Paragraph 23 of the Framework also states that *“strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs **over the plan period**”* (emphasis added).
- 3.31 The Ashfield Local Plan covers a period of 17 years (2023 to 2040), and therefore in order to comply with national policy its strategic policies should plan to meet the housing needs identified over that defined plan period.
- 3.32 The test in the Framework is that a minimum of 15 years’ supply **should** be identified if it is possible to do so. It is not accepted that it is impossible to identify 17 years’ supply. As this and other objections highlight, there are clearly sufficient deliverable sites that could be allocated, it is simply the Council’s choice not to do so. In this respect the level of housing provision is not in accordance with the Framework as it is possible to allocate deliverable sites for the whole of the plan period and the Council’s justification for not doing so is simply inaccurate and not borne out by the evidence.

- 3.33 As stated above, Policy S7 is **not positively prepared nor consistent with national policy** because the level of housing provision that has been planned for (as also set out in the housing allocations identified in Policy H1) does not meet the identified needs for the plan period.
- 3.34 In order to ensure the plan is positively prepared and consistent with national policy, the Council should ensure that sufficient sites are identified which, as a minimum, meet the housing requirement for the whole plan period (7,582 dwellings), including through allocating further deliverable and developable sites, as required.
- 3.35 It is also concerning that the supply figures only just cover a 15-year requirement (446 x 15 = 6,690 dwellings). There is no buffer included, therefore should any identified developable sites fail to be delivered, the minimum housing requirement would not be met.
- 3.36 This further supports our recommendation that the Council should allocate further sites to ensure Ashfield's identified housing needs for the plan period are met in full.
- 3.37 It is also noted that Policy S8 (Delivering Economic Opportunities) identifies an employment land requirement of 81 ha over the plan period (2023 to 2040). As set out in Table 36 of Background Paper 3: Economy & Employment Land, this figure is based on a scenario derived from past take-up rates. This can be compared with the labour supply scenario derived from the current standard method local housing need figure (446 dpa) of 16.84 ha. The amount of employment land being planned for is therefore significantly in excess of the amount of employment land required under the labour supply scenario.
- 3.38 Whilst it is acknowledged that some of this past take-up trend relates to wider strategic needs rather than local 'indigenous' needs of Ashfield's residents, paragraphs 8.111 and 8.112 of Background Paper 3 identify the past take-up figure attributable to 'local needs' as being 27.5 ha. This is still in excess of the 16.84 ha that would be required based on the standard method housing requirement figure of 446 dpa.
- 3.39 Paragraph 8.112 of Background Paper 3 states that "*planning for this higher figure will help to ensure a choice of employment land supply by size, type, location and quality of sites and premises for businesses, and maximising future job opportunities for the local workforce (including those who may currently commute elsewhere)*". However, in planning for this higher figure it is also necessary for the Council to consider whether there is sufficient

housing available to meet the identified growth in jobs. Paragraph 61 of the Framework states that the outcome of the standard method is *'an advisory starting-point for establishing a housing requirement for the area'* and that there may be exceptional circumstances which justify an alternative approach to assessing housing need, including an approach that reflects *'market signals'*.

- 3.40 To further ensure that Policy S7 is **consistent with national policy**, it is again important that the Council identifies a supply of housing land that, as a minimum, will deliver 7,582 dwellings over the plan period to ensure the housing needs of the local labour force (which are already being planned for in terms of employment land supply) are being fully met. This is required to ensure the Council's needs are being met locally and to prevent increased in-commuting.

4.0 SITE H1HC – LAND NORTH OF A611 / SOUTH OF BROOMHILL FARM, HUCKNALL

4.1 We **support** the allocation of Site H1Hc.

4.2 Further comments on the draft allocation of Site H1Hc and the Council's assessment of the site within the Draft Local Plan and supporting evidence base documents are provided below.

Site and Context

4.3 The site is located to the southern edge of Hucknall, one of the principle urban areas within the administrative area of Ashfield District Council. Our client, Bellway Homes Ltd, has an interest in the parcel of land assessed within the SHELAA as site HK043 which forms a part of draft allocation H1Hc in the emerging local plan, and has confirmed that this site is **available immediately** for development.

4.4 The site is in a sustainable location, with Hucknall town centre lying approximately 1.3km to the north of the site, providing an extensive range of services, facilities and amenities, including employment opportunities, shops, banks, restaurants, and transport connections at Hucknall Train and Tram stations. Additional facilities lie in closer proximity to the site, including schools, nurseries, bus stops (350m to the north west) and the Butler's Hill tram stop (770m to the east).

4.5 The site is approximately 2.75 hectares in size, and is located to the south of Lime Tree Road. To the north lies residential development, with new residential development under construction by Bellway Homes lying to the east, agricultural land to the south with the A611 Hucknall bypass beyond, and residential development to the west.

4.6 The site itself consists of former allotments and features a number of outbuildings as would be expected in conjunction with such a use, as well as boundary separating features and access tracks.

4.7 The site is located within Flood Zone 1, as shown on the Environment Agency's flood risk map for planning, meaning that it is at a less than 1-in-1000-year risk of flooding. The site is also shown to be at very low risk of surface water flooding according to these maps.

- 4.8 The site does not contain any listed buildings, nor are there any listed buildings in close proximity to the site. In addition, the site is not located within or in close proximity to any Conservation Areas.
- 4.9 There are no environmental designations identified within or near the site. A group of trees to the south east boundary of the site is identified as being subject to a Tree Preservation Order (TPO 168). These would be incorporated into any future development scheme.
- 4.10 In terms of topography, the site slopes gently from north east to south west.
- 4.11 The site is therefore considered to be **suitable** for development, forming a logical infilling of the existing urban area with no significant physical constraints to development.

