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29 January 2024

Our Ref: 40306

Dear Sir/Madam.

### **Representations to the Ashfield Local Plan (2023-2040) Regulation 19 Pre-Submission Draft Consultation**

These representations are made on behalf of Richborough in respect of its interests at Land East of Beck Lane and North of Skegby Lane which is identified as a draft allocation (ref H1Ss) in the Ashfield Local Plan (“ALP”) (2023-2040) Regulation 19 Pre-Submission Draft Consultation. These representations focus on the over-arching spatial strategy and site-specific matters relevant to the allocation itself.

#### **Background**

Richborough, who is in control of the site known as Land East of Beck Lane and North of Skegby Lane (**Appendix 1**), was founded in 2003 and is one of the UK’s most successful specialist land promotion businesses. Richborough supplies the commercial and housebuilding industries with consented land to accelerate the delivery of new homes and jobs.

Working in partnership with private and public sector landowners, estates, charities, trusts, dioceses and local stakeholders, Richborough promotes land via the planning system for residential, commercial and mixed-use development. Focusing heavily on placemaking, local communities and how development can complement and enhance existing infrastructure, the Richborough land promotion model incentivises all parties to ensure that, once outline planning permission is secured, the preferred development partner will secure reserved matters permission, commence construction and deliver new homes and jobs at the earliest opportunity. Richborough’s extensive track record of delivery can be viewed on its website – <https://www.richborough.co.uk/>.

#### **Strategic Policy S1: Spatial Strategy to Deliver the Vision**

##### A sustainable strategy underpinned by evidence

The spatial strategy, with a focus of development at the main urban areas of Sutton in Ashfield, Kirby in Ashfield, Hucknall and the areas of the District adjacent to the Mansfield Urban Area, is sustainable and deliverable. It is clearly underpinned and supported by the evidence base, including the Sustainability Appraisal (“SA”). This confirms that the strategy scores<sup>1</sup> positively for housing, social inclusion, employment, economy and town centres with a range of neutral effects. Significant negative effects solely related to the impact on natural resources by virtue of it being a greenfield site. This strategy clearly strikes an appropriate balance between the different sustainability objectives.

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<sup>1</sup> Ashfield Local Plan Sustainability Appraisal – Ashfield Local Plan 2023 to 2040: Regulation 19 Pre-Submission Draft Sustainability Appraisal Report – pages 70-71

The prioritisation of sustainable growth within and adjoining the Main Urban Areas will ensure that development is directed towards the areas that have the best accessibility to a wide range of services and facilities which are considered to be the most appropriate locations within the District for development. This will therefore ensure that the strategy will help to deliver the vision and objectives of the ALP. Sutton in Ashfield in particular is considered to be the most sustainable location for development in the district based on the services and facilities on offer. This is supported within the Council's evidence base, specifically Table 10 of Background Paper 1 – Spatial Strategy and Site Selection. This confirms that Sutton in Ashfield has the highest accessibility score (279.5) within the District.

Therefore, the spatial strategy will clearly contribute to the achievement of sustainable development and is consistent with national policy. Consequently, the overarching strategy of directing growth to the Main Urban Areas through a dispersed pattern of development is underpinned by the evidence base supporting the plan and is therefore justified.

#### A strategy that is flexible and deliverable

The approach contained within Policy S1 (criterion 5) of delivering homes via a pattern of dispersed development focused at these Main Urban Areas will ensure that the strategy is deliverable and importantly flexible. This is a clear strength of the strategy particularly compared to alternative strategies that may have been heavily reliant on large scale development, such as New Settlements with substantial longer lead-in times for delivery.

The preferred strategy will help to ensure that the trajectory is deliverable and that the plan effectively provides for its housing needs as calculated by the Standard Method. The strategy is therefore positively prepared, justified and effective, and consistent with national policy.

#### Land East of Beck Lane and North of Skegby Lane (H1Ss)

With specific regard to the Land East of Beck Lane and North of Skegby Lane (LP policy reference H1Ss), the proposed allocation is clearly aligned with the spatial strategy and will help contribute to the Council delivering its vision and objectives for the plan. The site itself comprises no significant constraints to development and is situated in a wholly sustainable and accessible location close to local facilities and services in Skegby and Sutton in Ashfield and also benefits from strong linkages to Mansfield. An outline application on a substantial part of the allocation has been submitted by Richborough and is currently awaiting validation by Ashfield District Council (ref V/2023/0679). The Framework plan (**Appendix 2**) supporting the application demonstrates that Richborough's site is capable of delivering up to 230 dwellings and open space, landscaping and drainage infrastructure. It will create a truly sustainable and attractive place with an enhanced quality of life for its residents. Therefore, when combined with the residual adjacent land to the south (in separate ownership), the potential capacity of the overall allocation is likely to be far in excess of the identified potential yield of 212 dwellings.