Housing Trajectory

- 4.12 The site subject to this representation forms a part of the wider draft allocation H1Hc. Site H1Hc is proposed as a housing allocation in the Draft Ashfield Local Plan with an identified developable area of 31 hectares and capacity for 499 dwellings.
- 4.13 The Draft Local Plan Housing Trajectory (Appendix 2) identifies that Site H1Hc will deliver 9 dwellings in the year 2028/29 and 70 dwellings a year for years 2029/30 and following.
- 4.14 We anticipate that the portion of the site which our client has an interest in would be capable of delivering at least 61 dwellings (on the basis of a density of 30 dwellings per hectare and a developable area of 2.1 ha).

Strategic Housing and Economic Land Availability Assessment (SHELAA)

- 4.15 The site is assessed in the SHELAA 2021 under site reference HK043 and as part of the larger site HK051 (which consisted of parcels HK016, HK034, HK043 & HK050).
- 4.16 In the SHELAA the site it is identified that “*the site is available. There are multiple landowners but an agreement in place for land assembly, the site is available within the next 15 years and are no identified legal issues*”. Our client has confirmed that land assembly agreement is in place and therefore the site is confirmed as being **available**.
- 4.17 The SHELAA identifies that “the site should not be developed in isolation” and that the wider “site requires masterplanning access strategy with multiple access junctions onto Victoria

Way, Jackson Road, Farleys Lane, Hucknall Lane (Hucknall Bypass)". We agree that careful consideration about how the wider site integrates into its surroundings and connects to the highways network is important. Regarding this site in particular, an application has recently been submitted by our client to facilitate access from Victoria Way (application V/2024/0004). Additionally there will be the possibility of pedestrian / cycle access via the existing access point on to Lime Tree Road.

- 4.18 The SHELAA also identifies that the site is located in the Green Belt and that exceptional circumstances must be demonstrated for the site to be removed from the Green Belt. The site was assessed as part of the Strategic Green Belt Review (2016) in this regard, with further assessment work being conducted as part of the process of preparing the draft Local Plan (see Background Paper 4: Green Belt Harm Assessment). These assessments identified that the site scored relatively low against the 5 purposes of the Green Belt as set out in the NPPF at paragraph 143. The site was therefore considered appropriate for Green Belt release.
- 4.19 The SHELAA also highlights that the site is identified in the previous local plan as allotments, and the draft allocation text for the wider site states that there will be a requirement for the supply of allotments to serve the demand for allotments within the Hucknall area. It is considered that allotment provision could be better located elsewhere within the wider site and so would not be provided on this site.
- 4.20 The site is assessed as being **available, potentially suitable and achievable** for the delivery of 61 dwellings within 6 – 10 years. No potential abnormal site costs are identified.
- 4.21 We **broadly support** the assessment of site HK043 in the SHELAA 2023. We wish to reiterate that the site is **available** for development, and would also like to confirm that as the SHELAA demonstrates, the site is **suitable** for development.

Sustainability Appraisal

- 4.22 The development of the site subject to this representation (SHELAA site HK043) is assessed as having a significant positive impact upon sustainability appraisal objectives relating to housing, social inclusion / deprivation and travel and accessibility, and a positive impact on objectives relating to employment, economy and town centres.

- 4.23 The site is assessed as having a neutral impact upon objectives relating to health.
- 4.24 The site is assessed as having a negative impact upon objectives relating to biodiversity & green infrastructure, natural resources, and air & noise pollution.
- 4.25 The site is assessed as having a significant negative impact upon objectives relating to health and landscape. We **object** to the assessment of the site as having a ‘significant negative’ impact on objectives relating to health, which is a product of the Sustainability Appraisal Site Scoring Framework (Appendix L) stating that, with regards suitability, “if the proposal results in a loss of open space this will have a minor or significant negative impact”, and going on to say that “open space is anticipated to include: ... allotments”. The allotment use of the site ceased in circa 2019 and as such the land is now vacant and does not contribute to the open space network. Additionally, alternative allotment provision in a more appropriate location can be made elsewhere within the larger H1Hc draft allocation. The assessment of the site in this regard should be changed to neutral, as the proposal would not be located in close proximity to neighbouring uses which would have a negative impact on human health.

Summary

- 4.26 This site, which forms part of draft allocation Site H1Hc, is available, suitable, deliverable, and is capable of delivering up to 70 units within the Local Plan period. The site is situated in a sustainable location on the edge of Hucknall within close proximity to a number of services and amenities. The development of this site therefore represents a sustainable form of development.
- 4.27 We **support** the allocation of Site H1Hc in the Ashfield Local Plan.



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For and on behalf of
Stags Limited

**Representation to Ashfield District Council Local Plan
Regulation 19 Consultation**


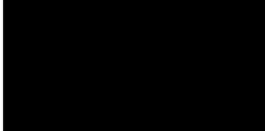
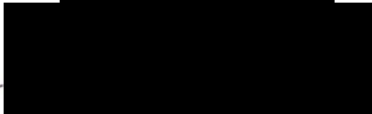
Land to the West of Beck Lane, Skegby
Proposed Allocation Sites H1SAA and H1Su

**Prepared by
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January 2024





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CONTENTS PAGE

Contents

1.0	Introduction	4
2.0	National Planning Policy Context	5
3.0	Spatial Strategy and Strategic Policies.....	9
4.0	Site H1SAA – Land at Beck Lane, Skegby	16
5.0	Site H1Su – Rear 113 to 139, Beck Lane.....	21

1.0 INTRODUCTION

1.1 These representations to the Ashfield Draft Local Plan (Regulation 19) consultation have been prepared by DLP Planning Limited on behalf of our client, Stags Limited, who is the landowner of proposed allocation site H1Saa (Land at Beck Lane, Skegby) and the majority of site H1Su (Rear 133 to 139 Beck Lane, Skegby).