#### Summary

Overall, the Council's approach to the spatial strategy is considered to be sound. It supports towns such as Sutton in Ashfield in a proportionate manner whilst minimising the impact on the Green Belt by maximising the use of deliverable and developable sites in sustainable locations. Moreover, it focuses development towards sustainable locations, in particular capitalising on existing and planned public transport and active travel infrastructure, thus contributing to the achievement of sustainable development, consistent with the National Planning Policy Framework ("NPPF").

### Strategic Policy S7: Meeting Future Housing Provision

The Local Plan (para 3.5) acknowledges that the strategy is estimated to meet the housing requirement of 446 dwellings per annum (dpa), identified using the standard method for assessing housing need, up to the year 2038/39.

It is noted that the Council acknowledge that the need for the entire Plan period up to the year 2040 is not being fully met by the proposed land allocations and small sites. However, it is important to note that there may be higher yields coming forward on the proposed allocations than the Council has forecasted, such as at H1Ss (Land East of Beck Lane and North of Skegby Lane) where it is considered the wider allocation could deliver far in excess of the identified potential yield of 212 dwellings (discussed in more detail through these representations). This will further boost the supply of housing and help contribute towards the housing needs of the District.

#### Integration with wider, long term opportunities for growth

It is important to note that whilst it is acknowledged that under the duty to co-operate, the Council have agreed with Mansfield and Newark & Sherwood Councils that each district will accommodate their own Local Housing Needs (“LHN”), it is relevant to note that there are longer term opportunities arising from development of the site as illustrated on the Site Context Plan (**Appendix 1**). For example, Richborough controls and is promoting the adjacent land to the east in Mansfield district. This highlights the potential for additional development that could help meet future needs of Mansfield district in the future in a location that is well-connected to existing services and facilities by sustainable modes of travel.

### Policy H1: Housing Site Allocations (H1Ss)

The inclusion of Land East of Beck Lane and North of Skegby (Policy reference H1Ss) within Policy H1 is welcomed and it is confirmed that the site is deliverable. Richborough has recently submitted an outline planning application on a substantial part of the allocation which is in the process of being validated (ref V/2023/0679). This application confirms that the site is deliverable.

The site is in a sustainable location, Skegby has a range of facilities and services to provide for day-to-day needs, including King’s Mill Hospital, St Andrew’s Primary School, Dalestorth Primary School, Co-operative food-store, Skegby Parish Hall, Skegby Post Office, Morrisons Supermarket, playing fields, and a number of cafes, pubs, churches and shops. The site is within walking distance of bus stops around 400m to the south west at the Fox and Crown where there is an hourly service to Sutton-in Ashfield (417) which runs between 10am and 2pm. The bus stop 500m to the north east of the site at Abbott Road has services to Mansfield and Ladybrook (217), whilst a further service around 800m from the site at Birks Road provides access to a twice hourly service to Mansfield. Mansfield Train Station is a 7 minute car journey from the site.

The deliverability of the proposed allocation (H1Ss) has been demonstrated through the outline planning application and supporting technical work which will help to ensure that delivery on the site commences within the immediate five-year period. There are no technical issues that will prevent development of the site and Richborough is committed to enabling the delivery of the site early in the plan period through a sale to a preferred developer partner who will be responsible for submitting reserved matters and ultimately building out the scheme. This will make an important contribution to delivering the over-arching spatial strategy and housing needs of the district, and thus achieving the vision and objectives of the Local Plan.

Under each of the proposed allocations a ‘potential yield’ of dwellings is identified in Policy H1. Regarding site H1Ss, it should be noted that whilst the policy identifies a ‘potential yield’ of 212 dwellings, this is a very conservative estimate

and should not be treated as a maximum limit to development capacity. Indeed, the Framework Plan (**Appendix 2**) submitted as part of the outline planning application demonstrates that an illustrative layout (supported by a range of technical reports) which makes effective use of land, delivers a strong network of green infrastructure and achieves at least a 10% Biodiversity Net Gain can achieve a yield of up to 230 dwellings.

Furthermore, the Framework Plan also shows how Richborough's site can integrate with the residual allocation to the south and wider potential opportunities for growth in the future (to the east in Mansfield district) without the need for further junctions on Beck Lane.

The additional yield on the site (demonstrated through the current application and the potential for additional capacity from the residual allocated land to the south) is particularly important given the Council acknowledges its LHN for the entire Plan period up to the year 2040 is not being fully met. This does indicate that there may be additional capacity coming forward on the proposed allocations which will further boost the supply of housing in the District.

### Supporting Text to Policy H1Ss

The allocation is accompanied by supporting text that seeks to provide further context to the allocations. However, it is considered that to improve the effectiveness of the plan, further clarity and amendments are considered necessary, as set out below.

#### Paragraph 6.73

With regards to paragraph 6.73, this relates to potential highways mitigation that may be necessary in the future, referring to two points of access. As shown in **Appendix 2**, two points of access to serve the site can be achieved.