1.2 These representations support the allocation of sites H1Saa and H1Su.

1.3 We have also submitted separate representations on behalf of Stags Limited relating to the promotion of further land located to the west of these proposed allocation sites.

1.4 These representations should be read in conjunction with our report and site submission form that were previously submitted to the Ashfield Local Plan Call for Sites process (DLP, April 2020), our representations to the previous stages of the Local Plan, and the Traffic and Transport Appraisal report (DLP, June 2021 – attached at Appendix 1) that was prepared and submitted to the Local Plan process to provide further detail on the potential traffic impacts and proposed access strategy relating to the wider landholding at Beck Lane, Skegby.

1.5 The following sections of this report are structured as follows:

- Section 2 sets out the National Planning Policy Context for the Local Plan Preparation Process.
- Section 3 presents our comments on the overarching Local Plan Strategy and the proposed approach to meeting housing needs in Ashfield District.
- Section 4 presents our comments on proposed allocation site H1Saa (Land at Beck Lane, Skegby);
- Section 5 presents our comments on proposed allocation site H1Su (rear 113 to 139 Beck Lane).

2.0 NATIONAL PLANNING POLICY CONTEXT

2.1 The December 2023 version of the National Planning Policy Framework ('the Framework'), prepared by the Department for Levelling Up, Housing & Communities (DLUHC), is the current document that sets out the Government's planning policies for England and how these are expected to be applied.

2.2 Those policies that are relevant to the plan-making process and these representations in respect of the Ashfield Local Plan 2023 to 2040: Regulation 19 Pre-Submission Draft are summarised below.

Presumption in Favour of Sustainable Development

2.3 At the heart of the Framework is a presumption in favour of sustainable development, which should apply to both plan-making and decision-taking (paragraph 11). For plan-making, this means:

- (a) All plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;
- (b) Strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:
 - i. The application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan areas; or
 - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Plan-making

2.4 Paragraphs 15 to 37 of the Framework relate specifically to 'plan-making'.

2.5 Paragraph 15 states that the planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for

meeting housing needs and addressing other economic, social and environmental priorities; and a platform for local people to shape their surroundings.

- 2.6 Paragraph 16 requires that plans be prepared with the objective of contributing to the achievement of sustainable development, and that plans are prepared positively, in a way that is aspirational but deliverable.
- 2.7 Paragraph 20 requires that strategic policies should set out an overall strategy for the pattern, scale and design quality of places, making sufficient provision for, amongst other things, housing (including affordable housing), employment, and conservation and enhancement of the natural, built and historic environment.
- 2.8 Paragraph 22 states that strategic policies should look ahead over a minimum 15-year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure.
- 2.9 Paragraph 23 states that strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development. This should include planning for and allocating sufficient sites to deliver the strategic priorities of the area.
- 2.10 Paragraphs 24 to 27 require local planning authorities to cooperate with one another, and with other relevant bodies, to address strategic matters and consider whether development needs that cannot be met wholly within a particular plan area could be met elsewhere. Statements of common ground should be prepared to document progress on addressing cross-boundary matters.
- 2.11 Paragraph 31 requires that the preparation of policies should be underpinned by relevant, up-to-date, adequate and proportionate evidence.
- 2.12 Paragraph 32 states that local plans should be informed throughout their preparation by a sustainability appraisal that meets legal requirements and demonstrates how the plan has addressed relevant economic, social and environmental objectives. Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse

impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).

2.13 Paragraphs 35 to 37 of the Framework set out guidance around examining local plans.

2.14 Paragraph 35 explains how local plans and spatial development strategies will be assessed against certain legal and procedural requirements and the tests of soundness set out in paragraphs 35(a) to (d), as replicated here:

Plans are 'sound' if they are:

a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

Identifying Land for Housing

2.15 Paragraph 69 of the Framework requires that planning policies identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of:

- (a) specific, deliverable sites for five years following the intended date of adoption (with an appropriate buffer, as set out in paragraph 77 of the Framework); and
- (b) specific, developable sites or broad locations for growth, for the subsequent years 6-10 and, where possible, for years 11-15 of the remaining plan period.

- 2.16 Paragraph 70 of the Framework states that to promote the development of a good mix of sites local planning authorities should identify land to accommodate at least 10% of their housing requirement on sites no larger than one hectare.
- 2.17 Paragraph 74 of the Framework recognises the important contribution that larger scale development can make, stating that the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities.

Representations to Regulation 19 consultation

- 2.18 The following representations have been prepared in the context of the tests of soundness set out in paragraph 35 of the Framework. Where it is considered that the draft policies of the Ashfield Regulation 19 Draft Local Plan are not sound, by failing to demonstrate one of the above four 'test of soundness' criteria, the reasons for this are explained and highlighted below.
- 2.19 It is also understood that the drafted local plan utilises the standard method figure as the basis for identifying a local housing requirement. It is important to note that the outcome of the standard method is an 'advisory starting point' for establishing a housing requirement for the area (Framework, paragraph 61) and that there may be exceptional circumstances which justify an alternative approach to assessing housing need, for example reflecting growth ambitions linked to economic development or including provision for neighbouring areas (Framework, paragraph 67). The housing requirement figure should also show the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period (Framework, paragraph 67).
- 2.20 This housing requirement should therefore make certain that it has taken into consideration the assessment of not only the findings of the standard method calculation of local housing need, but any alterations to this figure which would be necessary in order to fully meet the objectively assessed housing need for Ashfield over the plan period (2023 to 2040).
- 2.21 The following section of these representations also provide commentary around this objectively assessed need in the context of the overarching spatial strategy and draft strategic policies set out in Chapter 3 of the draft Regulation 19 Local Plan.

3.0 SPATIAL STRATEGY AND STRATEGIC POLICIES

3.1 These representations have the following comments, considerations, and objections regarding the spatial strategy and strategic policies proposed through the Regulation 19 draft of the Ashfield Local Plan.

3.2 Objections are raised in relation to Strategic Policies **S1**, **S2**, **S5** and **S7**. Explanation, reasoning, recommendations, and suggestions have been set out for each of these policies.

Policy S1 – Spatial Strategy to Deliver the Vision

3.3 Policy S1 sets out the overarching spatial strategy for the Ashfield Local Plan. This provides a comprehensive overview that will guide the distribution of development and underpins the structure and direction of the subsequent strategic policies.

3.4 These representations take no issue with the emphasis Policy S1 places on sustainable development. We also support the focus on locating growth in sustainable and accessible locations, including prioritising sites within and adjoining the Main Urban Areas.

3.5 Point 5 of Policy S1 supports delivery of homes ‘*via dispersed development, focusing on sites of less than 500 dwellings*’. The Council’s justification for focusing development on sites of less than 500 dwellings is unclear and unjustified. In particular, it is unclear whether this applies to adjoining sites where the combined total number of units may be greater than 500. We therefore suggest that point 5 of Policy S1 is re-worded as follows:

*“...focusing **mainly** on sites of less than 500 dwellings, **except where there is evidence that conjoined sites can deliver in the plan period**”.*

3.6 The previous Regulation 18 version of the Ashfield Local Plan had a large focus on new settlement delivery, with the aim to place 35% of all housing to be developed and delivered on new settlement sites. Whilst the deliverability of such sites was questioned, and we fully support their removal from the current Regulation 19 draft, large-scale allocations in sustainable locations next to adjoining settlements can make an important contribution to housing supply, as supported by paragraph 74 of the Framework.

3.7 The emphasis in point 5 of Policy S1 on delivering homes ‘*via dispersed development*’ also contradicts the prioritisation of sites ‘*within and adjoining the Main Urban Areas*’, as stated in point 3. It is not possible to focus growth in certain areas whilst also pursuing a dispersed

pattern of development. Clarification of the Council's overall strategic spatial approach to development should be provided in this policy; as currently worded the policy is not effective.

- 3.8 We therefore object to Policy S1 as currently worded on the basis that it is **neither fully justified nor effective**.

Policy S2 – Achieving Sustainable Development

- 3.9 Policy S2 sets out criteria for achieving sustainable development, including in the determination of planning applications.
- 3.10 The criteria set out within this policy are broadly supported, however we object to point 2(h) which states that *'Development will be permitted without delay...where it does not form part of a larger site where there would be a requirement for infrastructure provision if developed as a whole'*. This criterion is unnecessarily restrictive and could potentially result in applications being refused on sites that would otherwise be considered acceptable.
- 3.11 The term 'larger site' is ambiguous, as it is unclear precisely what scale of site this is referring to, and whether this refers to a single, large allocated site or immediately adjacent smaller sites which, when grouped together, could be considered a 'larger site'.
- 3.12 Furthermore, applications should be assessed on their own merits, including whether any mitigation is required to make them acceptable in planning terms. This would include appropriate contributions towards necessary infrastructure, where required. The delivery of a smaller parcel within a larger development site (or individual smaller sites in the vicinity of one another) should therefore not be contingent on other sites in that area being brought forward. Where significant infrastructure is required to support larger scale allocations, this should be set out in the allocation policies. This criterion is therefore **not justified** and superfluous to requirements and should be deleted.
- 3.13 Point 4 of Policy S2 states that *'All development should be located, designed, constructed and operated so as to maximise and deliver social value'*. The supporting text goes on to provide a definition of social value (in paragraph 3.33) and states that further details of how the Council's objective of maximising social value will be applied to individual development proposals are set out in Policy SD1. Policy SD1 requires the submission of a Social Value Strategy for all major applications which demonstrates *'how social value is achieved*

throughout the lifecycle of the development, based on a comprehensive masterplan of the whole site'. This requirement is therefore only applicable to major developments.

- 3.14 As currently worded, point 4 of Policy S2 is therefore **not effective** as it would not apply to all developments. The wording of point 4 should be clarified to state it is only applicable to major developments, and to include an appropriate cross-reference to Policy SD1.
- 3.15 The Local Plan policies should clearly state how social value is calculated, how it is achieved, and how that will be possible on all the allocations and sites that will come forward within the authority area.
- 3.16 Paragraph 8 of the Framework recognises that the planning system has three key objectives in achieving sustainable development, one of which is a 'social objective'. This is reflected in point 1 of Policy S2. The Framework itself does not include any references to, and nor does it explicitly define, 'social value' as a term.
- 3.17 Point 4 of Policy S2 is therefore also **not consistent with national policy**.
- 3.18 Point 3 of Policy S2 is unnecessary repetition of national policy and should be deleted.

Policy S5: High Quality Buildings and Places through Place Making and Design

- 3.19 Point 3 of Policy S5 states that *"Neighbourhood plans / orders can have a key role in placemaking and allows communities to have more influence and control over their local area to ensure they get the right type of development for their neighbourhood"*. Whilst we do not object to this statement in principle, we object on the basis that this criterion is not currently **consistent with national policy**.
- 3.20 Paragraph 13 of the Framework states that *"Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies"*. In order to ensure conformity with national policy, it is therefore necessary to provide clarification in point 3 of Policy S5 as follows: *"Neighbourhood plans / orders can have a key role in placemaking and allows communities to have more influence and control over their local area to ensure they get the right type of development for their neighbourhood **where this is in accordance with overarching strategic policies**"*.