However, the supporting text to H1Ss also refers to *"Future mitigation at key junctions along the MARR will be high cost engineering works and are likely to require acquisition of third party land"*. Firstly, it should be noted that technical work undertaken to inform the outline application (which can be shared with the Inspector if necessary) indicates that development of the site is not predicted to have any material adverse impact on the local highways network.

Secondly, it is unclear what, where and when the alleged mitigation is required, who is responsible for its funding and delivery and which third party land is required. The supporting evidence (Ashfield Local Plan Strategic Transport Modelling Assessment Full Report V2 - para 4.5.4) goes some way to assist in this regard by explaining that this mitigation is as a result of planned development in the Ashfield Local Plan and development proposals in surrounding areas (presumably including those in Mansfield district) and therefore costs should be shared accordingly. Specifically it states *"some of this cost will be allocated to developments outside of the Ashfield area and costs for these mitigation schemes will be shared between the developers, Ashfield District Council, neighbouring Local Authorities and National Highways where appropriate"* (emphasis added). However, this commentary is not currently reflected within the plan's supporting text.

#### Paragraph 6.74

As a result of technical work undertaken on the site as part of the outline application (which can be shared with the Inspector if necessary), the area at risk of surface water flooding is considered to be limited. As such, it is requested that the paragraph be amended.

#### Paragraph 6.75

Paragraph 6.75 refers to the potential for buried archaeological remains but the source for this information has not been referenced. Therefore, it is requested that for clarity the Council's Heritage Impact Assessment be appropriately referenced and listed in the footnotes for clarity.

### Paragraph 6.76

Paragraph 6.76 states that a “concise masterplan will be available to identify essential requirements expected by the Council, and provide more detailed advice and guidance specific to the site”. At present there is ambiguity about when and whom this is expected to be produced by, in which format and what planning status it might hold. However, as shown by **Appendix 2**, an illustrative masterplan (or ‘Framework Plan’) has been produced by Richborough demonstrating how the site can come forward and deliver the Council’s various requirements.

### Policy H5: Public Open Space in New Residential Areas

Criterion a) of Policy H5 states that on “sites of two hectares or more, a minimum of 10% of the gross housing area will be provided as public open space”. It is requested that clarity is provided as to how this requirement will be calculated (i.e. whether it is the total site area, the net-developable area, proposed floorspace or some other measurement).

### Policy SD1: Social Value

Policy SD1 states that all major developments will be required to submit a Social Value Strategy (“SVS”) demonstrating how social value is achieved throughout the lifecycle of the development, based on a comprehensive masterplan of the whole site. Whilst the aspirations of this policy are supported, further clarity is needed on the timescales for the production of the associated Supplementary Planning Document (“SPD”) which is said to provide further guidance on what an SVS should contain. It should also be noted that potential conditions associated with development to secure commitments in the SVS should satisfy the relevant tests in the NPPF (para 56), particularly that they are relevant to planning, enforceable and precise. This should be taken into account when producing the SPD.

### Appendix 2 – Five Year Housing Lane Supply and Housing Trajectory

We note that Appendix 2 contains a trajectory which sets out the anticipated annual housing delivery by site. Richborough wishes to comment on the housing trajectory for H1Ss as follows:

H1Ss	Years 5 27/28	Year 6 28/29	Year 7 29/30	Year 8 30/31	Year 9 31/32	Year 10 32/33	Year 11 32/33	Year 12 33/34
Ashfield	0	35	35	35	35	35	35	2
Richborough	40	40	40	40	40	30	*	*
<i>Difference</i>	<i>+40</i>	<i>+5</i>	<i>+5</i>	<i>+5</i>	<i>+5</i>	<i>-5</i>	<i>*</i>	<i>*</i>

*\*The above excludes any potential yield from the residual part of the allocation to the south, which is in separate ownership. As such, there could be a further boost to the housing trajectory beyond that originally identified by the Council.*

### Background Paper 1 – Spatial Strategy and Site Section

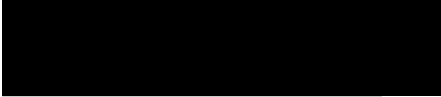
The Background Paper 1 – Spatial Strategy and Site Section and its rationale is supported, the approach taken in producing the spatial strategy and allocating sites for development, which aims to deliver sustainable growth across the District over the period 2023-2040, is considered to be sound.

### Attendance at the Local Plan Examination

Richborough requests to participate in the Hearing Sessions for the Local Plan Examination as it is in control of a substantial part of the allocation H1Ss, Land East of Beck Lane and North of Skegby Lane. We would also like to highlight

to the Inspector that Richborough has a planning application on the site that is awaiting validation by Ashfield District Council (ref V/2023/0679). Richborough's involvement in the hearing sessions is considered to be necessary to aid the Inspector's assessment of soundness in relation to the spatial strategy and any site-specific matters regarding H1Ss.

Yours faithfully



**Tom James**

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enc. Appendix 1 – Site Context Plan, Appendix 2 – Site Framework Plan