Policy S7: Meeting Future Housing Provision

- 3.21 Policy S7 sets out Ashfield's housing requirement and housing delivery strategy.
- 3.22 Point 1 of Policy S7 states that a minimum of 7,582 new dwellings will be delivered in Ashfield over the period 2023 to 2040.
- 3.23 The policy supporting text specifies that the housing requirement figure is based on a Local Housing Need derived from the standard method calculation, which results in a housing need figure of 446 dwellings per annum (dpa) as of April 2023.
- 3.24 We agree, in principle, that the Council's calculation of the annual housing requirement using the standard method is correct and that over the 17-year plan period (2023 to 2040) the total housing requirement based on the standard method would therefore be 7,582 dwellings.
- 3.25 However, the plan currently only identifies a total housing supply of 6,700 dwellings over the plan period, which is a deficit of 882 dwellings and represents just 13 years' supply. Therefore we object to Point 1 of Policy S7 as it is currently not **positively prepared nor effective**, as it states that 7,582 dwellings will be delivered over the plan period, despite the fact that within this figure there are 882 dwellings that have not been positively planned for and it is unclear how these 882 dwellings would be delivered. No further clarity is provided in the associated Background Paper 2: Housing, submitted alongside the core development documents in the supporting evidence base.
- 3.26 This background paper establishes that the current supply of deliverable and developable sites combined with extant permissions (as of April 2023) allow the authority to only confirm the delivery of 6,700 of its 7,582 target, leaving a clear deficit of 882 dwellings for the plan period.
- 3.27 While this shortfall is acknowledged by the Council, it is justified (in paragraph 7.3 of Background Paper 2) on the basis that it is compliant with paragraph 68 (now paragraph 69) of the Framework because:

"...the Plan currently provides for 6700 dwellings against a need of 7582 to the year 2040, amounting to approximately 13 years supply post adoption (to year 2038/39). It is considered to be consistent with NPPF paragraph 68 which requires policies to identify a sufficient supply and mix of sites, (taking into account their availability, suitability and

likely economic viability), with specific, deliverable sites for years one to five of the plan period, and specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan” (Background Paper 2: Housing, paragraph 7.3)

- 3.28 These are the years which paragraph 69 of the Framework states must be effectively planned for and covered by any emerging local plan, with specific deliverable sites for the first five years identified, developable sites identified for the 6–10-year post-adoption period, and, where possible, found for the 11-15 year post-adoption period. Assuming the plan period is only, and only, 15 years.
- 3.29 As the Ashfield Local Plan covers the 17 year period 2023 to 2040, and given the tendency for local plan adoption dates to slip, in order to ensure the Plan is sound at the point of adoption it would be prudent for the Council to identify further developable sites at this stage to avoid unnecessary delays during the Examination process should further allocated sites be required.
- 3.30 Furthermore, paragraph 22 of the Framework states that *“strategic policies should look ahead over a minimum 15-year period from adoption, to anticipate and respond to long-term requirements and opportunities”*. Paragraph 23 of the Framework also states that *“strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs **over the plan period**”* (emphasis added).
- 3.31 The Ashfield Local Plan covers a period of 17 years (2023 to 2040), and therefore in order to comply with national policy its strategic policies should plan to meet the housing needs identified over that defined plan period.
- 3.32 The test in the Framework is that a minimum of 15 years’ supply **should** be identified if it is possible to do so. It is not accepted that it is impossible to identify 17 years’ supply. As this and other objections highlight, there are clearly sufficient deliverable sites that could be allocated, it is simply the Council’s choice not to do so. In this respect the level of housing provision is not in accordance with the Framework as it is possible to allocate deliverable sites for the whole of the plan period and the Council’s justification for not doing so is simply inaccurate and not borne out by the evidence.

- 3.33 As stated above, Policy S7 is **not positively prepared nor consistent with national policy** because the level of housing provision that has been planned for (as also set out in the housing allocations identified in Policy H1) does not meet the identified needs for the plan period.
- 3.34 In order to ensure the plan is positively prepared and consistent with national policy, the Council should ensure that sufficient sites are identified which, as a minimum, meet the housing requirement for the whole plan period (7,582 dwellings), including through allocating further deliverable and developable sites, as required.
- 3.35 It is also concerning that the supply figures only just cover a 15-year requirement (446 x 15 = 6,690 dwellings). There is no buffer included, therefore should any identified developable sites fail to be delivered, the minimum housing requirement would not be met.
- 3.36 This further supports our recommendation that the Council should allocate further sites to ensure Ashfield's identified housing needs for the plan period are met in full.
- 3.37 It is also noted that Policy S8 (Delivering Economic Opportunities) identifies an employment land requirement of 81 ha over the plan period (2023 to 2040). As set out in Table 36 of Background Paper 3: Economy & Employment Land, this figure is based on a scenario derived from past take-up rates. This can be compared with the labour supply scenario derived from the current standard method local housing need figure (446 dpa) of 16.84 ha. The amount of employment land being planned for is therefore significantly in excess of the amount of employment land required under the labour supply scenario.
- 3.38 Whilst it is acknowledged that some of this past take-up trend relates to wider strategic needs rather than local 'indigenous' needs of Ashfield's residents, paragraphs 8.111 and 8.112 of Background Paper 3 identify the past take-up figure attributable to 'local needs' as being 27.5 ha. This is still in excess of the 16.84 ha that would be required based on the standard method housing requirement figure of 446 dpa.
- 3.39 Paragraph 8.112 of Background Paper 3 states that "*planning for this higher figure will help to ensure a choice of employment land supply by size, type, location and quality of sites and premises for businesses, and maximising future job opportunities for the local workforce (including those who may currently commute elsewhere)*". However, in planning for this higher figure it is also necessary for the Council to consider whether there is sufficient

housing available to meet the identified growth in jobs. Paragraph 61 of the Framework states that the outcome of the standard method is *'an advisory starting-point for establishing a housing requirement for the area'* and that there may be exceptional circumstances which justify an alternative approach to assessing housing need, including an approach that reflects *'market signals'*.

- 3.40 To further ensure that Policy S7 is **consistent with national policy**, it is again important that the Council identifies a supply of housing land that, as a minimum, will deliver 7,582 dwellings over the plan period to ensure the housing needs of the local labour force (which are already being planned for in terms of employment land supply) are being fully met. This is required to ensure the Council's needs are being met locally and to prevent increased in-commuting.

4.0 SITE H1SAA – LAND AT BECK LANE, SKEGBY

4.1 We **support** the allocation of site H1Saa.

4.2 Further comments on the draft allocation of Site H1Saa and the Council's assessment of the site within the Draft Local Plan and supporting evidence base documents are provided below.

Site and Context

4.3 The site is a greenfield site which benefits from extant reserved matters planning permission for 322 residential dwellings (planning reference V/2021/0089, pursuant to outline application V/2016/0569 which was granted following appeal APP/W3005/W/18/3213342). This permission was granted in April 2022, and construction on site has commenced.

4.4 The site is therefore considered to be **immediately available and deliverable**.

4.5 The site is in a sustainable location, just north of Skegby and in close proximity to facilities, services and employment opportunities in Sutton-in-Ashfield and Mansfield. The site is within walking distance of existing bus routes on Mansfield Road (B6104), which provide services to Mansfield, Sutton-in-Ashfield and Kirkby-in-Ashfield. The site is located approximately 3 kilometres to the west of Mansfield town centre and Mansfield railway station, 2.4 kilometres north of Sutton-in-Ashfield town centre and 3.2 kilometres north of Sutton Parkway railway station.

4.6 Outline permission for a residential development of up to 322 dwellings was granted on part of the site in August 2019 following an appeal (ref. W3005/W/18/3213342). The Inspector's Report for this appeal confirmed that the site is in a sustainable location in terms of its proximity to local services, stating in paragraphs 17 to 19:

"17. It is not disputed that the nearest retail services are within the environs of Mansfield Road, Skegby. From the vicinity of the site entrance I agree that the walk time at a modest pace is 12 to 15 minutes to the Co-op store. This provides the opportunity for day-to-day purchases. The Post Office is a similar distance. There is a smaller convenience store a little closer. It is not disputed that the stretch of footway along Mansfield Road is an acceptable walking route. Given that the proposal involves the widening of the majority of the shared cycle and footpath along Beck Lane I consider that this part of the route would be made more amenable to walkers and cyclists alike. The

distance to passing traffic would be increased and any feeling of intimidation would be lessened. The reduction in speed limit would further increase the comfort of users of that route. I am therefore satisfied that the local services in Skegby would be a reasonable walking distance from the site.

18. I am conscious of the fact that the centre of the site would be at a greater distance from those services, but even so I do not consider that the distance is so great that it would be prohibitive for pedestrians, and certainly not so for cyclists.

19. There is also an alternative route on foot to the Co-op and post office. This involves the unmade public right of way to the west of the site, along Mansfield Lane. I share the Council's view that this would not be suitable at all times, and indeed that some people would choose not to use it at all. However there is also much merit in the Appellant's suggestion that it would be an attractive short cut for much of the year for anyone wishing to collect a few items in Skegby. Whilst it would of necessity require crossing Pleasley Road close to 2 bends in that road the volume of traffic, and its speed, is such that this would not be a hazardous manoeuvre."

4.7 The appeal decision also acknowledges that the site will be accessible by a range of transport modes, including the 417 bus service along Mansfield Road that allows connections into Sutton for services to the wider area, including Mansfield railway station. The extant reserved matters planning permission has maintained an agreement to extend the 417 bus service to the site. Paragraphs 21 and 22 of the appeal decision state:

"21. Concern has been expressed that the site would be isolated, and would not integrate well with the remainder of the community. I do not accept that position. The development would be on the edge of Skegby with adequate connections by a range of transport modes. There would of course be nothing to prevent the use of private vehicles here, but in my judgement there is every likelihood of residents choosing to make a significant number of trips by other means.

22. Taking this matter in the round it seems to me that the site would be reasonably accessible on foot, would be accessible by cycle, and would offer the potential to use the 417 bus service. Indeed, consultation responses suggest that the anticipated modal shift could well be significant. I am therefore satisfied that the appeal site offers a suitable and sustainable location for development."

- 4.8 The site is bounded to the east by Beck Lane; to the south by residential properties forming part of the settlement of Skegby; to the west by agricultural buildings, a number of residential properties and farmland; and to the north by further farmland and residential properties at the north-eastern corner of the site. The site is accessed from Beck Lane along the eastern site boundary.
- 4.9 There are no significant physical constraints to the site's development. The topography of the site is relatively flat, sloping gently uphill to a high point at the centre west edge of the site.
- 4.10 The site has a low risk of flooding, being wholly situated in Environment Agency Flood Zone 1. There are no environmental designations identified within or near the site. The site is located in an area assessed as part of the Hardwick Hall Setting Study (National Trust, 2016); however, the study concludes that the area plays a limited role in the landscape setting of Hardwick Hall.
- 4.11 In respect of the development's impact on landscape and habitats, the Appeal Inspector noted that the findings of the Habitat Survey show that it is unlikely any protected species or habitats would be detrimentally affected by the development, and that the landscape in the area has no formal designation and limited public access, stating:
- “Whilst it is a pleasant area of arable land it is not special in any way. Indeed its location adjacent to a distributor road means that it has detracting elements close by. In addition the land is relatively low lying and development would not be unduly prominent. Hence, although I accept that there would be some harm to the character and appearance of the locality, that harm would be of no more than limited weight.” (paragraph 24)*
- 4.12 Local highways improvements, including signalised access to the site have been agreed through the planning consent granted under application V/2021/0089.
- 4.13 The site is located within the Teversal, Stanton Hill and Skegby Neighbourhood Plan area but is not explicitly referenced or identified in any of the Neighbourhood Plan's policies or designations.
- 4.14 The site is therefore considered to be **suitable** for development.

Housing Trajectory

- 4.15 Site H1Saa is identified for delivery of 322 dwellings, which aligns with the approved reserved matters application.
- 4.16 The Draft Local Plan Housing Trajectory (Appendix 2) identifies that Site H1Saa will deliver approximately 35 dwellings per year from 2024/25 onwards.
- 4.17 This site may be able to deliver in excess of 35 dwellings per annum. Recent research published by Lichfields ('Start to Finish' Second Edition, February 2020) identifies that sites of 100-499 units deliver on average 55 dwelling per annum. The Council's delivery rate assumptions, as set out in Background Paper No.2 – Housing (October 2021), are set at 35 dwellings per annum (dpa) for all sites between 10 and 499 based on a 'cautious' figure which is below the historic average delivery rate in Ashfield District of 44 dpa on larger sites but is said to be in line with evidence from the HBF and Lichfields. However, the report that is referenced (the first edition of the 'Start to Finish' report, published in November 2016 by Lichfields under their previous name Nathaniel Lichfields Planning, abbreviated to NLP) is not the latest evidence available as a second edition of this research has now been published. This research (page 14) confirms that delivery is faster on sites which are less affordable than average (lower than an affordability ratio of 8.72) however the affordability ratio for Ashfield is 5.30. In such circumstances a lower rate of delivery than 55 dpa would be prudent for plan making purposes. It is acknowledged that on larger sites the introduction of a second outlet (page 15) or affordable housing (page 17) may increase delivery.
- 4.18 It is unclear how these delivery rate assumptions align with recently published evidence and we would suggest further analysis is required into the district average of 44 dpa.

Strategic Housing and Economic Land Availability Assessment (SHELAA)

- 4.19 The site is assessed in the SHELAA 2021 under site reference SA007.
- 4.20 The site is assessed as having a gross developable area of 13.27 hectares and as being **available, suitable and achievable** for the delivery of 322 dwellings within 0 – 5 years. No potential abnormal site costs are identified.
- 4.21 We **support** the assessment of site SA007 in the SHELAA 2021.

Sustainability Appraisal

- 4.22 The development of Site H1Saa is assessed as having a significant positive impact upon sustainability appraisal objectives relating to housing and social inclusion / deprivation, and a positive impact upon objectives relating to health, travel and accessibility, employment, economy and town centres.
- 4.23 The site is assessed as having a negative impact upon objectives relating to biodiversity and green infrastructure, air and noise pollution, and climate change and flood risk.
- 4.24 The site is assessed as having a significant negative impact upon objectives relating to landscape and natural resources. We **object** to the assessment of the site as having a 'significant negative' landscape impact as this is not an area of high landscape character nor Green Belt. We believe this assessment should be changed to 'minor adverse' impact.

Summary

- 4.25 Site H1Saa is available, suitable, deliverable, and is capable of delivering 322 dwellings within the Local Plan period. The site is situated in a sustainable location on the edge of Skegby within close proximity to a number of services and amenities. The development of this site therefore represents a sustainable form of development.
- 4.26 We **support** the allocation of Site H1Saa in the Ashfield Local Plan.

5.0 SITE H1SU – REAR 113 TO 139, BECK LANE

5.1 We **support** the allocation of Site H1Su.

5.2 Further comments on the draft allocation of Site H1Su and the Council's assessment of the site within the Draft Local Plan and supporting evidence base documents are provided below.

Site and Context

5.3 This is a greenfield site situated immediately north of site H1Saa as described in section 2 above. Our Client, Stags Limited, has an interest in the site and has confirmed that the site is **available immediately** for development.

5.4 The site is in a sustainable location, just north of Skegby and in close proximity to facilities, services and employment opportunities in Sutton-in-Ashfield and Mansfield. The site is within walking distance of existing bus routes on Mansfield Road (B6104), which provide services to Mansfield, Sutton-in-Ashfield and Kirkby-in-Ashfield. The site is located approximately 3 kilometres to the west of Mansfield town centre and Mansfield railway station, 2.4 kilometres north of Sutton-in-Ashfield town centre and 3.2 kilometres north of Sutton Parkway railway station.

5.5 The Inspector's report for the appeal on site H1Saa immediately to the south (ref. W3005/W/18/3213342) confirmed that this is a sustainable location in terms of its proximity to local services and that the site will be accessible via a range of transport modes, including the 417 bus service along Mansfield Road that allows connections into Sutton for services to the wider area, including Mansfield railway station (see our response to Site H1Saa in Section 3 above).

5.6 The site is bounded to the east by the rear of residential properties at 113 to 139 Beck Lane, to the south and west by agricultural land and to the north by further residential dwellings and isolated buildings. The site itself comprises fields with a band of vegetation and trees along the northern and eastern edge. There is existing vehicular access to the site via a tarmacked track leading off Beck Lane on the eastern site boundary.

5.7 There are no significant physical constraints to the site's development. The topography of the site is relatively flat.

- 5.8 The site has a low risk of flooding, being wholly situated in Environment Agency Flood Zone 1. There are no environmental designations identified within or near the site. A group of trees to the north east of the site are identified as being subject to a Tree Preservation Order (TPO 302). These would be incorporated into any future development scheme.
- 5.9 There is a public footpath crossing the site from south west to north east. This would be incorporated into any future scheme design.
- 5.10 The site is located within the Teversal, Stanton Hill and Skegby Neighbourhood Plan area but is not explicitly referenced or identified in any of the Neighbourhood Plan's policies or designations.
- 5.11 The site is therefore considered to be **suitable** for development.

Housing Trajectory

- 5.12 Site H1Su is proposed as a housing allocation in the Draft Ashfield Local Plan with an identified developable area of 4.46 hectares and capacity for 100 dwellings.
- 5.13 The Draft Local Plan Housing Trajectory (Appendix 2) identifies that Site H1Su will deliver 35 dwellings per year in years 2028/29 and 2029/30, and 30 dwellings in 2030/31.
- 5.14 It may be that once planning permission has been approved it is considered that this site may be able to deliver in excess of 35 dwellings per annum. Recent research published by Lichfields ('Start to Finish' Second Edition, February 2020) identifies that sites of 100-499 units deliver on average 55 dwelling per annum. The Council's delivery rate assumptions, as set out in Background Paper No.2 – Housing (October 2021), are set at 35 dwellings per annum (dpa) for all sites between 10 and 499 based on a 'cautious' figure which is below the historic average delivery rate in Ashfield District of 44 dpa on larger sites but is said to be in line with evidence from the HBF and Lichfields. However, the report that is referenced (the first edition of the 'Start to Finish' report, published in November 2016 by Lichfields under their previous name Nathaniel Lichfields Planning, abbreviated to NLP) is not the latest evidence available as a second edition of this research has now been published. This research (page 14) confirms that delivery is faster on sites which are less affordable than average (lower than an affordability ratio of 8.72) however the affordability ratio for Ashfield is 5.30. In such circumstances a lower rate of delivery than 55 dpa would be prudent for plan

making purposes. It is acknowledged that on larger sites the introduction of a second outlet (page 15) or affordable housing (page 17) may increase delivery.

- 5.15 We also anticipate that this site is of a size and will be delivering affordable housing such that it is considered that it will be able to deliver **up to 134 units**, rather than the 100 units currently identified, based on a dwelling density of 30 dwellings per hectare and a developable site area of 4.46 hectares.

Strategic Housing and Economic Land Availability Assessment (SHELAA)

- 5.16 The site is assessed in the SHELAA 2021 under site reference SA084 (combining parcels SA05, SA06 and part of SA011 and SA078).
- 5.17 In the SHELAA the site is identified as having multiple landowners and that the site “may be subject to a lease/tenancy”. The landowner of the majority of site SA084 (Stags Limited) has confirmed that there are no formalised tenancy agreements in place for this part of the site and therefore the site is confirmed as being **available**.
- 5.18 The SHELAA identifies that there may be “potential access constraints which could be overcome”. We agree that any local highway improvements required could be discussed and agreed through the planning application process. The Traffic and Transport Appraisal (DLP, June 2021 – attached at Appendix 1) identifies the potential for a 6.2 metre wide carriageway with 2 metre wide footways on either side to tie into the existing footway provision along Beck Lane (noting this footway is to be upgraded as part of the adjacent consented scheme for 322 dwellings). This access arrangement would allow for the realignment of Beck Lane at this point, to allow for priority to be given to the main flow of traffic into the proposed site, with existing properties then provided with direct access onto the main spine road accordingly. This would then be served via the existing A617 Beck Lane / Beck Lane priority-controlled junction with ghost-island.
- 5.19 The Traffic and Transport Appraisal (DLP, June 2021) confirms that a forward visibility splay of 43 metres could be achieved on the extension into the site, in line with a maximum design speed of 30mph. Furthermore, highway land boundary information provided by NCC confirms that proposals could be delivered within publicly maintained land. As part of any future planning application, a 7-day Automated Traffic Count (ATC) survey would be undertaken to determine existing 85th percentile vehicle speeds and associated accurate

visibility splay requirements. A capacity assessment would also be undertaken of the A617 Beck Lane / Beck Lane priority junction, and it is accepted that this junction may also need to be signalised.

- 5.20 It is also noted in the Traffic and Transport Assessment (DLP, June 2021) that the highway improvement works associated with the consented scheme to the south was based on a Transport Assessment that assessed the capacity for a potential scheme of up to 451 dwellings, which is in excess of the 322 unit scheme that is currently consented, indicating that there will be existing spare capacity at the proposed new junction to the south of site H1Su.
- 5.21 The site is assessed as being **potentially available, potentially suitable and achievable** for the delivery of 100 dwellings within 6 – 10 years. No potential abnormal site costs are identified.
- 5.22 We **broadly support** the assessment of site SA084 in the SHELAA 2021, however we wish to confirm that the site is **available** for development, and as the attached Traffic and Transport Appraisal (DLP, June 2021) demonstrates, is **suitable** for development.

Sustainability Appraisal

- 5.23 The development of Site H1Su is assessed as having a significant positive impact upon sustainability appraisal objectives relating to housing, and a positive impact on objectives relating to social inclusion / deprivation, employment, economy and town centres.
- 5.24 The site is assessed as having a negative impact upon objectives relating to biodiversity and green infrastructure, landscape, air and noise pollution, and climate change and flood risk.
- 5.25 The site is assessed as having a significant negative impact upon objectives relating to natural resources and travel and accessibility. We **object** to the assessment of the site as having a 'significant negative' impact on travel and accessibility as the Sustainability Appraisal Site Scoring Framework (Appendix M) states that the 'significant negative' rating will be applied to sites that "are not within 800m or 10 minutes walking of a bus stop or any other services comprising a primary school, GP surgery and Post Office". The site is located within 800m of the existing bus stop for service 417 located on Mansfield Road to the south. This service is also due to be enhanced as part of the development of Site H1Saa to the

south. The assessment of Site H1Su against the 'Travel and Access' sustainability objective should be changed to a positive impact as the site is within 800m or a 10 minute walk of a bus stop.

Summary

- 5.26 Site H1Su is available, suitable, deliverable, and is capable of delivering up to 134 units within the Local Plan period. The site is situated in a sustainable location on the edge of Skegby within close proximity to a number of services and amenities. The development of this site therefore represents a sustainable form of development.
- 5.27 We **support** the allocation of Site H1Su in the Ashfield Local Plan.

APPENDIX 1 TRAFFIC AND TRANSPORT APPRAISAL (DLP, JUNE 2021)



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